

found to cause cancer in mammals. He mentioned that the "American eagle, the symbol of America" is being killed off by DDT. He said suits have been filed on DDT, and more will be filed. I asked him if negotiating with the union would render pesticides harmless, and he said that the health and welfare clauses in the contracts could provide safety controls that will protect both the worker and the consumer.

He hinted that UFWOC could scare the wits out of the American public with the threat of pesticide poisoning, and we couldn't do anything about it.

The boycott did not hurt the growers much last year because it did not get organized until November, but this year it is all set to go in 275 cities. He corrected himself to say 277 cities "as of today."

For those growers who would negotiate with the union, the boycott machinery will be used to promote the sale of their grapes. I said that I could not recall that the union had promoted the sale of DiGiorgio grapes after signing with the union. He said that was because DiGiorgio, on the contrary, after signing with the union had "switched labels with Bruno, Kenny Kovacevich" and one other name I cannot recall. He said that when the growers came to realize it was in their own best interest not to switch labels, the boycott machinery could be used very well to promote the sale of union picked grapes.

When the pesticide issue came up with Seldon Morley, the Kern County Agricultural Commissioner, UFWOC tried for nine months to settle things quietly, but Mr. Morley and his people would not cooperate and thereby forced the union against its wishes, to bring the case into court and into the public eye.

He said the union had had conversations in the past with John Giumarra, Jr., and that "we told him we would make the boycott a national issue, and he laughed, when we told him we would bring up the pesticide issue, and he laughed, but we did all these

things." He said he hoped I would be more effective in passing along to the growers his message. He said something about establishing a line of communications, and that I could turn my office into a negotiating center. I got the feeling here that he was trying to see if he could detect whether or not he could give me delusions of grandeur about being the key figure in ending the whole mess. He said the growers do not need to be so fearful of negotiating. His exact words were "the growers seem to feel that if they sit down to a negotiating table with the union they will lose their virginity."

I asked him again his purpose in visting me and he said it was to have me pass along to the growers the message that if we do not negotiate, the union will press the boycott and the pesticide campaign, which will be needlessly destructive for both sides.

ELEANOR SCHULTE,

Office Manager, South Central Farmers Committee.

Mr. MURPHY. Mr. President, obviously the union has raised the pesticide issue in an effort to further harass the grape industry and in furtherance of their design to force the grape growers to force their workers to join a union which they do not wish to join. I believe they have gone too far in this case and that this deplorable story will show the UFWOC effort up for what it really is.

One of the contributing factors in this entire unfortunate affair has been the contrived confusion, built on propaganda, half truths, and, in some cases, outright falsehood. I intend from now on to check all witnesses for creditability, character, and purpose, so that the subcommittee may make proper and productive pronouncements as a result of these hearings.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 18 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, August 13, 1969, at 10 o'clock a.m.

NOMINATIONS

Executive nomination received by the Senate August 12, 1969:

JUDGE OF THE TAX COURT

William H. Quealy, of Virginia, to be a Judge of the Tax Court of the United States for the unexpired term of 12 years from June 2, 1960, vice Allin H. Pierce, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 12, 1969:

DEPARTMENT OF JUSTICE

Robert G. Renner, of Minnesota, to be U.S. attorney for the district of Minnesota for the term of 4 years.

Frederick B. Lacey, of New Jersey, to be U.S. attorney for the district of New Jersey for the term of 4 years.

DEPARTMENT OF THE INTERIOR

Louis R. Bruce, of New York, to be Commissioner of Indian Affairs.

U.S. TARIFF COMMISSION

George M. Moore, of Maryland, to be a member of the U.S. Tariff Commission for the remainder of the term expiring June 16, 1973.

EXTENSIONS OF REMARKS

WEST VIRGINIA ARTISANS DISPLAY SKILLS AND PRODUCTS IN WASHINGTON EXHIBITION

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES
Tuesday, August 12, 1969

Mr. RANDOLPH. Mr. President, the increase in our population and its demand for goods and services has fostered the development of an economy geared to mass production and standardization. Such an economy has benefited millions of people by allowing them to enjoy a higher standard of living at a reasonable cost.

At the same time, though, there has been a corresponding decline in the production of handcrafted, individually made products. In many instances the number of persons who possess the skills on which we were once dependent has dwindled.

Fortunately, there are still practitioners of the older skills to provide us with products that reflect their individual talents and imaginations. In recent years many of them have chosen to live in West Virginia and other Appalachian States, where they have joined with the native-born artisans of these States to

work amid the inspiration of our mountains.

In 1963, these creative people in my State formed the West Virginia Artists and Craftsman Guild to promote and upgrade their skills and market their products. The guild, which has the official sponsorship of the State department of commerce, provides a traveling display, technical information and publishes a regular newsletter. Works made by members of the guild have been placed on sale through many retail outlets, helping to provide the economic stimulus for continuation of their crafts.

This month several members of the guild are presenting a series of three weekend demonstrations and displays in Washington. Each Friday, Saturday, and Sunday they exhibit their products and the work that goes into them at the Appalachian Spring Shop, 1655 Wisconsin Avenue, in the city's Georgetown section.

On the first weekend the artisans were Ken Snyder, a woodcarver from Bluefield, W. Va., Conrad Wolf, a weaver from Gallagher, W. Va., and Beatrice Bannerman, a weaver from Culloden, W. Va. On the following weekend Ronald Thomas, a pewter spinner from Charleston, W. Va., and French Collison, a woodworker also from Charleston, were here. This weekend the craftsmen will be Sterling Spencer, a wood sculpturer from

Richwood, W. Va., and Pearl Williams, a quilter from Lost River, W. Va.

Mr. President, these West Virginians are doing much not only to keep old skills alive but to provide a supply of artistically admirable and very usable items. I encourage as many people as possible to visit the exhibit in Washington where they will meet the craftsmen and see the products of their skill and imagination.

THE WAY TO PEACE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SCHEUER. Mr. Speaker, last week marked the 24th anniversary of the atomic destruction of the city of Hiroshima. Twenty-four years later that city still has living reminders of that dread day. Each year more than 100 citizens of Hiroshima die from causes that can be traced to the bombing. In all, 190,000 people have died as a result of that disaster.

I find it ironic that last week, the U.S. Senate, albeit by the narrowest of margins, rejected attempts to block the deployment of the Safeguard system, a

ful step in the arms race. The "system," of course, will not be deployed for several years, and probably the close vote indicates that it may well never be deployed. Also, the ABM is a defensive device; thus, the Senate's decision to deploy is not as critical a decision as the deployment of MIRV would be in the world's race to self-destruction.

The irony is that, 24 years after the devastation of Hiroshima, we are still convinced that we can proceed to develop more sophisticated weaponry capable of progressively larger amounts of destruction as a means of defending ourselves. Too many of us are still satisfied that the way to peace is through the development of overkill strength which would make Hiroshima look like the 4th of July in Atlantic City.

Mr. Speaker, there is a lesson to be learned from the tragedy of Hiroshima and the history of the last 24 years. It is that man cannot save himself from the havoc of war through the development of defensive devices capable only of preserving our ability to strike back. In whose name would we strike back, once subjected to nuclear destruction that would involve the deaths of millions of Americans. If Armageddon comes, I am not certain that it will be terribly important that mankind's two survivors be American, as one congressional colleague has suggested.

We must transfer the dedication we have shown in developing the ultimate in death-dealing weaponry to our search for peace. Talks must begin now with those whom we regard as our adversaries aimed at ending the race to destroy one another. The way to peace is through the provision of food, health, education, jobs, living space, a healthy environment, and a commitment among men to understand one another in peace. Let us use our awesome technological skills and resources to fulfill these needs. Then perhaps we can look back upon Hiroshima, not as the symbol of a life of terror for people all over the world, but as a nightmare from which mankind has thankfully awakened.

THE TEXTILE IMPORT PROBLEM

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SIKES. Mr. Speaker, as one who has been active in the work of the informal committee of Members of this body vitally concerned with the textile import problem, I welcomed the interest which the distinguished chairman of the Ways and Means Committee displayed in introducing his bill, H.R. 11578, in the 90th Congress. I was again pleased with his leadership in sponsoring a new bill on the subject in this Congress, H.R. 11037. As the chairman knows, I joined with him in his efforts to secure legislative attention to the textile import problem by introducing somewhat similar bills, H.R. 11723 in the 90th Congress and H.R. 2719 in this Congress.

CXV—1487—Part 17

Mr. Speaker, my interest in this subject arises from the fact that one out of every three manufacturing jobs in my district are in the manmade fiber producing industry, the largest industry by a wide margin in the district. Manmade fibers are textile articles of basic importance to the domestic textile industry's operations. About 95 percent of domestic production of manmade fibers is used directly by U.S. textile mills. It is the domestic market, not the world market, upon which the industry, and the manmade fiber plants in my State depend. For the past few years, nearly 20 percent of the domestic manmade fiber producing capacity has been excess to the needs of the domestic market. Over one-third of this excess capacity has been idled by the rapidly rising imports of manmade staple fiber, filaments, filament yarn, spun yarn, fabric, apparel, and other made-up articles.

In 1968, imports supplied about 10 percent of the domestic consumption of manmade fibers, about double the average of 1961-62. These latter years are important as a benchmark because they are the years when the short-term and long-term cotton textile arrangements went into effect. These arrangements have a provision which was intended to prevent foreign suppliers from shifting the textile import problem from cotton textiles, regulated under the arrangements, to manmade fiber textile articles. Unfortunately, this antifrustration provision of the arrangements has never been invoked by the United States. As a result, the market penetration of manmade fiber textile articles of foreign origin on the domestic market has doubled.

Mr. Speaker, it is vital to the economic health of the domestic textile industry, including the manmade fiber producing sector, that there be promptly established a reasonable system of control over future increases in textile imports. It is good that President Nixon is committed to this goal, and that he has delegated the negotiating task to his Secretary of Commerce. But it takes two to negotiate. Thus far, the other nations which supply the excessive amounts and increases in textile imports year after year are unwilling to negotiate.

I share the hope of the distinguished gentleman from Arkansas that the U.S. Cabinet delegation visiting Japan will be successful in persuading that Government to come to the bargaining table for talks aimed at a peaceful solution among friends of this most difficult problem. If the Japanese fail to see the light, I propose to support the distinguished Chairman of the Ways and Means Committee and the 200 or more Members of this body who have a constituent interest in a favorable solution to the textile import problem, to secure the enactment this year of remedial legislation.

In such legislation, Mr. Speaker, as in the administration's efforts to solve this problem through negotiation, it is essential that all textile articles, whether manmade fiber, cotton, wool, silk, or blends of fibers, be included. We must not repeat the mistake of the Cotton Textile Arrangements of damming only

part of the stream. Control of the flow of imports cannot be achieved if textile articles of all fibers are not included.

Specifically, manmade staple fiber and tow, monofilaments, grouped filaments, and filament yarn whether with or without twist, or textured or nontextured, must be included. These products are defined as textile articles in the bills which have been offered by every one of the 200 or more Members of this body who have sponsored legislation on the subject in this and the prior Congress.

So I commend the gentleman from Arkansas for his renewed leadership in this matter. I urge him to use his good offices to insure that all manmade fiber textile articles are thoroughly and completely covered in the program which he is striving to implement. Let us get this job done. We have temporized with the problem long enough. Forceful action is required. If the gentleman from Arkansas will lead, he will find that he has my support all of the way to a successful solution of this problem.

RESULTS OF QUESTIONNAIRE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. McDADE. Mr. Speaker, each year I have sent the constituents of the 10th Congressional District a questionnaire to solicit their thinking on some of the significant issues of the day. It has been my privilege also to note the answers in the CONGRESSIONAL RECORD when the final tally has been completed. I am delighted, therefore, to present once again for my colleagues' study the questions and answers I have received from my very thoughtful constituents in the 10th Congressional District of Pennsylvania.

DOMESTIC ECONOMY

[Answers in percent]

1. Do you favor the Administration's decision to curtail Federal spending by an additional \$4 billion?

Yes	81.7
No	8.6
Undecided	9.7
2. Do you favor my bill to increase the \$600 Federal income tax exemption to \$1,000?

Yes	95.0
No	3.5
Undecided	1.5
3. Do you favor my bill to extend income tax credits for parents with children in college?

Yes	70.2
No	22.8
Undecided	7.0
4. Do you favor my bill to return a portion of Federal tax money to states and local municipalities with no strings attached?

Yes	73.9
No	17.6
Undecided	8.5
5. Would you vote for the continuation of the 10 percent surtax?

Yes	20.2
No	70.6
Undecided	9.2

6. Do you favor cutting back the number of people working for the Federal Government as an economy measure?

Yes ----- 79.4
No ----- 13.3
Undecided ----- 7.3

7. Do you believe the Defense Department gets too large a share of the Federal budget?

Yes ----- 54.8
No ----- 31.3
Undecided ----- 13.9

8. Given the present state of the nation, would you favor:

a. Increase in domestic programs with their attendant costs ----- 14.9
b. Holding the line on programs already passed and their costs ----- 40.4
c. Rolling back some of the recently passed programs and their costs ----- 44.7

DOMESTIC PROBLEMS

1. Do you favor expanding the present Food Stamp program to permit free distribution of food stamps to the needy?

Yes ----- 66.3
No ----- 24.2
Undecided ----- 9.5

2. Do you favor automatic cancellation of taxpayers' assistance to students who violently disrupt campus activities?

Yes ----- 93.7
No ----- 5.0
Undecided ----- 1.3

3. Should the Federal Government be permitted to use wire tapping and electronic surveillance methods to fight organized crime?

Yes ----- 87.7
No ----- 7.9
Undecided ----- 4.4

4. Do you favor the Administration's decision on deployment of the ABM system?

Yes ----- 44.7
No ----- 23.2
Undecided ----- 32.1

5. Should the United States continue to maintain its present lead over the Russians in space?

Yes ----- 65.5
No ----- 14.7
Undecided ----- 32.1

6. Should there be federalized standards in welfare payments?

Yes ----- 70.2
No ----- 17.9
Undecided ----- 11.9

7. Would you favor federal action to ban the advertising of cigarettes from television?

Yes ----- 57.0
No ----- 33.5
Undecided ----- 9.5

8. What do you believe to be the most serious problem facing America today:

a. Vietnam ----- 27.4
b. Inflation ----- 24.7
c. Crime ----- 25.9
d. Communism ----- 22.0

FARM

1. Do you believe that import quotas on dairy products should be fixed by law?

Yes ----- 56.3
No ----- 21.8
Undecided ----- 21.9

2. Do you favor setting a \$15,000 maximum on government farm support programs?

Yes ----- 64.1
No ----- 10.5
Undecided ----- 25.4

FOREIGN RELATIONS

1. Do you favor the establishment of a coalition government in South Vietnam which would include members of the National Liberation Front?

Yes ----- 36.9
No ----- 33.7
Undecided ----- 29.4

2. Do you favor Soviet-American discussions aimed at reducing the number of nuclear weapons?

Yes ----- 82.9
No ----- 11.8
Undecided ----- 5.3

3. If the Paris Peace Talks fail to produce an agreement within a reasonable amount of time, should the United States:

a. Increase military pressure, including bombing North Vietnam ----- 68.9
b. Hold enclaves around our main military areas ----- 3.8
c. Unilaterally withdraw from South Vietnam ----- 23.2
d. Continue our present program, without bombing North Vietnam ----- 4.1

NATIONAL ELECTIONS

1. The President has proposed a Constitutional Amendment to lower the voting age from 21 to 18. Do you favor this proposal?

Yes ----- 46.7
No ----- 48.8
Undecided ----- 4.5

2. Should presidential candidates be selected by national primaries, instead of party conventions?

Yes ----- 79.2
No ----- 12.8
Undecided ----- 8.0

3. What method of electing the President would you like to see?

a. No change. Keep the present system ----- 7.7
b. Direct popular vote ----- 76.3
c. Allocate the electoral votes within each state in proportion to the popular votes cast ----- 11.2
d. Count one electoral vote for the winner in each Congressional District, with two additional votes for whoever carries the state ----- 4.5

AIR WELCOME STATION AT ST. AUGUSTINE, FLA., MUNICIPAL AIRPORT

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. CHAPPELL. Mr. Speaker, I am honored that my district of Florida has again taken the lead in a most vital area, that of aviation.

There has been established what is known as an air welcome station at the St. Augustine Municipal Airport. This facility is designed to accommodate the thousands who annually travel by private aircraft to my State but who, until this time, were deprived of a place where tourists, accommodation, and recreational information was readily available.

Automobile travelers flock to the 10 welcome stations conveniently located on major highways leading into the State, and the St. Augustine Air Welcome

Station now provides air travelers with similar information at the airport. Tailored to the private aircraft user, the air welcome station also provides needed information on airport conditions and private landing strips easily accessible to the private plane.

It is especially significant that this facility, the first of its kind in the Nation, is situated at the Nation's oldest city. It also is significant that this imaginative step is being taken without appropriated State funds through the cooperation of the field management and respective chambers of commerce.

It is my honor to bring to the attention of the Congress and the Nation the opening of this facility and to commend those who showed the enterprise to work for its success.

NEWSLETTER

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, I insert the attached copy of my newsletter in the RECORD in order that it may be made available to all the Members and those who receive the CONGRESSIONAL RECORD and are not on my mailing list:

FROM U.S. CONGRESS—FLETCHER THOMPSON
REPORTS TO YOU

DEAR FRIEND: *No problem:* Until March Dr. Paul West and the Fulton County Board of Education were *unaware they still had serious school desegregation problems with HEW.* Fulton County voluntarily desegregated schools years ago and only minor problems existed. But HEW said Fulton's non-discriminatory desegregation was not acceptable because it did not produce racial balance. *HEW told the school board they considered the existence of all-black schools unconstitutional even though the neighborhood was black.* The \$850,000.00 Eva Thomas High School in College Park was the first target. Its students were all black and *without exception they all lived closer to the six-year-old Thomas school than any other.* HEW said *no all-black schools would be tolerated.* There are *ten more* in the Fulton County system and more than 58 all black schools in the Atlanta system.

A plea for help: When confronted by Secretary Robert Finch's HEW demand that *Fulton County achieve racial balance by either abandoning a six-year-old all-black school or pairing this school with a white school,* Dr. West asked for my help as the U.S. Representative of the people of the Fifth District.

A Congressman's advice: Because I am elected to represent all the people in the Fifth District, *I did not hesitate to intercede and specifically I advised Dr. West and the school board by letter dated April 25, 1969: "It is my recommendation to you that you abide by the neighborhood school concept wherein all children living closest to a school taking into consideration transportation patterns will be assigned to that school."* Basically, this was already being done. My further advice was to resist all efforts by HEW to force the closing and abandonment

of schools or the pairing of schools in order to bring about forced racial balance, and not to include such in any plans submitted to HEW as it was not required by law.

Advice to Secretary Finch: Following Fulton County's plea for help, I wrote Secretary Finch and told him that I would "raise all manner of hell" if HEW tried to force Fulton County to abandon the neighborhood school concept and cause the bussing, closing or pairing of schools in order to bring about racial balance.

What is the law: Section 409 of Public Law 90-557, which funds HEW, states, "No part of the funds contained in this Act may be used to force the bussing of students, abolishment of any school or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parent or parents in order to overcome racial imbalance." The House of Representatives affirmed this requirement in the new funding act on July 31, 1969, adding emphasis to the fact that the Congress is opposed to closing schools and bussing students which destroys the neighborhood school concept.

Evading the law: After three letters demanding that Secretary Finch bring his office into compliance with the above law, he finally answered that because of past discrimination he is entitled to require bussing of students, closing of schools, and in effect destroying the neighborhood school concept as a means of what he calls "disestablishing the dual school system." This, he claims, is not in violation of Public Law 90-557. I maintain that it is and may well have to bring impeachment proceedings if he persists in ignoring the law.

The Court's view: Federal courts have interpreted the phrase, "equal protection of the laws" contained in the Constitution to mean that a black child is denied equal protection when he attends an all-black school due to the social and psychological impact on him. The courts further have stated that "total integration regardless of the consequences to the educational system" must be achieved. With this in mind, the NAACP brought suit in federal court against Fulton County which had refused to abandon the neighborhood school concept. Based on prior judicial decisions, the outcome was predictable, however, Judge Albert Henderson Jr. in his ruling showed considerably more understanding of the Fulton County situation than have some other judges throughout the South. It is my personal opinion that the courts are still laboring under a misinterpretation of the Constitution by prior decisions. Fulton County, however, will be much better off under court order than under the abusive, tyrannical and indeed unethical tactics used by Secretary Finch's HEW.

A positive solution: Our forefathers came to America to escape tyranny and seek freedom. Forced social action such as closing schools and bussing students and requiring students to attend schools distant from their homes against the choice of their parents, is not in keeping with the American concept of the right of free choice. If we allow the social planners to destroy our neighborhood school concept and require attendance of students in schools beyond their neighborhoods, we may well someday find them advocating the denial of the right of an individual to choose his own occupation or even requiring him, as some are advocating now, to live in a particular area in order to achieve a racial balance. To prevent this, there must be an outcry of public opinion for we can bring about change when the President, the courts and HEW know that the people will not tolerate any more abuse and tyrannical tactics by government. Though in the past,

revolution has been used to effect change, with our system of government, the pressure of public opinion will effect change. If you agree with the statement on the attached petition to the President, please sign it and mail to me at the U.S. Congress, Washington, D.C. 20515. I will personally hand-carry these petitions to the White House.

Backing your views: Your answers on a recent questionnaire indicate I am following your views while serving you in Congress. Results show that 92% of you want to keep the neighborhood school concept. 70% want nation-wide enforcement of the guidelines rather than just in the South. 79% favored protecting America with the Safeguard missile system. 83% supported phasing out the surtax by reducing it to 5% on January 1 and eliminating it completely next June 30. 73% want popular vote election of the President and 95% want a nation-wide emergency telephone number "911." Your replies have been a great help in my representing your opinions on these matters before Congress.

It is a high honor for me to serve you in Congress.

Yours very truly,

FLETCHER THOMPSON,
Member of Congress.

NOTE.—Printing and paper paid for by your donations sent in and by myself.

A PLEA TO THE PRESIDENT FOR HELP

DEAR MR. PRESIDENT: I am a loyal American dedicated to equal rights, opportunities for all. I believe in the American system whereby our leaders listen to public opinion and reject abusive tactics which take away individual rights.

The rights of our children to attend neighborhood schools is being taken away by arbitrary demands of HEW and the courts.

I believe I know what is best for me and my children and do not accept the ideas of government planners to the contrary.

I request your help and ask that you tell your officials and court appointees that the constitutional phrase "equal protection of the law" does not mean forced bussing, closing of schools and requiring children to attend schools outside their neighborhood to achieve racial balance, but only that there be no discrimination against anyone.

All-white neighborhood schools and all-black neighborhood schools violate no one's rights. However, under free choice a student should be able to transfer to any other school where there is room.

Please consider my plea!

RICKOVER DOES IT AGAIN

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. HOSMER. Mr. Speaker, Adm. H. G. Rickover has fired yet another devastating salvo in his war against bureaucracy. No one in his right mind thinks Rickover is going to win this war, but almost everyone admires his true grit in the face of almost immeasurable odds. It appears that the plucky admiral himself, however, may actually believe in ultimate victory. His guerrilla tactics remind one of General Giap's hit, run, and stall strategy for what are known in some circles as wars of liberation. Rickover used the following ammunition to heat up the fighting in his latest maneuver:

AUGUST 6, 1969.

From: Director, Division of Naval Reactors.
To: All office personnel.

Subject: Walnuts; cracking of during working hours.

"FORT MADISON, IOWA.—The family of Glen Schlagenbusch, who owns the largest black walnut orchard in the state, cracked 180,000 walnuts—one at a time."—NEW YORK TIMES, AUGUST 5, 1969.

It has occurred to me that the above contains a possible means for increasing government receipts. I am having several sacks of unshelled walnuts delivered here on a trial basis. Please use your hands and feet when they are not otherwise occupied to crack the walnuts. This is, of course, in no way to interfere with coffee breaks, gossip breaks, going to the post office, bank, hairdresser, sick leave, etc.; it is also permissible to crack the walnuts outside working hours.

If this experiment proves successful it can be extended throughout the Federal Service. From what I have seen in more than 30 years, it should in no way reduce the amount of useful work presently being done; further, it could help reduce the National Debt.

The Civil Service, Atomic Energy Commission, and Navy Regulations do not cover this situation or require payment to you. However, I do plan to give each of you a small remuneration based on your productivity. (It is not permissible to eat the walnuts.)

For those not familiar with using all your limbs productively, I refer you to Dorothy Shay, the Park Avenue Hillbilly, who has demonstrated the gainful and simultaneous use of all hands and feet.

Please advise me by 1500 today of your thoughts on this matter.

H. G. RICKOVER.

THE FOREIGN GIVEAWAY PROGRAM

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SNYDER. Mr. Speaker, I recently received a letter sent to all Members from Congressman OTTO E. PASSMAN. This letter dealt with the dissipation of America's resources via the foreign giveaway program.

The net cost of the foreign assistance program since its inception (1946-1969), including interest on what we have borrowed to give away, amounts to \$182,853,000,000—that's billions, Mr. Speaker, billions.

During our worldwide spending orgy we have indulged ourselves to the point that well over half our gold holdings have fled and we might as well sell Fort Knox and keep the remainder of our bullion in my tool shed out back. In addition, short-term dollar claims against Uncle Sam have more than quadrupled so that if all the creditors come knocking right now we would all have to mortgage our britches to pay it. We are in arrears, Mr. Speaker, way in arrears.

Our cover-the-earth good guy program has helped push the U.S. public debt to a figure of \$57,081,000,000 above the combined public debt of all the nations in the world.

We have given so much money away that we are now borrowing from 30 foreign nations. We are giving money to for-

eign countries so that they can turn around and loan it to us at high interest rates. If any financial adviser of mine advocated something like that to me I would take him out and have him horse-whipped.

But wait, Mr. Speaker, there is more. Allow me the pleasure of your company as we trip down the flowery road to fantasyland. Thailand is the recipient of over \$1 billion of our aid. The United States went in hock to provide the Thais with this largess. Now—the clincher. After long diplomatic cajoling and arm-twisting, we recently wrangled out of the reluctant Thais a loan—a loan, Mr. Speaker, for \$100 million. Terms? Four and one-half years at 6 percent interest. Oh, how grateful we should be that the Thais condescended to give us a loan. I do not know how we could keep paying all of our bureaucrats out of our own money—it is all going overseas.

We are funding 4,408 projects and subprojects all over the world—in 97 nations and five territories during fiscal year 1970—with 51,000 people on the payroll.

The thing that is hard for me to take, though, Mr. Speaker, is the fact that, while many similar projects in America were closed down and boarded up for lack of funds during fiscal year 1969, not a single foreign aid project lost as much as \$1 as a result of the limitation imposed by the Revenue and Expenditure Control Act of last year. So while a lot of the people in northern Kentucky languish in the backwaters of bureaucratic ineptitude, we are sending money abroad. While my constituents suffer floods, lack of water, and untold inconveniences we pack billions off to east who-knows-where. And while the people of northern Kentucky cannot even obtain a measly \$50,000 to start planning for the Falmouth Dam, we are asked to funnel over \$20.5 million to the Ryukyu Islands this next year. Do you suppose, Mr. Speaker, that we could make it \$20 million even, to the Ryukyus, and build a dam in Kentucky so half the State does not float off down the Ohio River? I do not think that that is so unreasonable.

And while the dollar sinks slowly in the West—and the East, North, and South, for that matter—I bid you, my colleagues, a fond farewell as my constituents and I sink slowly into the marshes and bogs of the upper bluegrass, lamenting the absence of the Falmouth Dam and singing the praises of the Agency for International Development.

REMARKS OF RETIRED SENATOR
FRANK CARLSON

HON. MORRIS K. UDALL
OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. UDALL, Mr. Speaker, the House Post Office and Civil Service Committee has been hearing witnesses on the very

important subject of postal reform. One of the recent witnesses was Senator Frank Carlson of Kansas, who has many good friends in this body, and whose experience and wisdom on postal matters are of the highest kind. Senator Carlson's testimony gives a number of keen insights into this current debate and is a significant contribution. I am, therefore, inserting it in this RECORD so that all Members may have the opportunity of reading it:

STATEMENT BY RETIRED SENATOR FRANK
CARLSON OF KANSAS

It is a distinct pleasure to be back again on Capitol Hill where I spent so much of my life. My appearance here brings back memories of many years of pleasant associations with the Chairman and other members of this Committee. It is an equal pleasure discussing a subject I feel so strongly about, and that is that the Post Office Department is a public service.

The Post Office is, in a free society, the one basic and indispensable system of communications—the medium through which citizens exchange their news and thoughts and opinions, as well as being the medium through which they conduct their business.

This free and uncensored exchange of information through the mails is essential to the health of a democracy, just as such freedom would be an impossible privilege in any dictatorship. For this reason the postal service, through history, has always been freedom's first creation . . . and tyranny's first target.

I don't believe the American public should ever lose sight of one important fact—and because it's so often been reaffirmed by Congress, I don't believe this Committee will—and that is that the Post Office is not a business.

It is not now, nor should it ever be, a business for profit. It should be efficiently operated and managed in a business-like way . . . but it is not a business.

It is a public service for many reasons, but, to cite one, no business could afford to give every postal patron the identical service or product at one national price, regardless of distance. By tradition, the postal service has done so. The Postal Policy Act of 1958 recognized the public service aspects of the Post Office and provided for certain costs to be paid for out of public funds.

While Congress has repeatedly emphasized the public service characteristics of many of the functions of the Postal Service, the language of the proposed Postal Service Act seems to completely reject this philosophy. I believe that the Post Office Department—or the U.S. Postal Service, as it may be called—should continue to receive directly from the U.S. Treasury a sizable sum of money each year, as an investment in, by, and for America. My colleagues at DMAA share this view.

LET'S CONSIDER THE MAIN ARGUMENTS ADVANCED
AGAINST THE PUBLIC SERVICE CONCEPT

In its 1969 Survey of Postal Rates, the Post Office Department warned Congress of "rapidly rising" public service costs and attempted to report on the contributing causes. The Post Office talks about 1960 public service costs of \$37 million, which they point out are currently approaching \$750 million.

Let's examine Appendix A of the Post Office's Rates Survey (see next page [blue]).

First, notice that from the years 1960 through 1962 there were low estimates of public service costs. These represented subjective interpretation of the 1958 Postal Policy Act by the Department. In 1962 Congress rightly insisted that the Department should include in the public service cost some

part of the cost of 3rd- and 4th-class offices (which was in the 1958 law); also part of the costs of rural routes. Congress also revised the bookkeeping to a "total loss" concept rather than "revenue foregone" concept, and extended public service to include the loss on all in-county second-class mail.

I invite your attention to two points:

(1) Only since 1963 have public service costs been calculated the way Congress persistently and strongly declared they should be.

(2) Since 1963 public service costs have been close to 10% of the total costs. They aren't "rising" any more rapidly than total postal costs.

We conclude then that the Post Office Department and the Kappel Commission are saying that we, in the Congress, were wrong when we insisted on those changes in 1962 which were so clearly spelled out in specific amendments to the Postal Policy Act. I don't think we were wrong.

Before leaving Appendix A, I'd like you to observe the right-hand column we have added which shows that the total operating deficit (including public service) has ranged from 9.5% of postal costs in 1946 to 26.9% in 1952. It averages 17.7% through all 25 of the fiscal years between 1946 and 1970 shown in this Appendix.

In an advertisement which the Citizens Committee for Postal Reform inserted in The New York Times a few weeks ago, the first sentence said, "Every year the U.S. Post Office runs a deficit of \$1 billion." That sentence is misleading, and I urge the Committee to contrast that with the statements Larry O'Brien kept making when he was Postmaster General.

To the National Association of Postmasters in September 1966:

(Quote.) "We are and should be a public service. We cannot operate under the iron law of the balance sheet. What we are doing is too important. Our profits, and I firmly believe there has never been a year when the Post Office Department did not produce a real social profit, are often unseen. They are in terms, not of dollars, but in the enormous national benefit that comes from good mail communication." (Unquote.)

To the National Rural Letter Carriers Association in August 1967:

(Quote.) "I am fully convinced that the postal service is already returning an enormous profit to the people of the United States."

"It is almost impossible to put a dollar figure on the benefit derived from the operation of a fast, efficient nation-wide postal service. There is no dollar amount that can be placed on a mail system that guards the privacy of communication, and this ranks high on our list of American free institutions." (Unquote.)

Because it can and does provide such inestimable public services, I believe the U.S. Post Office should continue to receive directly from the U.S. Treasury a sizable sum of money every year . . . or else many of the vital services it provides to America will deteriorate and perhaps even disappear. If that should happen, America would suffer, and the responsibility for this loss would be obvious.

It is also well to remember that the operating deficit and the public service costs would have been less in many years if Congress had deemed it advisable to raise the price on reduced rate mail. The Post Office Department points out in the April 15, 1969 Survey that "in absolute terms, costs increased much more than postage for reduced rate mail." Congress could have raised these rates had it thought it was in the national interest to do so. But Congress did not raise these rates enough to cover the increases in cost!

APPENDIX A
POSTAL FINANCES, 1946-70
[Dollars in millions]

Fiscal year	Postal revenues and reimbursements	Costs	Operating deficit			Total operating deficiency (equals percent) costs
			Total	Public services	Revenue deficiency ¹	
1946	\$1,224.6	\$1,353.7	\$129.1			9.5
1947	1,299.1	1,504.8	205.7			13.6
1948	1,411.0	1,637.8	276.8			16.4
1949	1,571.9	2,149.3	577.5			26.8
1950	1,677.5	2,222.9	545.5			24.5
1951	1,776.8	2,341.4	564.6			24.1
1952	1,947.3	2,666.9	719.5			28.9
1953	2,091.7	2,742.1	650.4			23.7
1954	2,268.5	2,667.7	399.1			14.9
1955	2,349.5	2,712.2	362.7			13.3
1956	2,419.4	2,883.3	463.9			16.0
1957	2,496.6	3,044.4	547.8			17.9
1958	2,550.2	3,440.8	890.6			25.8
1959	3,035.3	3,640.4	605.1			16.6
1960	3,239.4	3,874.0	634.5	\$37.4	\$597.1	16.3
1961	3,374.0	4,249.4	875.4	49.0	826.4	20.6
1962	3,494.3	4,331.6	837.3	62.7	774.6	19.3
1963	3,879.1	4,698.5	819.4	412.9	406.5	17.4
1964	4,276.1	4,927.8	651.7	447.5	204.2	13.2
1965	4,483.4	5,275.8	792.5	514.1	278.4	15.0
1966	4,784.2	5,726.5	942.3	542.8	399.5	16.4
1967	5,102.0	6,249.0	1,147.0	561.6	585.4	18.3
1968	5,660.1	6,681.0	1,020.9	640.5	380.4	15.2
1969 (estimated)	6,430.0	7,334.8	904.8	695.6	209.2	12.3
1970 (estimated)	6,656.6	7,843.2	1,186.6	747.2	439.4	15.1
Average						17.7

¹Revenue deficiency (accrual basis) beginning in 1963.
²Includes \$272,000,000 for additional pay increases, effective July 12, 1969.

Note.—During fiscal year 1954, the Department began receiving reimbursement for penalty and franked mail and discontinued payment of subsidies to airlines. These and other changes affect the comparability of the figures from year to year.

Source: Official "Survey of Postal Rates," U.S. Post Office Department, Apr. 15, 1969.

This reminds me also of something I noted in Appendix B-1 (see next page [yellow]) of that same Survey of Postal Rates. The Congress in 1962 wisely insisted that the loss on special services be included in public service costs. I have noticed that the costs of special services have more than doubled since 1964. [No other category of public service costs has doubled since 1964.] Yet those are the very rates which are set by the Post Office Department! One-third of that loss is the loss on special delivery mail and another one-third is the loss on registry and collect-on-delivery services. These are the very services that involve identifiable incremental costs. Surely there is reason to believe that these services should make a major contribution toward institutional costs. But the Department did not raise these rates enough to cover the increases in cost!

Another argument used by opponents of public service is that the volume of reduced rate mail is growing rapidly. What, please, is wrong with that? If low rates were established as a catalyst to nurture and propagate these services in a growing country, isn't that healthy growth exactly what was intended by Congress?

The Federal Government has supported, still does support, and should in the future support the U.S. Post Office with sizable appropriations. Those who now say that all such support should be discontinued, perhaps five years from now, haven't proven their case at all. The American people, acting through their Congress, have consistently disagreed with this notion. The essence of the 1958 Postal Policy Act, confirmed in 1962, is simply this—

Some part of postal costs, or "deficits," is the obligation of the whole population, not just those who use the mail.

We agree that the identification and calculation of public service costs is a difficult one. Perhaps the correct figure should be more, or less than the present estimate. Perhaps we could argue about the specific amounts, but we nevertheless insist that there is considerable public service and con-

siderable public responsibility in the nation's postal system. This should be recognized by whoever runs it, and by whatever name it is called.

THE TWO COMPONENTS OF PUBLIC SERVICE

Specifically, there are two major areas of Public Service costs, and both urgently need to be continued. These are:

1. *Institutional Costs.*—Government must guarantee a service which enables every citizen of this country to have the privilege of sending mail to, or receiving it from, on a daily basis, any other citizen, regardless of his location,—for the same price. It is in the national interest for part of the cost of this monopoly to be borne by all citizens as taxpayers.

2. *Free or Reduced Rates.*—Congress has steadfastly and consistently set certain rates well below cost. In the Postal Policy Act Congress declared that it would be unfair for other users of the mail to make up the difference. This policy has borne fruit. Public contributions to these benevolent and eleemosynary works have enabled our country to stand taller in our eyes and in the eyes of the world.

INSTITUTIONAL PUBLIC SERVICE COSTS

Institutional Public Service costs exist in the Post Office because the mode of its operations, the speed and the frequency of service, the locations of its facilities and its pricing policies have all been based on the fact that the Post Office was an integral part of the U.S. Government and a significant part of its operations should be paid for by general funds from the U.S. Treasury.

[From the official "Survey of Postal Rates," U.S. Post Office Department, Apr. 15, 1969]

APPENDIX B-1
PUBLIC SERVICE COST ESTIMATES, 1960-68
[In millions]

	1960	1962	1964	1966	1968	1968
1. Free and reduced-rate mail:						
2d-class mail:						
Nonprofit publications.....	\$4.6	\$7.3	\$89.6	\$105.9	\$112.6	\$102.5
In country.....	.8	.9	61.9	64.3	67.3	85.2
Classroom publications.....	.3	.6	5.1	6.3	6.6	6.1
Total.....	5.7	8.8	156.6	176.5	186.5	193.9
3d-class nonprofit.....	13.3	26.4	62.6	94.1	113.8	118.9
4th-class:						
Special 4th-class rate.....	13.8	21.2	47.1	63.6	89.0	91.8
Library material.....	2.3	3.7	6.3	7.7	10.9	11.4
Total.....	16.1	24.9	53.4	71.3	99.9	103.2
Government mail.....	.1	.1	.3	.4	.4	.4
Matter for the blind:						
1 cent a pound.....	.1	.1	.2	.1		
Free.....	1.1	1.5	2.9	2.8	4.8	5.1
Total.....	1.2	1.6	3.1	2.9	4.8	5.1
Total.....	36.4	61.8	276.0	345.2	405.3	421.5
2. Rural operations.....			93.5	102.5	113.8	120.5
3. Nonpostal services (Government).....			22.4	23.5	28.5	30.8
4. Special services.....			54.8	71.4	92.6	119.5
5. Added cost of transporting mail on foreign air carriers.....	1.0	.9	.8	.3	.3	.3
All public services.....	37.4	62.7	447.5	542.9	640.5	692.6

¹ Adjusted.
² As reported in "Advance Summary, Cost Ascertainment Report, 1968."

When Mr. Kappel appeared before this Committee, you pointed out Mr. Chairman, that the telephone company, unlike the Post Office, does not serve everyone. Chairman Dulski said that when the phone company put a phone in a home it charged a service charge regardless whether the user made one call or fifty. Interestingly, Mr. Kappel responded that the phone company had money invested in something that was for their service—that is to say, the telephone equipment and lines leading back to the telephone of-

fice. In our opinion the cost of that investment is very similar to having a postman go from the post office past a patron's door every day, whether or not he delivers or collects any mail.

The mails—like agriculture, airwaves, electric utilities, telephones, ocean shipping, education and many other necessities—have traditionally received direct infusions of Federal funding in one form or another. They get it because the encouragement of these activities is in the national interest. The

Rural Electrification Administration (REA), for one example, receives Federal money at 2 percent interest to finance electric power and telephone service to parts of the nation which otherwise couldn't have these services as soon or as economically.

Unlike the one-time investment needed to bring power and phone lines to a farm, the need for mail service to that same farm is continuing. The cost for this mail service goes on year after year after year, and comprises an important part of the institutional costs of the Post Office.

Surely some reasonable percentage of overall postal costs must be borne by the Treasury on a continuing basis. I don't know what that figure should be, but I do know that Public Service costs have been about 10 percent of total postal costs ever since 1962 when the Congress identified Public Service costs. I think that if we have erred in the past, we have erred on the low side.

THE INTERRELATIONSHIP OF THE POSTAL MONOPOLY WITH INSTITUTIONAL PUBLIC SERVICE COSTS

The Post Office has no real competition because it has a monopoly on the delivery of its prime product—First Class mail. This is as it should be, but we must recognize the general law of economics that absence of competition usually results in higher prices. The best and simplest guarantee that the Post Office will be efficiently run at the lowest cost might be to let it compete for postal services.

Some have suggested that if the monopoly were dropped and if free enterprise was allowed to compete for the delivery of mail, the result of this competition would provide a beneficial solution to many problems, such as the comparability of pay and equitable rates. I believe the Congress has felt the monopoly should be continued because the private services would probably undercut the U.S. Postal Service. The Kappel Report itself states that:

"The Postal Service is particularly vulnerable to 'cream-skimming' in the high-volume, high-value segments of its market. . . . Under such competition the Post Office would lose lucrative portions of its business, increasing its average unit cost and requiring higher prices to all users."

Congress has felt that eliminating the postal monopoly would not be in the national interest. It demonstrates that there is a public responsibility in the continuation of the monopoly. The extra cost which the monopoly generates is the price which the nation must pay for total availability, uniform rates, and guaranteed daily "free" delivery everywhere.

"Free" delivery is of course a misnomer, whether it be rural delivery or city delivery. Delivery costs actually represent about 42% of total postal costs. Delivery costs could be greatly reduced if the American people were willing to pay some token amount for the privilege of delivery, as they might have to pay a private mail delivery service, and as they now do pay for milk, telephone service, or other commodities. No one has yet seriously suggested this. We submit that this cost is a residual, built-in cost of the national mail service and that some portion of it should be borne by the general taxpayers.

So far I have been talking about the Institutional Public Service costs of the Postal Service. Under the present law, the only provision for institutional Public Service costs is in the "rural operations" area. Appendix B-1 of the August 15, 1969 Post Office Survey lists these rural Public Service costs as \$120 million. I am convinced that institutional Public Service costs are far, far greater than this token \$120 million.

The present law includes no provision whatever for the other institutional Public Service costs I have been mentioning—the cost of the guaranteed privilege of daily door-to-door delivery, or the cost of the monopolistic uniform-price network. The present

law includes an absurdly low provision for the cost of thousands of post offices whose salaries exceed their receipts, but which exist as local branches of government.

Speaking of government, the present law includes no recognition of such obvious government functions as the protection and guaranteed secrecy of first class mail, of the need to combat pornography, of public protection through the mail fraud statutes, of the countless public securities and crime prevention activities provided by the Postal Inspection Service. The roots of government lie deep in the postal service. The employees of the proposed Postal Corporation will be subject to the Health Act and will continue to receive deserved recognition in the Veterans' Preference procedures. The postal system will continue to be a major source of employment for minority groups and for unskilled and handicapped persons. All of these functions are required by society in general.

So I come to a recommendation for you, one which I hope this Committee will give careful consideration:

H.R. 11750 embodies a break-even concept. It assumes that the rates and fees charged by the Postal Corporation should, in five years, substantially cover its costs. It includes no appropriation for institutional public services after that period, and I cannot emphasize too strongly how wrong I believe this to be.

I believe that Congress should draft its postal reorganization bill in such a way as to permanently recognize the institutional public service costs inherent in running any postal service, as the present law does. I hope you will go farther than the present law does. I believe some percentage—perhaps it should be 10%, but that is for you to decide—of overall postal operating costs should be underwritten and guaranteed by the American people as an appropriation towards, and as an investment in, themselves and their future.

FREE OR REDUCED RATES

The Postal Service Act provides that if Congress by legislation shall grant free or reduced rates in some areas, the President may annually request Congress to appropriate to the Postal Service Fund an amount necessary to recover the foregone revenue. [Section 1202(b)]

The bill fails to provide any means for Congress to determine whether these rates will continue to be for the public good. Under the present system, this Committee spends many hours determining whether there should be changes in the preferential rates for the nonprofit mail sent out by schools, colleges, churches, unions, fraternal orders, veterans associations, etc. You also hear testimony from others who benefit from reduced rates such as libraries, book publishers, the blind, in-county newspapers, etc.

We believe these hearings should be continued. Congress could then give the public reasonable and necessary protection for the many worthwhile activities involved. We further believe that it should be national policy to fund whatever difference may exist between reduced rates legislated by Congress and normal rates established by the rate-making machinery proposed in H.R. 11750.

Mr. Chairman, surely those groups who benefit from preferred rates can state their case better than I can, or better than DMAA, as a broad-based national association, can. We believe the major portion of public service responsibility is clearly in the area of institutional costs, which in my opinion have been grossly underestimated in the past.

Again let me stress our conviction that the total Treasury responsibility for postal public service coverage should be at least in the magnitude of 10% of total postal operating costs. We are only concerned that 10% may not be enough to fully recognize the vital power of mail to our economy and culture.

PUBLIC SERVICE IS PUBLIC RESPONSIBILITY

Someone must pay to provide these necessary services. Since the proposed postal corporation would be a government-owned corporation, it should be supported at least in part by the taxpayers, who—through you, their elected representatives in Congress—have in the past declared certain postal functions to be worthwhile and in the national interest.

When culture, benevolence and commerce prosper, the whole nation benefits. Therefore the whole nation should bear the responsibility for its investments.

SHOULD WE HARM OUR MUSEUMS?

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, during the debate last week on the tax reform bill, I expressed the feeling that the new regulations concerning donations of works of art to museums could do grave damage to the ability of museums to continue to bring the best in the world of art to the American public.

The Washington Star this past Sunday carried an excellent article quoting Kyran McGrath, executive director of the American Association of Museums, as fearing the new regulations will penalize private museums. Mr. McGrath points out that the effect of the new tax regulations will be to penalize collectors who give works of art to museums, thus reducing the number of valuable art works donated.

The points raised by Mr. McGrath are precisely the points I raised on the floor during the debate. I should like to insert this timely article in the RECORD, and commend it to the attention of my colleagues.

The article follows:

DRIVE FOR TAX REFORM MAY HURT MANY MUSEUMS

(By Benjamin Forgey)

Many museums—especially small and medium-sized museums—may be hurt in the drive for tax reform.

Certain provisions in the tax reform package adopted by the House last week will penalize private museums, which will be treated for tax purposes exactly as private foundations.

Another provision of the House bill will affect the operation of all museums, those considered publicly supported as well as the private ones.

That is why Kyran McGrath, executive director of the American Association of Museums, was wearing a sad face last week. McGrath takes a look at the giant interests dealing in the tax fight on Capitol Hill and figures that the museums will get lost in the shuffle.

BILL NOT LAW

The House bill, of course, still is not law. It must now go through the Senate mixer, and probably will not emerge from there until late fall. But McGrath doesn't like the odds against getting the legislation changed to favor the museums' interests. "As of now," he says, "I'd have to say the chances are very, very slim."

Up until now, museums have been treated

okay by the tax laws and some of them will be treated even better if the House bill becomes law. Most American museums began as private institutions, founded and funded by one or two or three local millionaires. Many have since picked up support from state and local or federal governments. But, McGrath says, at least half of the 1,065 institutions which belong to the AAM still are private museums.

This is noteworthy because the House bill makes it even more important for a museum to be "publicly supported" in the eyes of the law, and because most museums still get a large portion of their collections from private donors.

Under current law, contributors to private museums may deduct such contributions up to 20 percent of their adjusted gross income. Contributors to publicly supported museums may deduct such contributions up to 30 percent of their income. In the bill adopted by the House, the percentage for the former remains the same, while for the latter it is raised to 50 percent.

The value of such contributions, however—even to the larger, publicly supported museums—will be sharply reduced unless the contributions are in the form of stocks and bonds. A contributor giving paintings or other objects of art will have to give a lot more paintings and objects than at present in order to deduct the same amount from his income tax.

This is because under present law a contributor of a painting can deduct the fair market value of this painting from his tax bill. Under the bill adopted by the House, he may deduct only the original cost of the art work. In the new bill, as under present law, contributors who give stocks and bonds, will be allowed to deduct the current market value of their gifts from their taxable income.

There has been a running debate over whether this tax incentive has been the primary reason collectors have donated paintings or even whole collections to museums, but there never has been a question that they were rewarded for doing so. The question of whether they ought to be so rewarded is problematic; the practice has, as McGrath maintains, "encouraged the transition of art from the private to the public domain."

ABUSES RARE

There is of course the question as to whether this system has been abused for private gain. The general feeling among those who ought to know is that cases of abuse have been rare; most persons queried by a reporter felt that the system of appraisal set up by the Internal Revenue Service has worked well in prohibiting exaggerated evaluations of a painting's worth.

In the art community here opinion is somewhat divided over the effect of the new tax amendments. One singular view—that of Daniel Millsaps, editor of the Washington International News Letter—is that the new law would encourage the donation of stocks and bonds to museums as opposed to paintings, thereby ultimately increasing the amount of money museums would have to purchase works by contemporary artists.

Another view is that it will "raise the ante somewhat in terms of giving a painting to a museum as opposed to selling the painting." That is, it will cost the owner more to give the painting to a museum instead of selling it on the open market—but donors of really important paintings are too rich to pay much attention to the difference.

McGrath, however, insists that the net effect of the House amendments will be "to penalize collectors who insist on giving works of art to museums" and to reduce the number of art works thus given.

Another provision of the House bill, aimed at private foundations but applicable as well to those many museums that do not qualify as "publicly supported," will apply a tax on the investment income of those institutions. For many smaller museums, which use all the income from their endowment to cover (at least partially) rapidly increasing operating costs, this will hurt.

What has happened, apparently, is that in the general praiseworthy rush to close tax loopholes for the very rich, and to clamp down on the operation of the foundations, the fact that museums, even privately financed museums, do serve a genuine public interest, has been lost sight of.

CONGRESSIONAL QUESTIONNAIRE

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. ROTH. Mr. Speaker, this spring I sent out my third annual congressional questionnaire to the people of Delaware. Delaware has been a true bellwether State for the past two decades by accurately reflecting the national presidential vote totals, in some cases within fractions of a percentage point.

Almost 170,000 copies of the questionnaire were mailed, with one going to every mailbox in the State. The response was excellent, with more than 32,000 Delawareans sending back their completed questionnaires. With such a widespread sample of public opinion, I think my colleagues will be particularly interested in the results, and I would like to insert in the Record at the conclusion of my remarks a copy of the questions and percentage totals of the votes.

I would like to call particular attention to question No. 4, which asks for a choice of national priorities: more Delawareans chose inflation than any other problem.

Question No. 2 also merits close examination, coupled with these figures from past questionnaires: in 1967, 54 percent favored "all-out military effort," 14 percent favored "immediate withdrawal," and 12 percent favored "deescalation," that is, "end bombing." In 1968, 52 percent favored "all-out military effort," 13 percent wanted "further deescalation," and "withdrawal" had risen to 23 percent. By the same token, it is interesting to note that 56 percent of those responding in 1968 felt that "American military presence in Asia is in our national interest," and that figure dropped only slightly, to 54 percent on this year's questionnaire.

The questionnaire follows:
 SPRING, 1969, CONGRESSIONAL QUESTIONNAIRE
 [Answers in percent]

- 1. For electing the President, which one would you favor?
 - Retaining the present system..... 11.6
 - Direct popular election..... 72.7
 - A proportional system, where the presidential candidate winning in each congressional district would receive one electoral vote and the candidate winning in the state would receive two electoral votes..... 13.7

2. If the Paris peace talks fail, which one of the following would you favor in Vietnam?

- All-out military effort to end the war... 33.7
- Immediate withdrawal of troops..... 13.7
- Gradual deescalation and withdrawal, shifting burden to South Vietnam... 44.2
- Continue limited fighting, while seeking a negotiated settlement..... 5.8
- 3. In terms of selective service (draft) reform, which one would you favor?
 - Keeping the present system..... 17.7
 - A random lottery to choose servicemen... 19.6
 - National service (Peace Corps, military, medical corps, etc.) for all able-bodied men 33.3
- 4. Which three of the following problems do you feel should be the most important priorities of our Government?
 - Air and water pollution..... 31.1
 - Civil unrest..... 40.1
 - Crime 45.4
 - Defense 21.1
 - Education 20.3
 - Inflation 45.8
 - Population explosion..... 8.4
 - Poverty 15.7
 - Racial inequality..... 7.2
 - Urban crisis..... 11.2

- 5. Do you favor automatic cancellation of Federal aid to college students who physically disrupt campus activities?
 - Yes 87.9
 - No 10.1
- 6. Would you favor a constitutional amendment to permit voluntary nondenominational prayer in public schools?
 - Yes 83.8
 - No 13.4
- 7. Do you believe American military presence in Asia is in our national interest?
 - Yes 54.1
 - No 39.2
- 8. Do you favor the President's proposal for deployment of a limited ABM system?
 - Yes 54.7
 - No 35.3
- 9. Do you favor reorganizing the Post Office Department into a Government-owned corporation to operate on a nonprofit basis?
 - Yes 78.2
 - No 15.6
- 10. Do you favor replacing the system of special categorical Federal grants to States with a "block grant" system which would permit State and local governments to determine how the funds should be spent?
 - Yes 55.2
 - No 34.6
- 11. Do you favor a federally guaranteed annual wage which would assure every American a fixed minimum income?
 - Yes 21.8
 - No 73.9
- 12. Do you approve of the way President Nixon handled the shooting down of the EC-121 reconnaissance plane by North Korea?
 - Yes 57.8
 - No 31.1
- 13. Would you vote to continue the surtax—
 - If the money is used to aid the cities and the poor:
 - Yes 21.0
 - No 35.7
 - If the money is used to help end the war in Vietnam:
 - Yes 25.7
 - No 30.2
 - If the surtax is coupled with substantial budget cuts to stop inflation:
 - Yes 61.5
 - No 19.5

14. Do you think President Nixon's proposal to increase the Federal food outlay to the poor from \$1.5 billion a year to \$2.5 billion a year is—

Enough 46.0
 Not enough 14.9
 Too much 28.4

"SQUARES" INHERIT THE MOON

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. WYLIE. Mr. Speaker, on July 27 an article appeared in the Columbus Evening Dispatch newspaper entitled "Squares Inherit the Moon." This article concerns three great Americans who had just successfully completed their Apollo 11 mission and our Nation's greatest space feat.

This article is doubly significant at a time when we read almost daily about hippies, yippies, and beatniks who make no contribution to our way of life.

Mr. Roulhac Hamilton, chief of the Dispatch Washington bureau, wrote a newsstory which, I believe, is indicative of how most Americans feel.

An editorial appeared in the Dispatch concerning Mr. Hamilton's newsstory. I think the newsstory of July 27, and editorial of August 3, are worthy of the attention of all Members of this body.

The articles follow:

[From the Columbus Dispatch, July 27, 1969]

"SQUARES" INHERIT THE MOON

(By Roulhac Hamilton)

WASHINGTON.—It might be of more than passing interest to those of us over 30, and perhaps even to the militant young dissidents so busily engaged in sneering at us as bumbleheads incapable of accomplishment, to examine man's latest achievement.

Who were the principal performers in perhaps the most spectacular drama ever staged by man—the dispatch to the moon and the safe return to earth of mere man?

As everyone knows, they were Neil Armstrong, Buzz Aldrin, Mike Collins and Chris Kraft.

But what were they? What they were, in the terms of the young, were "squares"—men over 30 and thus supposedly incapable of accomplishment. Look at them:

Neil Armstrong, of Wapakoneta, Ohio, a small farm community on the Auglaize River; a graduate of Purdue and an ex-fighter pilot, son of parents who prayed for his safety and unabashedly asked others to pray; a man who regarded his dangerous mission into the unknown as "an honor and a privilege"—the first man on the moon.

Buzz Aldrin, of Montclair, N.J., a larger industrial city, an Army brat graduated from West Point, wearer of a Masonic ring and close crewcut father of three and a corn-on-the-cob addict—the second man on the moon.

Mike Collins, another Army brat, born in Rome, son of a one-time commander of Fort Hayes; a non-smoker who willingly performed the critical job of circling the moon for hours to bring the moon-walkers back to earth, a man not ashamed to say "It's fun to be at home."

Chris Kraft, of Phoebus, Va., a tiny fishing village near the experimental air base, Langley Field; a Virginia Polytech graduate, baseball player, cigar-smoker, the calm and cool boss of the whole project.

These four—the principals in the drama—are all men on the edge of middle age, men from the middle class. Nowhere among them, nor for that matter among the lesser figures in the huge cast that made the drama possible, was there a whiff of pot, a mop of unkempt hair, a shouting doubter or a self-pitying whiner.

Squares is what they were—and if they were unrecognizable to the pace-setters of the new culture, they were so recognizable to the rest of the world that they pushed, at least for a while, the scholars for destruction of society, the LSD eaters and the marijuana puffers, the wreckers of schools and colleges, right out of the news picture.

They are men and the sons of men and women who still believe that Boy Scouts are good, that divorce is bad, who teach Bible classes on Sunday, enjoy church suppers and Parent-Teacher meetings, who wash their kids' mouth with soap, who regard sexual license as wicked, who respect the American flag and observe the Fourth of July.

So they are indeed squares. But, more important, they are the sons of the kind of people—the men and women—who had the pioneer spirit, the vigor and the simple virtues which made the United States great.

They are, in short, the antithesis of the hippies with the dirty hands and feet who would revise the nation by destroying what it has been and put in its place only the Good Lord knows what.

There is significance in this dramatic triumph of the squares—significance beyond its scientific values, beyond its proof that the elderly (that's us people over 30) are not the bumbleheaded incompetents the militant dissidents think, even beyond its victory of man over imponderable nature.

The success, in so short a period, of the man-on-the-moon program is a burning sign that the spirit and the faith or the people who made the United States of America the world's great nation, the world's great society, is still alive and strong, still looking for new frontiers to conquer, and still proving that the simple virtues of cleanliness and decency and courage can, when supported by education and determination, meet and overcome any challenge that arises.

The revolutionaries of the new culture are not, by their own demonstration, much given to learning—but there is a lesson in the moon-landing which, if learned, might help with their own futures.

[From the Dispatch, Aug. 3, 1969]

"SQUARES" ON THE MOON

It must have been a bitter experience for the militant young dissidents—seeing those over-30 "squares" conquer the moon. You recall what the hippie-types have been saying: the over-30 set is made up of bumbleheads incapable of accomplishment.

But who were the principal performers in that historic moon venture? They were Neil Armstrong, a small town Ohio boy who graduated from Purdue and was the son of parents who unabashedly prayed; Buzz Aldrin, an Army brat who wears a crewcut and likes corn on the cob; Mike Collins, another Army brat who doesn't smoke and was not too proud to circle the moon while the other two astronauts trod the lunar surface; and Chris Kraft, a native of a Virginia fishing village, a baseball fan and boss of the whole show.

There they are—squares all—and among them not a whiff of pot, nor a mop of unkempt hair, nor a shouting doubter, nor a self-pitying whiner.

The chief of The Dispatch Washington Bureau, Roulhac Hamilton, mused about those "squares" in a recent commentary and drew several letters of favorable comment.

We believe Mr. Hamilton summed up the "squares" aptly when he wrote:

"They are men and the sons of men and women who still believe that Boy Scouts are good, that divorce is bad, who teach Bible classes on Sunday, enjoy church suppers and Parent-Teacher meetings, who wash their kids' mouths with soap, who regard sexual license as wicked, who respect the American flag and observe the Fourth of July.

"The revolutionaries of the new culture are not much given to learning, but there is a lesson in the moon landing which might help with their own futures."

IDAHO PARTNERS OF THE ALLIANCE

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. HANSEN of Idaho. Mr. Speaker, some of the most effective work in building international understanding and promoting the economic development of our Latin America neighbors is being accomplished by private citizens in cooperation with the Alliance for Progress program. For the past several years it has been my privilege to work with the Idaho Partners of the Alliance. A group of private citizens in Idaho is making a significant contribution to the people of Ecuador. Similar partnerships exist between other States and other Latin American countries. This effort offers one of the most promising means of building the friendship and good will and promoting the economic development of other countries that is the basis of achieving international stability and enduring peace.

Recently an enterprising reporter, Oren Campbell, wrote a series of articles in the Nampa, Idaho, Free Press and Caldwell News Tribune describing the Partners' program. Mr. Campbell is planning a trip to Ecuador to determine how the Partners' program can be further improved. I include as part of my remarks the series of the three articles written by Mr. Campbell:

PRIVATE CITIZENS WORK TO COUNTERACT LATIN RIOTS

(By Oren Campbell)

Gov. Nelson Rockefeller found the climate a little too hot this past week in Latin America.

Before he reached Peru on his fact-finding tour for President Nixon, Rockefeller was told by that nation he wasn't welcome.

Not only that—Peru said the U.S. military mission no longer was welcome in that country and that arms will be purchased from other nations in the future.

Rocky reached Bolivia, but he didn't see much of it. Riots were so widespread in La Paz that he was forced to limit his visit with government officials to the airport.

He didn't get to Venezuela. Reason: too many riots going on there.

In Ecuador and Colombia, there was more of the same. Deaths and destruction resulted.

The New York governor appealed to reason, asking the young rioters to appoint a delegation for a peaceful meeting with him. They weren't interested.

It certainly must have seemed to many Americans who read the news reports of Rocky's trip that South America is indeed very unfriendly toward the United States.

The events of the past week cannot stand alone as a true picture of Latin American sentiment.

Consider a recent meeting in Salt Lake City, at which several hundred delegates from the United States and Latin America came together as friends to discuss how people throughout the western hemisphere can work together for the benefit of all.

This people-to-people approach is generated through Partners of the Alliance, an organization of private individuals in 37 states and 15 Latin American nations.

Involved in this non-government approach to a "Good Neighbor Policy" are businessmen, professional men, educators, farmers, newsmen. Their goal is to promote self-help programs that can enable Americans to have a hand in Latin development while allowing the Latins to retain control.

The Partners are active in industrial, educational, agricultural and cultural programs in Central and South America.

This program is no one-way street, either. Teachers and students are exchanged between nations; cultural exhibits are sent to the U.S. Americans gain an opportunity to become better informed about their neighbors to the South.

Idaho was one of the first states to become interested in the Partners program and one of the first to get active.

Idaho's partnership with Ecuador, scene of some of the bloody rioting in recent days, has been extremely fruitful.

Since the partnership began less than five years ago, interested Idaho citizens have helped collect medical supplies and equipment (one of the first projects was a donation of 2,000 hypodermic syringes by Dr. Hal Reynolds of Caldwell), sewing machines and a typewriter for a home and school for orphan Indians, carpentry tools for a vocational school, and equipment for a crop and fruit harvest improvement project.

A year ago one student from Ecuador was enrolled for one year of study at the University of Idaho. This past year the U of I has played host to three Ecuadorians who came to this country under the auspices of the Partners program.

Self-help projects such as these are being conducted throughout the nation.

The Partners of the Alliance approach has been praised by both liberals and conservatives.

Former Rep. George Hansen, Idaho conservative who gave up his House seat last year for an unsuccessful try for the Senate, predicted the Partners program would be "impactive and far-reaching in Inter-American affairs" in the Feb. 16, 1967, Congressional Record.

LATIN AMERICA: ECONOMIC GROWTH JUST STOPPED

Fifteen years ago Latin America was prospering.

Between 1950 and 1955 the economy of Latin nations was growing at an annual average rate of 4.8 per cent to rank them behind only free Europe and Japan among the world's fastest growing economies.

Then a number of things happened to change this situation.

Alacid da Silva Nunes, governor of Brazil's state of Para, recently explained the change this way:

"It was in the middle of the 1950s that Latin American economic expansion stopped," he said.

"Exportation prices dropped and were consumed in the interchanging relations—and the index of economies and investments became lower . . .

"On the other hand this erosion in the development economy base revealed the existence of obsolete social structures which did not permit progress and prejudiced justice and, consequently, social stability."

And added to those was inflation, the Para governor said.

President John F. Kennedy, in 1961, expressed awareness of the Latin problems when he said:

"In all Latin America . . . millions of men and women are suffering the daily degradation of hunger and poverty.

"They need decent homes as protection against diseases. Their children do not have education or jobs which constitutes the support for a better life. And the problem every day becomes more urgent."

In August, 1961, the Charter of Punta del Este linked 20 nations together in the Alliance for Progress. Under the charter, these nations pledged themselves to attain a better economic and social life for all the peoples of Latin America.

These benefits were to be within the framework of personal dignity and political liberty. The United States had learned its lesson about personal dignity through the disappointments of its foreign aid program after World War II.

At the time of the formation of the Alliance, it was estimated that 10 years and \$100 billion—80 per cent of which would be provided Latin America—would be needed to make significant progress toward the goal.

A growing realization that government-to-government relations were not enough resulted in the formation of Partners of the Alliance, a grassroots approach involving concerned private citizens in all the Alliance nations.

The Partners program is described as a channel through which community organizations of all kinds, state or city institutions, or even private individuals can work directly with the people of another nation.

They might be helping the people of an Andean village, a jungle colony, a slum improvement cooperative or any of the numerous efforts by Latin Americans to improve their way of life.

The Partners program also provided an awakening for many Americans to whom a Latin American was a stereotyped, slow-moving fellow with a sombrero who never missed a siesta.

Gayle Allen of Boise was typical of many who was awakened to international problems by involvement in Partners of the Alliance.

Allen was among the first Idahoans to become involved in a partnership with Ecuador.

"I used to think all that mattered was right here inside our state. I didn't care about the problems of other countries. It didn't take me long to come out of my shell," Allen said.

He soon became so involved that he was chosen to head the Idaho Partners program.

The U.S. Government is involved in Partners in the Agency for International Development. All decisions and initiatives are taken at the state level. When advice or help is needed, state Partners groups may turn to the Partners advisers in the Agency for International Development at the State Department in Washington, D.C., or from the national Partners office in Washington.

The government makes available limited amounts of financial help to allow state Partners officials to familiarize themselves with conditions in their partner nation.

Wade Fleetwood, former Boise teacher now serving as associate director in the A.I.D. Partners office in Washington, said the federal government regards such travel as one of the most effective investments it can make in Latin American relations.

Fleetwood recently told the Idaho Jaycees convention in Twin Falls that the cost-benefit ratio is 18 to 1—\$18 raised through the private sector for every \$1 the federal government invests in the program.

"There aren't many areas of government interest that can match this kind of a cost-benefit ratio," Fleetwood pointed out.

PROGRAM PROMOTES MILLIONS IN AID, PLUS FRIENDSHIPS

It's impossible to place a dollar tag on friendship.

Likewise, the full value of an organization such as Partners of the Alliance can't be stated by an accountant. The Partners—a person-to-person approach to solving international problems—succeed through friendships where governments fail through diplomacy.

The total dollar value placed on projects completed by United States and Latin American partner groups has reached more than \$13 million after just five years of existence.

Last year alone, the 37 U.S. state partnerships and their Latin counterparts were responsible for carrying out \$3,147,783 worth of activities. Many of these projects directly benefited Americans.

The 1968 figure does not include almost \$2 million in foundation contributions inspired by the Partners program.

Neither does it include \$15 million in loans—arranged but not yet functioning, involving the partnerships of Alabama and Guatemala (\$1.5 million for housing); Georgia and Pernambuco, Brazil (\$10 million for road construction); and Texas and Peru (\$3.5 million for housing).

Yes, Peru is an active participant in the Partners program despite the recent severe outburst by the Peruvian government against the U.S.

As Miguel (Mike) Balbuena explains it: "We don't go through government channels. The government's problems with the United States are not involved in our partnership with Texas. It's people dealing with people—not government with government."

Mike is executive director of the Peruvian Partners program. He is a retired telephone company employe.

Mike admits that the Texas-Peruvian Partners program has been snagged recently, but the reason, he says, has been a shipping strike that has prevented goods being sent to Peru.

A Texas spokesman commented that it was difficult for a time to promote the Lone Star State's partnership with Peru when the government of that country was confiscating U.S. fishing boats.

But Peruvian and Texas Partners met as friends when Partners of the Alliance held its international conference last month in Salt Lake City.

Whether a project involves thousands of dollars or less than \$50, all are important in promoting international friendship—if not in helping to stimulate economy.

Michigan's Partners recently sent a convoy of six semitrailer trucks loaded with goods and equipment to British Honduras. The cargo included tractors, paint, clothing and other supplies.

The Utah Partners set up a barbering school in the Bolivian town of Achicha Abajo. The school was provided with scissors, clippers and other equipment; a professional barber was hired to train students. Proceeds from barbering done there go into a revolving fund for other projects.

The Connecticut Partners raised funds for materials to construct a commercial high school in Taperoa, Paraíba, Brazil.

Two Wisconsin cities donated used fire trucks to Nicaraguan towns.

A major project recently was completed by the Maine Partners. They sent more than \$100,000 in medical, educational and agricultural supplies—plus materials for an entire pre-fabricated house, to the Brazilian state of Rio Grande do Norte, Brazil.

This cargo, transported by the Maine Maritime Academy's training ship, was made up of donations from more than 500 organizations and individuals throughout Maine.

Ronald Hees, general coordinator of the Partners for the Brazilian state of Rio de

Janeiro, believes the people-to-people aid concept is working in his state.

"As the standard of living goes up," Hees said, "the influence of Communism decreases."

Hees said Brazilians are quite friendly with the U.S. He attributes this to the fact that his country probably is the most similar to the U.S. of all Latin American nations.

"It has the same kind of melting pot; the same kind of aspirations," he pointed out.

Mariano Sanchez is a writer and radio announcer for the Voice of America. His program, "Revolution of Hope," is heard throughout Latin America. A native of Spain, he has lived in Mexico for 12 years and in Honduras for four years.

Sanchez believes the Partners program is working effectively to correct what he calls the greatest problem in U.S.-Latin relations—"the lack of communications."

"The Partners program is a beautiful idea," Sanchez said. "It brings people together with one thought in mind—progress."

The Partners of the Alliance program is endorsed by many Latin government officials, although it is conducted outside of government channels.

Alacid da Silva Nunes, governor of Brazil's state of Para, recently told the international Partners conference that his state's partnership with Missouri has been very successful.

"We received the warm friendship visit of many Missouri citizens and many of Para's citizens have been well received in Missouri," Nunes stated.

"During the last year we received the first donations—hospital furniture, teaching aids, garden equipment—even now we are awaiting an agricultural technician who will be our guest during the course he will be taking at the Agronomic Research Institute where he is being prepared to assist public and private sector organizations on a few basic problems of the Amazonian nature.

"These are modest examples, but concrete and good for the future of the Partnership to which is devoted our organization. I hope that this special aspect has the incentives of understanding and collaboration between peoples of the Americas, side by side, without any interference from the government organizations."

The Partners approach has been applauded by many of our nation's leaders. President Nixon, in a recent statement directed to the Partners of the Alliance, said:

"Productive international cooperation must be between partners—partners who listen to each other, who share a cause, and pursue it with equal vigor. Your continuing success in furthering such cooperation is rewarding for all of us.

"The creative potential of our societies can be fully realized only if individual citizens exercise initiative and are willing to reinforce the work of their governments. It is imperative that we realize this full potential if we are to deal effectively with our immense problems and achieve the kind of progress we seek."

STAND UP FOR AMERICA

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. MONTGOMERY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following story about one small boy and how he stands up for America in the face of adversity. The young man, Alex Curtis, is the 9-year-old son of Major Curtis, who is a doctor teaching at the University

of Munich in Germany. Major Curtis has been assigned to Germany for some 10 years and all his children have been born there and are somewhat German oriented although they are very much American and very proud of it. The following story concerning one episode in young Alex's life was related to me by Lt. Col. Billie B. Curtis in the Mississippi Army National Guard.

When Major Curtis travels between Germany and the States he always buys his children some sort of toy. On one trip he let it slip his mind and at the last minute in the airport he bought a small American flag so he would not have to go home emptyhanded. He said that previously Alex would welcome the toys, but that when he got the flag, he was so proud he cried and now keeps it as a treasured possession. Later on there seems to have been a Communist rally in Munich with anti-American slogans and banners. Alex became highly irritated, slipped out of the house with his flag, and got into the middle of the demonstration, waved his flag and shouted "Up with America." Major Curtis said that when he got to his son, the boy was chewing the Communists out and telling them that if they did not behave themselves, he would get the U.S. Army and whip them again.

AIR AND RAIL CARRIERS MOVE TO OVERCOME LOSS OF INCOME

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. POLLOCK. Mr. Speaker, recently our distinguished colleague, the gentleman from Maryland (Mr. FRIEDEL), speaking in his capacity as chairman of the House Subcommittee on Transportation and Aeronautics brought to the attention of this body some of the problems this country's airlines are facing, and their bleak prospects for the future.

There is little question in my mind, judging by the economic straits the industry currently finds itself in, that many serious mistakes have been made by the Civil Aeronautics Board and on occasion by the Congress. The granting of unlimited privileges to supplemental air carriers has undermined not only the scheduled air carriers, but the supplementals as well, those very carriers these privileges were supposed to help. While in the enviable position of being allowed to skim the cream off the air traffic market, the supplementals have, nevertheless, through a combination of mismanagement and overestimation of capability, managed to place themselves in jeopardy. As a matter of fact, one of the larger supplementals ceased operation a little over a week ago.

The CAB, if one is to judge from recent decisions, would appear to believe that the cure for this ailing industry is the awarding of routes already surfeited by fierce competition to yet additional carriers. In the Miami-London case the Board disregarded its own examiner's recommendation and placed in competition with BOAC, a globe-girdling air-

line, a carrier which, because it lacks beyond rights, is forced to turn around at London. Nearly every carrier, that applied for additional authority received it. On three new routes, the international and the mainland-Hawaii phases of the transpacific case and the southern tier route.

The board justified these awards on the grounds that competition in markets that can sustain it is one of the best guarantees of good service. It went on to point out, however, that to have competition there must be strong, healthy carriers. Judging by economic indicators within the aviation industry—plunging stocks, an almost nonexistent rate of return on investment and an ever tightening money market—it would appear that the only way the carriers can maintain even a semblance of health is to merge. Therefore, if the clandestine intent of the board is to force airline mergers, as the recent awards would indicate, then it will be interesting to see how it justifies this in the light of its statement that competition guarantees the best service, not to mention its underlying responsibility for protecting the public interest.

As if to highlight these difficulties, a well-known air carrier, recent recipient of a new route system between Alaska, the Midwest, the west coast and Hawaii was forced just last week, because of an inability to arrange financing, to cancel its order for seven new Boeing jet aircraft.

Mr. Speaker, it is no consolation to the air carriers to know that they share their unenviable position with their railroad counterparts, but they do. Mr. Stephen M. Aug in his well-documented article, which appeared in a recent issue of the Washington Evening Star, aptly describes the economic plight of the transportation industry in general and the airlines and railroads in particular. Because I feel my colleagues will find this article both illuminating and alarming, I include it in the RECORD.

AIR AND RAIL CARRIERS MOVE TO OVERCOME LOSS OF INCOME—CAB ASKED TO VOTE FARE INCREASE; DIVERSIFICATION IS ALTERNATIVE

(By Stephen M. Aug)

Airlines and railroads—major carriers of people and things—are going ahead with plans for general increases in fares and freight rates to combat an array of economic problems, many of which can be summed up in a single word: inflation.

Earnings reports from the transportation industry have, with few exceptions—more of them among railroads than airlines—shown lower profits and, in some cases, deep losses.

The results of these lower earnings have been that some airlines are talking about mergers—and at least one has formed a holding company to diversify into nontransportation businesses.

United Airlines already has asked the Civil Aeronautics Board for a 6.6 percent increase in fares. Trans World Airlines says it will apply within a few days, and others are expected to follow. Several rail industry sources say the railroads are getting ready to apply for what would be their third general freight rate increase in as many years.

Share prices for the stocks of both segments have dropped along with the general market—but airline stocks are at their lowest prices in years, leading some industry sources to begin worrying that aggressive conglomerate corporations may begin buying at bargain prices.

RAILS DIVERSIFY

Most major railroads already have taken steps to diversify, and in several cases it has been only their nonrailroad properties that have shown earnings.

Penn Central is the best example. The largest railroad, it reported over-all earnings of \$21.85 million for the second quarter of 1969, down 7.5 percent from the same period last year. Virtually all the earnings came from nonrail enterprises. Penn Central's railroad lost \$8.22 million in the same 1969 quarter, compared with \$2 million in earnings in the 1968 quarter.

Northwest Industries, another railroad-based conglomerate, showed a \$5.4 million profit for the second quarter, but its railroad, the Chicago & North Western, lost more than \$2.5 million.

Penn Central predictably blames much of its losses on continuing deficits from operating passenger trains. It says it also continues to absorb heavy expenses of its 1968 merger.

C&NW blames much of its second quarter loss on springtime flooding—the aftermath of heavy winter snows. It also contends it is a weak railroad that has a lot of track and few freight trains—with resulting high maintenance costs, and relatively little income.

But rail industry sources generally blame the fact that industry stocked up on steel in the second half of 1968 in expectation of a steel strike that never materialized—and during the first half of this year, with steel stocks high, less was shipped. Further, efforts to cool off the economy generally have shown in a one percent dip in freight car loadings, and only a small rise in piggyback traffic, usually the fastest-growing segment of the rail freight business. There are also continuing wage increases.

Not all railroads lost money on rail operations. The Union Pacific, Norfolk & Western, Great Northern, Santa Fe, Seaboard Coast Line, Chesapeake & Ohio and Southern all showed gains.

Among the airlines, however, the mood was overwhelming gloom. For the industry, second quarter earnings of eight of the 12 major trunk carriers totaled \$54.5 million, down 34.1 percent from the 1968 quarter. For the half, earnings were \$95.9 million, a 78.4 percent nosedive from last year.

RESULTS OF SLIDE

Some of the results of the earnings dive:

Pan American World Airways, for the first time since 1941, failed to pay a quarterly dividend. It had been paying 10 cents a common share. Harold E. Gray, Pan Am spokesman, followed with a statement that "we are prepared to investigate opportunities that may arise for either acquisition or merger."

United Air Lines shareholders voted to set up a holding company. The firm, known now as UAL, Inc., owns the airline and is looking for other nonairline activities to acquire as a stabilizing effect of what may become continual cyclical earnings problems.

During the quarter ended June 30, Pan Am reported a loss of \$1.8 million compared with a profit during the same 1968 period of \$17.6 million. For the first six months, it had a loss of \$12.7 million, compared with 1968 earnings of \$14.3 million.

Trans World Airlines—which started round the-world flights Friday—wasn't far behind. Including its Hilton International operations, TW had second quarter earnings of \$6.2 million—about half of the 1968 period—and six-month losses of \$8.7 million. For the airline alone, it showed a second quarter profit of \$4.2 million, but six-month losses of nearly \$13 million. The 1968 six-month loss was \$4.7 million.

REASONS VARY

The reasons for the airline losses vary. Generally, best estimates are that airline revenue productivity, which had been gaining at the rate of about 10-12 percent a year, has

slowed down at the same time that inflationary losses, which had been averaging 1 to 2 percent a year have gone up to as much as 6 percent.

In the past, productivity was increased by substituting bigger more efficient jets for slower smaller piston planes. But now, any new jets simply replace older ones. And even with the new jumbo jets coming onto the line soon, economists foresee a productivity gain from them of only 2 to 3 percent a year.

And as the effects of inflation have begun to erode other gains, earnings have slumped—and badly. The Civil Aeronautics Board has set at 10.5 percent the rate of return—what the airline may earn as a percentage of its total investment. This rate of return currently averages 4.7 percent.

Some economists figure the airlines industry needs an average of nearly \$2 billion a year in additional revenue during the next five years. Some of this obviously will have to come from increased fares and freight rates, but there will also be more passengers. There are some who say the money need will balloon from about \$887 million in additional revenues this year to about \$3 billion by 1973.

PARTICULAR PROBLEMS

Some airline, however, have their own particular problems. One beset by big problems is Pan Am. It has contended that a major factor in its perilous situation has been supplemental airlines which offer cut-rate charter flights in its worldwide territory.

Pan Am also has problems with a variety of foreign nations. In some instances it has had routes authorized by the CAB for as long as a dozen years—but because agreements haven't been made with foreign nations, it has been unable to fly them.

Pan Am stock earlier this year was the subject of major buying by Resorts International, a Nassau hotel and gambling operation, and by Gulf & Western Industries, a major domestic conglomerate. Resorts later said it had no intention of trying to take over Pan Am. But G&W has since said nothing.

Passengers may notice at least one of the results of slimmer airline profits. Some lines have begun to cutback on the number of choices for in-flight meals—and others are substituting expensive meals with cheaper ones.

PROTECTING THE BAY AND DELTA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. WALDIE. Mr. Speaker, one of the Nation's most wonderful natural assets, the San Francisco Bay and delta estuary, faces a threat to its very existence from the ravages of fill, pollution, and reduction by the increased diversion of upstream fresh water inflows in the estuary's ability to flush itself clean of harmful wastes.

Mr. Speaker, these threats to the bay and delta have galvanized the public in the bay area and sparked a great outpouring of sentiment in favor of increased protection of the bay. This public reaction greatly assisted the efforts of the spokesmen for conservation to have the State legislature pass a strong and effective bill guarding the bay against filling. The threats of pollution and diminished fresh water outflow, however, still are present and it is now apparent that the forces that brought

about the conditions that aided passage of the strong fill control measure must rally to fight the two remaining threats.

Mr. Speaker, the newspapers of the bay area have played a most important part in the conservation fight to save the bay and the Sacramento-San Joaquin Delta. A leader in this continuing effort has been the Contra Costa Times, published in my own district. I would like to insert a recent Times editorial, "County's Delta Future Should Be Protected," which is an excellent example of the editorial support for conservation issues:

COUNTRY'S DELTA FUTURE SHOULD BE PROTECTED

During the next several weeks, extending perhaps into September, the California Water Resources Control Board meeting in Sacramento quite possibly will be deciding the future of Contra Costa's Delta area and San Francisco Bay itself.

Hearings are being conducted to decide on just how much water Contra Costa County and the Bay will receive from Northern California flows, and how much will be exported to Southern California through the California Water Project.

State engineers declare the future of the California Water Project itself is at stake since project commitments cannot be fulfilled if the Bay-Delta system gets all the water Contra Costa County says it needs.

All this points up a most serious problem. There is the real danger that if the State water project takes a quantity of water out of the Delta; salt water intrusion through the Bay will extend far into the Delta and destroy its farming, recreation and general ecology.

State of California officials are insisting that State standards are high enough to prevent this, and that Southern California's needs override those of the Delta.

This, of course, is open to serious question.

Former Secretary of the Interior Udall said before he left office that the State's standards are too low. He expressed the hope that State standards would be upgraded as a result of these Hearings.

There has been no assurance from the present Administration in Washington that new demands will be made to raise State standards. There should be.

One of the major issues in these Hearings is where this historical boundary exists between fresh and salt water. State engineers are of the opinion that the salt water line extends through San Francisco Bay and into most of the Delta, nearly to Sacramento, Stockton and Tracy.

The County has taken the stand that the "historical boundary" is somewhere near Port Chicago or the Antioch Bridge. The County wants enough fresh water from the north to halt intrusion at that point.

Even though the earliest date that mass exportations can begin in the Delta is said to be 1972, this is not too early for Contra Costans, along with those down the line in San Joaquin and Sacramento Counties, to become a bit exercised about the problem.

Some of the finest recreation areas and fisheries in the Nation are in Contra Costa County, not to mention a good deal of agriculture. All of these factors are the primary ones for insisting on observance of the historical boundary.

Contra Costa County, within the next several years, is destined to become the second most populous County in California, second only to Los Angeles. This should be of paramount importance to those testifying and taking testimony at these Hearings.

Contra Costa County's present and future water needs, together with the salt-water

intrusion factor, make it imperative that it receive at least a fair and equitable hearing, and that the State take a long, hard look at its present standards.

ADDRESS BY HAROLD GRAY, CHAIRMAN, PAN AMERICAN AIRWAYS

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES
Tuesday, August 12, 1969

Mr. COTTON. Mr. President, Harold Gray, chairman of the board of Pan American Airways, an aviation pioneer, recently delivered a most stimulating speech at the Aviation/Space Writers luncheon here in Washington. His presentation, "Pan American and the 747 Revolution," contains some interesting observations about the development of international air travel and its future.

I ask unanimous consent that Mr. Gray's speech be printed in the RECORD. There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY HAROLD GRAY, CHAIRMAN, PAN AMERICAN AIRWAYS

To tell the story behind the 747 properly one must go behind the event to set the stage or lay the background for the kind of decisions necessary in the aviation business. I would like to talk a little about the present status, and then speculate about where do we go after the 747.

So if you will be patient with me I'll go way back to the late twenties and talk about Pan Am's attitude and philosophy with respect to the acquisition of flight equipment. At that time Juan Trippe and his associates set out to make air transport available where it could best compete with other forms of transportation and where it would best serve the public. The obvious areas for implementing such a philosophy were those which separated centers of population by bodies of water or jungles or, in some cases, frozen tundra. Operations started between Key West and Havana. That's the last time I'll mention Havana today. The significance of this little 90-mile hop over water was not just the transportation provided over that sector, but the fact it was a stepping stone to expanding over-water services, long over-water routes throughout the Caribbean and subsequently across the ocean. In the "over-jungle" area, services were started a year later by Pan Am out of Texas down to Mexico and very shortly thereafter down through Central America through all of the capitals in that area.

To effectively pursue the extension of service into these areas obviously required a more complete utilization of the technology available to the manufacturing industry.

Fortunately, under the U.S. system of free enterprise, there was substantial competition available in the aircraft manufacturing business. These fellows developed a formula, still pretty good today, for drawing maximum results from the competitive manufacturing industry. It consisted of:

1. Developing, through a competent technical staff, realistic concepts of what is really possible with respect to design and manufacture.

2. Issuing a real challenge to the competitors in the business.

3. Expressing willingness to share the risk of the project with the manufacturer in terms of a very substantial order to begin

with and, second, in terms of making necessary advance payments.

This philosophy resulted in almost unbelievable progress in Pan Am's ability to do the job it had set out to do.

Even more fantastic was the development of completely new aircraft designs taking advantage of the latest technology in the industry. For example, the first airplane so developed was the four-engined Sikorsky 40-passenger flying boat—and remember this is back in the days of the old tri-motor Ford—a 40-passenger flying boat capable of flying with reasonable loads anywhere in the Caribbean on down the coast of South America. This was followed by a number of other designs, each a very substantial breakthrough in economy—range—speed or comfort. By 1936 we were able to fly the Pacific and the Atlantic.

The U.S. policy which permitted Pan American—I use the word "permitted" intentionally—to become a strong and important carrier in world aviation, this in combination with the great U.S. free enterprise competitive system for manufacturing airplanes, has indeed been a fortunate one. If this combination had not existed, and if BOAC, for example, had been the dominant carrier in international air transportation, it is quite possible that the world's airways would today be served primarily by Comet 10s or 11s or 12s or some number, instead of 707s and DC-8s.

I have said all this but very little so far about the 747. Now I would like to talk about how Pan Am's philosophy still works today and how it worked with the 747.

We rejected at that time the acquisition of stretched DC8s, stretched 707s, but we did strongly express our conviction that what the industry needed was a real breakthrough, something that would obsolete all equipment completely. One of the benefits was that it left the balance of the industry which did not get the contract with a great urge to move forward and do things. Boeing was most eager to proceed through the preliminary design stages of a commercial transport in the area of the 747.

By January of 1966 the feasibility of the project was confirmed. There remained two major problems. One was the tremendous financial burden of this program and the risk associated with it. It was beyond the comprehension of even the Boeing people to begin with. The other was the immensity of the pure production problem itself. As far as the risk was concerned, Boeing eventually agreed to go ahead, providing they had 50 firm orders for the aircraft.

It was further provided that progress payments would be made on a new basis deviating from the established practice of 30 per cent down prior to delivery. Now it became more than 50 per cent prior to delivery. Pan American agreed to purchase 25 of the 747 aircraft representing about a half a billion dollars in commitments. We agreed to go along with the progress payments Boeing required. Within three months, by July of 1966, Boeing had received enough orders to insure that the project would go ahead. To date Boeing has announced sales of 169 of these aircraft, including eight more for Pan Am ordered last January bringing our total to 33.

The second problem of production Boeing solved by sub-contracting on a new and very large scale. 75 per cent of the airplane is being built by other companies. Those of you who have been out to the factory know that just the assembly alone is a stunning effort for any one company.

Another common question asked these days about the 747 is what will it do to fares? The 747 will make it possible for the airline industry to operate at fares lower than they would be if the 747 hadn't come along. The direct operating cost of this airplane is

about 20 to 30 per cent lower than our current aircraft.

This airplane has a fantastic capacity for carrying cargo in addition to passengers and mail. With a full load of passengers and their baggage the airplane will still carry 20 tons of cargo in addition. That is as much as most all-cargo airplanes carry today.

There is another question I am often asked. That is, "Will the airports be ready for this beast?"

Well, the real question is not whether they'll be ready for the 747; the real question with respect to our airports today is whether they will be in fact, or are, ready for the normal growth of traffic—probably 12 to 15 per cent a year—a growth that would double traffic in five years. Are they ready for that traffic growth irrespective of the 747? The answer is no. Many of our airports are not ready for the normal growth of traffic which will definitely occur if not inhibited by lack of airport facilities.

The 747 itself does not impose quite the burden on an airport that many people think. For example, it doesn't require any different runways or any longer runways or any stronger runways. It can operate with the same degree of safety as our current airplanes and, in fact, the 747 will use less runway.

In the final analysis, the real problem is the number of people who want to travel. If we can carry those people in a 747, it will result in less congestion in the airways and around airports and it will improve the situation rather than worsen it.

Well, this is a short story. The facts again tell us that historically the bigger airplanes get, the safer they get. This is not only because the bigger airplanes are associated with advance technology but big airplanes just have more room for more things that make it possible to fly safer, and we are very, very confident that the 747 is going to represent another step forward in the area of safety.

With respect to the speculation about the future, I know many people have questions about supersonic. I'm not sure I can answer them. I know what you know. The Concorde has flown, low and slow; we will know more about it as the tests continue. I had rather speculate instead about a little more distant future. Say 15 years in advance, because if I'm wrong nobody in this room is going to tell me about it and if I am right I'll be able to look you up and say "I told you so."

I think the 747 and the other wide-bodied jets 12 years from now will still be the work-horses of the industry as far as air transportation is concerned. I think the travel market will still be growing, and growing at a rate in excess of the gross national product. I think fares will be lower in terms of loaves of bread—what they will be in terms of today's dollars, I don't know. I think that airlines will be jointly using rights-of-way through the skies, such as the railroads do on the ground today. The character of short-range air transportation will be changed completely. No longer will anyone go to a major airport to fly from New York to Washington, or probably any flight less than 500 miles. They will be using Vertols or STOLS or perhaps vastly improved ground transportation.

I would like to make one more, not quite so serious, suggestion and that is, people at that time will probably be in this room listening to somebody from Pan American tell about their initial order for hypersonic, nuclear powered, Mach-9 airplanes which only have to refuel themselves perhaps once a month or so. Airplanes that will fly between any two cities in the world without refueling and without any worry about their reserve. Imagine the effect of nuclear power! To put it in perspective, I should tell you that the 747 with full tanks has fuel on board weigh-

ing as much as 1,500 passengers and their baggage. Isn't that a fantastic figure?

Finally, with respect to the future, I would think this list of a little more than 4,000 people we have now who requested reservations for Pan Am's first flight to the moon will experience some turnover.

We also expect that by 12 years from now the list will be so long we will employ a special disc in our computer to store the information. And I suppose I would treat that lightly had I not been in this business for so long. Fantastic things will happen in the future. I've had a lot of fun in 40 years in this airline business.

GENERAL ACCOUNTING OFFICE LOOKS AT POSTAL REFORM

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. DULSKI. Mr. Speaker, our hearings on postal reform which began last April 22 are due to come to a close Tuesday with the return appearance of the Postmaster General. It is traditional to allow the General to return at the close of major hearings if he wishes.

We originally intended to complete the hearings on July 31, but at the request of several members of the committee we extended them several days in order to permit testimony from representatives of several agencies and departments of the executive branch.

A most enlightening and worthwhile presentation was made the other day by Robert F. Keller, General Counsel of the General Accounting Office. He discussed some of the basic features of postal reform and his presentation deserves wide attention.

As part of my remarks, Mr. Speaker, I am including the text of Mr. Keller's prepared statement before the House Committee on Post Office and Civil Service on August 8.

STATEMENT OF ROBERT F. KELLER, GENERAL COUNSEL, GENERAL ACCOUNTING OFFICE, ON POSTAL REFORM

Mr. Chairman and members of the committee: We appreciate your invitation to appear here today to comment upon legislative proposals relating to the reorganization or modernization of the postal establishment.

In your letter inviting us to appear, you identified five bills which exemplify the chief legislative proposals which are before the Committee for consideration.

These include H.R. 11750, H.R. 4 and H.R. 13124 each of which would provide for rather comprehensive reforms of the postal establishment and each of which would create a corporate body to carry out all or a portion of the present functions of the Post Office Department.

The other two bills, H.R. 1133 and H.R. 1134, relate primarily to appointments of personnel in the postal establishment.

For the most part, the changes involved in the proposals being considered by this Committee are matters for determination for the Congress which do not directly involve the functions or responsibilities of the Comptroller General or the General Accounting Office.

CONFINING ATTENTION

Accordingly, we would like to confine our testimony today to our general thoughts on providing for a Government corporation to

carry out all or part of the responsibilities of the postal establishment and to our thoughts on certain specific revisions of H.R. 4 and H.R. 11750 which we believe will be helpful to this Committee in its consideration of these bills and of other bills which include similar provisions.

H.R. 4 proposes to establish a new Government corporation, known as the Postal Modernization Authority (the Authority).

The Authority would be responsible for, among other things, financing, acquiring, improving, replacing, modernizing, and holding title to property, facilities, systems, and equipment necessary for the administration and operation of the postal service, together with planning related thereto. Under this bill, the Post Office Department would be retained also and would be responsible for conducting postal operations not assigned to the Corporation.

In contrast, H.R. 11750 proposes to abolish the Post Office Department and to create a wholly owned Government corporation which would be responsible for all postal service activities.

SOME FORM CAN BE JUSTIFIED

In our letters of August 1 on H.R. 4 and H.R. 11750, we informed your Committee that we believed that some form of corporate structure can be justified for the Postal Service to provide management with a greater degree of flexibility to better enable it to manage its commercial operations on a business type self sustaining basis.

However, the extent to which the Congress wishes to relinquish its control over the postal operations is of course a matter of policy for its determination.

Over the years the General Accounting Office has expressed concern that the establishment of Government-owned corporations tends to diminish congressional control over public expenditures.

It is our view that the public interest is generally best served when congressional control of Federal activities is exercised through annual reviews and affirmative action on planned programs and financing requirements.

This review is normally accomplished through appropriation hearings, which culminate in affirmative action on an appropriation request.

DEPARTURE ONLY WHEN JUSTIFIED

We believe that a departure from this standard should be made only where it is clearly demonstrated that the activity to be authorized can be more efficiently and economically operated through the corporate structure, and a net advantage to the Government will result.

Because the postal service is a highly business-type operation and, as indicated in H.R. 4 and H.R. 11750, it is generally recognized that serious handicaps are imposed on management by certain existing legislative, budgetary, and financial policies that are inconsistent with modern business practices, we believe that a departure from this standard is warranted in this case and that a corporate structure of some nature can be justified for the postal establishment.

The organizational structure proposed by H.R. 11750 is quite like that recommended by the President's Commission on Postal Organization and would grant much broader authority and greater flexibility for carrying out postal operations with correspondingly less congressional control over such operations than is proposed by H.R. 4.

LESS CONGRESSIONAL CONTROL

The Corporation which would be established under H.R. 11750 would be subject to less congressional control than most other wholly owned Government corporations subject to the Government Corporation Control Act.

While the Corporation would be generally subject to the Government Corporation Con-

trol Act, section 1003(e) of the bill provides that the Corporation's funds shall be available for expenditure without regard to that section of the Government Corporation Control Act which provides that the Congress shall make necessary appropriations making available for expenditure for operating and administrative expenses such corporate funds or other financial resources or limiting the use thereof as the Congress may determine (31 U.S.C. 849).

The effect of this exception would be that if, for example, the House Committee on Appropriations included a provision in an appropriation bill which would provide a limitation on the Corporation's expenditures, such action under the Rules of the House of Representatives apparently would be subject to a point of order.

The proposal to exempt the Corporation from the requirements of 31 U.S.C. 849 would provide Postal Service management with greater freedom and flexibility in operating the Postal Service than is provided for generally by the Government Corporation Control Act.

HOW MUCH CONTROL DESIRED?

While such freedom and flexibility could be conducive to achieving efficient, economical and effective postal service it would be a lessening of congressional control and as previously indicated, the extent to which the Congress desires to relinquish its control is a matter for its determination.

Regardless of which type of corporate structure the Congress might finally approve we offer the following comments for your consideration.

We are concerned that the sale of bonds to the public by the corporation would result in higher financing costs than would be incurred if the corporation used the financing facilities of the Treasury Department.

Studies made by our Office have disclosed that interest costs are generally higher when agencies obtain financing directly from the public rather than through the facilities of the Treasury Department.

We have no way of knowing precisely the amount of bonding authority which the corporation might use in future years nor can we predict what interest rates it might have to pay.

COST OF BONDING

If it is assumed, however, that the average bond indebtedness of the corporation would be to be \$2 billion, and the interest rate paid by the corporation on its bonds was, on the average, one-half of one percent higher than the interest rate at which the corporation could have borrowed from the Treasury, the added cost to the corporation would be \$10 million annually.

If borrowing authority is to be granted, we recommend that the corporation borrow all of its funds from the Treasury rather than borrow directly from the public.

If this recommendation is accepted and in order to retain the flexibility that borrowing from the public would provide, provision could be made whereby any borrowings necessary by the Treasury to purchase the corporation's bonds need not be taken into consideration with respect to the limitation on the amount of the public debt prescribed in the first sentence of section 21 of the Second Liberty Bond Act, as amended, 31 U.S.C. 757b.

In recent years many new postal facilities have been constructed for lease to the Post Office Department rather than for Government ownership.

LEASING COSTS MORE

We have pointed out in a number of reports made to the Congress that the total costs to the Government over the useful life of a facility are often much greater when the facility is leased than when it is Government-owned, because of the higher interest rates that the lessors must pay compared to

rates on Treasury borrowings; because of the profits which the lessors expect to realize; and because of other expenses paid by lessors which either would not have to be paid or would be paid in lesser amounts in connection with a Government-owned facility.

Under H.R. 4 and H.R. 11750 the Corporations would have the option of acquiring the use of postal facilities through leasing or Government ownership.

It appears that the provisions of these bills authorizing the Corporations to purchase facilities and to borrow funds for its purposes would better enable the Corporation to purchase postal facilities when it is in the Corporation's interest to do so, thereby reducing the total cost to the Corporation for those facilities.

Subsections (a) and (b) of section 1008 of H.R. 11750 contain various detailed requirements concerning our audits of the proposed corporation to be made not less frequently than once each fiscal year.

Since our audit of the corporation would be made under the provisions of the Government Corporation Control Act we see no need for those requirements.

AUDIT ALREADY REQUIRED

Under the provisions of the Government Corporation Control Act we would be required to make an annual audit of the corporations proposed in both H.R. 4 and H.R. 11750 and furnish reports thereon to the Congress by January 15 of the following year.

In order to provide the General Accounting Office with flexibility in dealing with problems relating to priorities, manpower limitations, workload scheduling, and relative importance of assignments, we believe that the Comptroller General should be free to determine the scope and timing of audits of the corporation.

This could be accomplished by adding the following provision to each of the bills.

"Notwithstanding the provisions of the Government Corporation Control Act, the accounts of the corporation shall be audited by the Comptroller General and reports thereon made to the Congress to the extent and at such times as he may determine."

We have not mentioned a number of suggestions which are somewhat of a technical nature that are included in our reports on H.R. 4 and H.R. 11750. We will be glad to cooperate with members of your staff with respect to those suggestions if you wish.

CONFLICT OF INTEREST ON U.S. WATER PROJECTS

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. OBEY. Mr. Speaker, during the past few months millions of Americans have made their annual acquaintance with the lakes and rivers, trees, and forests, fish and animal life of America's outdoors.

For 2 weeks or just a weekend they have escaped the smog of the cities, the traffic on the highways, the noise of nearby airports, and the air pollution spewing from ever-present smokestacks and exhaust pipes.

Increasingly, however, many vacationers are dismayed when they find nondegradable detergents piled high at their favorite fishing hole or flip-top cans littered around parks and recreation areas.

Scenes like these have made the protection of our environment uppermost in

the minds of many Americans. Luckily this concern is increasing not only on the part of our citizens but also on the part of many Government agencies which make decisions affecting the quality of our environment.

Almost every congressional committee and Government agency must deal with the problems of environmental management at one time or another. Air and water pollution, mine reclamation, housing and urban renewal, soil and water conservation, highway construction, outdoor recreation, and oceanography and space science are all areas in which the quality of our environment is at stake.

Unfortunately, many times that environment is adversely affected when agencies make conflicting decisions based on incomplete, and perhaps even biased information.

It is because the Federal Government lacks a coordinated plan for the protection of our environment that many of us in Congress have called for one Government agency, a Council on Environmental Quality, which would have as its only goal the protection of a quality environment.

The importance and need for such an agency was well documented by two articles which appeared in this morning's New York Times. One article concerned the Everglades jetport and the other the continual infighting by various Government agencies over federally financed water projects.

Those who are familiar with the Everglades project know the battle that has been going on between conservationists who insist that the jetport will have very adverse effects on the plants and wildlife in the Great Cypress Swamp, and those who feel the development of the area is an inevitable part of a rapidly changing society. The Department of Transportation has already invested \$500,000 in this project and thereby involved the Federal Government in the controversy.

Federal agency conflicts regarding water projects are well known and an obvious loophole in the Government's supposedly unified efforts to fight water pollution. The Corps of Engineers, the Bureau of Reclamation, and the Soil Conservation Service, among others, are frequently at odds, always being careful to protect their own fiefdoms as much as our total environment.

Mr. Speaker, we can no longer afford such warfare within our Government. Our citizens are demanding that our environment be protected, but this is a job which can be completed only if all Government agencies work together in a coordinated attack on environmental pollution of all kinds. That is why we need a Council on Environmental Quality; we need it badly, and we need it now.

The articles follow:

CONSERVATIONISTS SEE CONFLICT OF INTEREST ON U.S. WATER PROJECTS (By Gladwin Hill)

LOS ANGELES, Aug. 10.—Conservationists are challenging the system under which the Federal Government has built many billions of dollars' worth of dams and irrigation and navigation projects over the last two generations.

Their central complaint is that the Federal agencies that construct such huge projects

are also the ones that originally judge their feasibility—and that this involves a built-in "conflict of interest."

Intense competition for projects between agencies such as the Army Corps of Engineers and the Bureau of Reclamation has long been an in joke in government and water circles. So has been the bookkeeping by which many projects were rationalized.

If a project could not be economically justified by its basic benefits—such as its yield in power or irrigation water—there was always a possibility of bringing in side effects, such as recreational uses or wildlife preservation, to produce a favorable "cost-benefit ratio."

TENNESSEE EXAMPLE

A recent instance that attracted attention was the Tellico Dam project in Tennessee, in which the Tennessee Valley Authority put one-third of the projected benefits under the indefinite heading of "Industrial development."

This bookkeeping system, a perennial subject of argument, is undergoing its most intensive scrutiny yet in a cross-country series of hearings being conducted by the Federal Water Resources Council.

The council, the agency charged with coordinating Federal water projects, consists of the Secretaries of the Interior; Agriculture; Health, Education and Welfare; Transportation, and the Army, and the chairman of the Federal Power Commission.

Hearings have been held in Atlanta, New Orleans and San Francisco. This week, council aides will hold sessions in Portland Ore., and Omaha. There will be subsequent hearings in Detroit, Boston and Washington.

The hearings are focused on a 122-page report by a council study group published in mid-June recommending changes in "evaluation procedures" on water projects.

The report urges that greater weight be given to "secondary" benefits of projects, which could make the projects more easily justifiable.

Some observers see this proposed revision as a response to a recent increase in the federally prescribed interest rate used in calculating project costs. An unrealistically low rate of 3 1/4 per cent was raised this year to 4 1/2 per cent—making it harder to justify projects economically.

Giving more financial weight to side benefits such as recreation facilities and wildlife care might be expected to appeal to conservationists. But the reaction in some quarters has been just the opposite; they do not want to see their interests used to produce a favorable "cost-benefit ratio" for projects that otherwise might not qualify.

Thus, the National Wildlife Federation recently went on record in criticism of the theoretical price tag placed by the Corps of Engineers on fish resources.

A group of George Washington University economists in a recent report suggested that even more basic bookkeeping practices were fallacious. Western cotton development, for instance, could not properly be listed as a reclamation benefit, they said, without an accompanying measurement of diminished cotton-growing in the South.

THE PRIME OBJECTION

But overshadowing these objections is the view being advanced by both conservationists and economists that for project construction agencies to have a major role in assessing projects' economic feasibility is fundamentally wrong.

The Sierra Club, a leading conservation group, has been sending spokesmen to the council hearings to urge that such assessment be placed entirely in the hands of "an independent agency with no vested interest in the outcomes of the evaluations."

This would come as a profound change in the customary operating patterns of the Engineers, the Bureau of Reclamation and the Department of Agriculture's Soil Con-

ervation Service, which is also in the water-projects building business.

Up to now, while nominally "coordinated," these agencies in reality have held sway over separate, gentlemen's agreement empires. This has tended to thwart the long-time dream of many engineers and administrators, a truly unified system of national water resources management. An independent economic-evaluation agency would be a step in this direction.

NATURALISTS SHUDDER AS OFFICIALS HAIL
EVERGLADES JETPORT
(By Homer Bigart)

HOMESTEAD, Fla.—At the bottom of Florida, beyond the burgeoning Miami suburbs, past the last television tower, the last alligator-fum, the last serpentarium, the last used car lot, the last snakorama and pancake house, is a wonderfully quiet place where the only offending spoor of civilization is a rusty litter of beer cans along the infrequent trails.

The Everglades National Park is the last refuge of solitude along the Eastern Seaboard. And it is surely doomed, conservationists warn, by a jetport under construction just north of it.

An aquatic wilderness, the glades have faced many crises in this decade.

Consecutive seasons of subnormal rainfall, combined with the wasteful diversion of water by drainage canals, produced droughts that decimated the alligators and threatened several species of birds with extinction.

Oil exploration and urban and agricultural development intruding close to the boundaries of the park brought an increasing menace of pollution.

AT CENTER OF SWAMP

But these were lesser perils against the threat posed by the new jetport. The facility, covering 39 square miles, is right in the middle of the Great Cypress Swamp, which supplies 38 per cent of the water flowing into the park.

Water pollution, air pollution, a shattering of the stillness by overflights of jets will be inevitable when the project is fully developed, park officials warn. The impact on the glades, they contend, could be catastrophic.

This is sharply denied by the Dade County (Miami) Port Authority, sponsors of the project.

"No pollution is anticipated," Port Authority officials assert. "The operations are not expected to create excessive noise. Wildlife will be protected."

Alan C. Stewart, Port Authority director, dismisses conservationists as "butterfly chasers." To him the rare and endangered bird species in the park—the wood stork, the bald eagle, the roseate spoonbill, the great white heron, the pink and wood ibis, the noddy and sooty terns—are just a bunch of "yellow-bellied sapsuckers."

SEEN AS BAR TO DEVELOPERS

If conservationists want to stop the development of south Florida, says Mr. Stewart, it behooves them to "save up their pennies and buy up the land."

In a more diplomatic vein his deputy, Richard H. Judy, assures visitors that work on the jetport would be halted immediately if it was proved that the project would spoil the Everglades. But he is currently convinced that the jetport will serve the park as a buffer, saving the environs from greedy developers.

"The preservationist wants everything to remain the way it was," Mr. Judy observes. "He's right in a sense. But it's not the way the great American system operates."

"We can't escape reality. People are coming here to live. This is going to be one of the great population centers of America in the next 20 years."

"Great Cypress Swamp is just typical south Florida real estate. It's private property; eventually it's going to be put to human use."

APPEALS TO VOLPE

A word from the Department of Transportation in Washington would halt the project. Conservationist leaders throughout the country have appealed to Secretary John A. Volpe, urging him to order relocation of the airport.

But the Department of Transportation has already provided \$500,000 toward construction of the first runway, a pilot training facility scheduled to go into operation next month, and \$200,000 more for a study of a high-speed transportation corridor slashing across the wilderness and linking the airport with the east and west coasts of Florida.

These grants were made without consultation with the Department of Interior, where sentiment against the jetport is hardening.

Meanwhile, an interdepartmental committee headed by Dr. Luna Leopold, of the United States Geological Survey, is preparing a report on the potential effects of the jetport on the park.

Conservationists are hoping that a strongly negative report by the Leopold group will persuade both Secretary Volpe and Interior Secretary Walter J. Hickel to condemn the airport.

Last week, the Dade County Commissioners hired Stewart L. Udall and his environmental planning consulting firm, Overview Group of Washington, to prepare a plan that would keep to a minimum any adverse effects of the jetport on the national park.

The Udall organization will first conduct a four-month feasibility study to determine whether the jetport can be built without destroying or severely damaging the Everglades. This "first-phase study" will also consider alternate sites.

To a nonconservationist, it is difficult at first to see why opposition to the jetport is so intense. The site is six miles from the nearest park boundary. And at the outset the jetport will be used merely as a training field. Only one runway will be used in the initial development.

However, a second training runway may become necessary in three to five years, the Port Authority says, and by 1980 the jetport would be transformed into a giant commercial operation, the nation's biggest air terminal, covering more land than the entire City of Miami, and able to accommodate jumbo jets and supersonic planes.

Conservationists warn that even before that materializes the delicately balanced ecology of the park could be upset by polluting and altering the flow of water in the park.

The park is absolutely dependent on a cycle of summer flooding and winter drought. Any change in the quantity, quality and rhythm of the flow threatens the incredible diversity of plants and wildlife established there.

The true Everglades are sawgrass prairies stretching to the horizon, a vast green blanket dotted with wooded hammocks, the grass hiding the shallow water of a strange river, 30 miles wide, that creeps imperceptibly southwestward toward the Gulf of Mexico.

CHANGES IN PLANT LIFE

A few years ago, when the water table in the park began falling, changes were noted in the plant life. Poisonwood, buttonwood, willow and other scrubby vegetation began shouldering into dried-up areas where formerly they had been drowned out. They threatened a drastic alteration in the appearance of the glades.

Today, after three years of abundant rainfall, the river of grass seems revived, and the invasion of brush has been slowed. The river, starting as seepage from Lake Okeechobee, 100 miles north, enters the park from the north and east.

The flow of the river has been impeded, before reaching the park, by a complex system of drainage and floodcontrol canals and by two highways, the Tamiami Trail and the newer Alligator Alley.

A bill passed by Congress last year provides for the release to the park of 315,000 acre-feet of water annually from conservation districts north of the park. This would meet the park's minimal needs, but the plan will not be implemented before 1976, and the interim release schedule is tied to the water level in Lake Okeechobee.

Frank Nix, park hydrologist, said the jetport threatened the last unimpeded flow of water into the park. All the northwest corner of the park, he explained, is dependent on water from the Big Cypress Swamp.

Dr. William B. Robertson Jr., the park's research biologist, noted that "substantial residues" of DDT were found recently in bald eagle eggs. The poison had apparently been ingested by fish, and the fish, in turn, eaten by the eagle.

Most birds may adjust to the noise of jet engines, Dr. Robertson suggested, but there is danger of collision with aircraft for some soaring species, especially the wood stork, which likes to ride the thermal updrafts. There is a major colony of wood storks in the Cypress Swamp.

In a recent test, it was found that birds in the park flushed whenever a plane flew over at less than 5,000 feet. Consequently, park officials have asked for an airspace reservation of at least 5,000 feet. The Federal Aviation Administration contends that 3,000 feet is enough.

In their concern for plants and wildlife, conservationists tend to forget the 400 or more Miccosukee Indians living along the Tamiami Trail near the jetport. Initially the Indians went along with the project, hoping it would give them jobs. Now they oppose it.

"USED TO HAVE GOOD LIFE"

At the tribal office in Miami, Chief Buffalo Tiger told why:

"It happens to Indians year after year: progress wasting the hunting grounds.

"Indians used to have good life here; clean air, clean water, plenty of food.

"We used to see two or three raccoons on every hummock, a lot of otters, turtles, alligators in every pond.

"Now even the snakes are scarce. The fish and turtles are going. It's hard to make a living in the Glades."

Buffalo Tiger, 49, said the Port Authority had usurped sacred Indian ground where the annual tribal festival, the Green Corn Dance, is traditionally held.

At this affair, which usually lasts five days, boys are given new names and inducted officially into manhood.

Eating the new corn crop at the close of the ritual marks the start of a new year for the tribe.

There is also a display by the medicine men of sacred tribal relics; dried seeds, little shards of glass, and what looks like the shriveled claws of animals. These are kept by medicine men in buckskin bags and revealed only at Green Corn dances, Buffalo Tiger said.

Turning back to the despoiling of the Everglades, Buffalo Tiger said:

"You can't make it. You can't buy it. And when it's gone, it's gone forever."

EQUITABLE TREATMENT FOR EMPLOYEES OF THE ALASKA RAILROAD

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. POLLOCK. Mr. Speaker, today I am introducing a bill to correct an inequity in the payment of retirement an-

nities to certain employees of the Alaska Railroad.

At present, some 200 train and engine men are paid under a system based on a mileage scale, with a 12½-mile run equal to 1 hour. Other employees are paid according to a regular hourly wage. There is no serious discrepancy between the two groups in their day-to-day take-home pay, but an inequity does exist in the computation of their retirement benefits.

Civil Service retirement annuities are calculated on the basis of a 40-hour workweek. In many cases, train and engine men work in excess of 40 hours, yet because they are paid on a mileage scale they receive no credit toward retirement benefits for that extra work.

The bill will permit all compensation paid at regular rates to employees of the Alaska Railroad to be included in the computation of their retirement annuities. I urge the House to take this opportunity to provide equitable treatment to all employees of the Alaska Railroad.

REEVALUATION OF OUR NATIONAL SHORELINES

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SCHADEBERG. Mr. Speaker, since the beginning of this session of the 91st Congress, I have been pursuing congressional reevaluation of our national shoreline protection legislation. In furtherance of this goal, I place in the RECORD two newspaper articles, the first from the July 31 edition of the Milwaukee Journal, the second from the August 8 edition of the Washington Post, showing the extent of damage being caused in the Great Lakes area by shoreline erosion:

LAKE WREAKS HAVOC AS SHORELINE ERODES

CHICAGO, ILL.—Lake Michigan, a friendly giant which moderates climate and provides four states with fresh water, recreation, commerce and industry, is on a beach erosion rampage which may cost shore communities and property owners \$20 million.

Trees, utility lines, buildings and highways are being washed away. A college campus and a city expressway are in jeopardy.

Near record water levels in four of the five great Lakes—depositories of a fifth of the earth's fresh water supply—have sent Lake Michigan, one of the shallowest, on a shoreline swallowing spree. Each new squall of an abnormally stormy summer brings new ravages.

The winds across Lake Michigan are prevailing westerlies—as in most of the nation—so the damage has been greatest along the Michigan shore. But there has been severe damage in Wisconsin, Illinois and Indiana, too, according to a survey.

DROUGHT CITED

Five years ago, after a four year drought, the lake level was the lowest on record.

It is 4½ feet higher now. A cyclical rise in water level coupled with an unusually wet summer brought it within a foot of the record mark of 581.9 feet set in 1886.

And for each foot of increase, 25 feet of shoreline is swallowed.

At St. Joseph, Mich., a homeowner is dumping junked cars into the water in an effort

to halt erosion of a bluff on which his home sits.

At Kenosha, Wis., Carthage college has hauled in boulders to prevent the home of its president, perched on an eroding cliff, from being washed away.

On Michigan's Mackinac Island, the water has undermined sections of the shoreline highway circling the island.

FREEWAY IN DANGER

The Michigan highway department budgeted \$1 million for a seawall to prevent 3,900 feet of expressway from being washed out along a clay bluff south of Benton Harbor.

In Indiana, beaches along the famed sand dunes are disappearing.

Rep. Henry Schadeberg (R-Wis.) said some property owners in his district had spent as much as \$25,000 to fight the rising water.

The erosion is playing havoc with shoreline property values. A million dollars worth of choice lots in Illinois' Lake county has disappeared.

In Wisconsin's Kenosha county, a homeowner watched his 140 foot backyard disappear. Then waves during a storm swept away his garage.

In Michigan, a \$50,000 lakeside home at Shoreham sold for \$6,000 because the lake was eroding the bluff on which it sat.

The Michigan water resources commission has estimated that damage will exceed the \$20 million cost of the last high water level in 1951, and some experts are predicting that next year will be even worse.

LAKE MICHIGAN SHORELINE RECEDES

CHICAGO.—Like an angry monster, Lake Michigan has turned on the people living along its shores and begun gobbling up their property.

From Michigan to Wisconsin, violent waves and high water levels have ruined beaches, knocked out roads and eroded land. The lake level is only two feet below the record level of 1886.

"Nothing can hold this lake," said Mrs. Minnie Bendicente, who lives across the road from the lake in north suburban Zion. "Sometimes that lake scares me to death."

A week ago the lake washed away a large pier near her home, which had extended 50 feet into the lake and was used as a parking area for the public beach.

A little farther north, in Winthrop Harbor, the lake wiped out part of a stone retaining wall and continued on to destroy a 40-foot stretch of Oak Shore Drive.

Irene Sexton, who lives on the west side of Oak Shore Drive, has anxiously watched the lake move closer and closer to her home year after year.

"When we moved here in 1961 there was 20 feet of lawn and 20 feet of beach on the lake side of the road," she said. "Now that's gone, along with part of the road."

All along the lake shore, owners of high-priced lakefront property were working feverishly to rebuild walls and install boulders, concrete objects and even old car bodies to break the waves.

Helen Bart, of Winthrop Harbor, has had two-ton boulders trucked in to reinforce a retaining wall against the lake. She also has circulated petitions among lakefront residents asking for state and federal aid to fight the lake.

The story is the same—and worse—in Michigan, where shoreline damage is estimated at \$20 million, and in Wisconsin, where the waves swept away a whole backyard and garage in Kenosha County and threatened to wash away the home of the president of Kenosha's Carthage College.

The lake's present water level of 579.9 feet above sea level is about 45 feet higher than the 1964 low.

This was caused by heavy spring and summer rains, which followed the melting of a record deep snowpack in the northwestern Great Lakes region.

A one-inch rise in the lake water level will

flood about two feet of beach. Thus, some beaches are about 30 feet narrower this year than last.

The last major attack from the lake was in 1951 and 1952 when the water level reached nearly 581 feet, causing millions of dollars worth of damage in Chicago. Parts of some streets caved in and Lake Shore Drive was flooded.

James Moore, head of the U.S. Army Corps of Engineers' lake survey office in Detroit, held out a ray of hope.

"I think the water level is close to the peak and should be starting downward soon," he said.

However, he said, the lake could get just as high—or higher—next year.

To meet this serious problem and similar situations which exist on the coastlines of the Pacific and Atlantic Oceans, and on the shorelines of the Gulf of Mexico, my bills H.R. 12712 and H.R. 13230 have been introduced. This legislation would allow Federal participation in the protection of private as well as public lands from shoreline erosion.

In support of my bill, I would like to place in the RECORD excerpts from minutes of the meeting of the Shoreline Use and Recreation Committee of the Great Lakes Commission, held in Cleveland, Ohio, June 3-4, 1969:

MINUTES OF THE MEETING OF THE SHORELINE USE AND RECREATION COMMITTEE, GLC, CLEVELAND, OHIO, JUNE 3-4, 1969

The meeting of the Shoreline Use and Recreation Committee, Great Lakes Commission, was held June 3-4, 1969, at the Holiday Inn (East), Cleveland, Ohio.

An orientation meeting on the Lake Erie erosion and flooding problems in the Euclid, Willowick and Eastlake areas was held at 1:30 p.m., June 3, 1969; followed by an on-site inspection of areas being damaged by high water, wind, wave erosion and flooding caused by high Lake Erie levels, off-shore winds and lack of adequate flood protection—this latter primarily in the Chagrin River area. The Committee reconvened at 9:00 a.m., June 4, 1969, to work on the items shown on the attached agenda.

Committee members present were: Gordon Harvey, New York, Acting Chairman; proxy for R. S. Kilborne, George Taack, Michigan; proxy for F. J. Kelley, Robert E. Stockdale, Member, GLC, Ohio, Clarence J. Renard, Wisconsin.

Advisors present were: Melvin Rebholz, Dept. of Natural Resources, Ohio, Ralph Hovind, Dept. of Local Affairs & Development, Wisconsin.

Others present were: R. H. Anderson, Stanley Consultants, Cleveland, Ohio, Nancy Benco, News Herald, Willoughby, Ohio, Robert Hess, Telegraph, Painesville, Ohio, Marshall Goulding, Stanley Consultants, Cleveland, Ohio, J. H. Laeyendecker, Stanley Consultants, Cleveland, Ohio, Mrs. Carl Lasky, Chagrin Beach Harbor Assn. Erosion Committee, Paul V. Leyda, Great Lakes Erosion Assn., Inc., Gerald A. Lynde, Buffalo District, U.S. Corps of Engineers, Wade Malm, Chairman, Great Lakes Erosion Assn., Inc., Mayor of Willowick, Ohio.

G. A. Pacholke, Chagrin Beach Harbor Area Erosion Committee, James Pappas, Fed. Water Pollution Control Adm., Chicago, Illinois, James A. Swartzmiller, Dept. of Natural Resources, Ohio, Lowell D. Titus, Stanley Consultants, Cleveland, Ohio, George V. Voinovich, Representative, Ohio House of Representatives.

Staff members present were: Leonard J. Goodsell, Albert G. Ballert.

Harvey opened the meeting; expressing the desire of the Shoreline Use and Recreation Committee and the Great Lakes Commission to become informed on the erosion and flood-

ing problems along the Ohio shores of Lake Erie; and noting that these problems are not confined only to Ohio and Lake Erie but exist in many areas throughout the Great Lakes. Harvey stressed the idea that the meeting was for the free exchange of information and ideas; and should serve as a basis for further activities of the Great Lakes Commission, local governments, state and federal governments in moving to meet the very substantial damages being sustained by the general public, not just the public and private property owners along the shoreline. Harvey noted that eroding materials pollute the waters; real property is lost; tax rolls become depleted; recreational areas and benefits are forever lost; and general area values decline in the face of such an apparent major problem.

Lynde outlined federal activities and assistance: there is little federal help available to the private property owner; in 1951-52 a federal-state study was made of the area and entire Lake Erie shoreline of Ohio, and recommendations and cost estimates were developed for necessary protection; federal government is not now authorized to assist private owners; federal protection projects must show favorable benefit to cost ratio; formerly cooperative erosion studies were funded 50% federal-50% local, now federal government can pay 100% costs of studies; for public property erosion protection federal share can go to 70% with recreational benefits, 50% without recreational benefits.

Question was raised as to federal assistance available if several private property owners dedicated shore frontages to municipality for public use. It was stated that it is not clear what rights might have to be given up, and the extent of areas dedicated to public use.

Malm informed the attendees that present insurance coverages do not provide for reimbursement of damages due to erosion losses; because the insurance companies do not regard this as an accidental, sudden happening but as a slowly developing (fair wear and tear?) situation—a movement of earth.

Renard added that in the stricken area financial institutions were in many instances limiting terms of mortgages to a year to year basis, and then renewing only as conditions warranted; that IRS would not allow income tax deductions, because the effect was not the result of sudden storm effects; that it was practically impossible to dispose of real estate in the area except at a tremendous loss, even though, in instances it was located at a considerable distance from the top of the bluff area.

As a result of the meetings, Renard presented a draft resolution to the Committee for federal legislation which would ease present federal restrictions, or non-provision for assistance, to private property owners who are damaged by erosion and flooding. Taack moved. Renard seconded, that the resolution be furnished to each member of the Committee and the Great Lakes Commission so that the resolution may be considered and acted on at the Semi-Annual meeting of the GLC, July 23, 1969. (Copy attached.)

SHORELINE USE AND RECREATION COMMITTEE,
GREAT LAKES ASSOCIATION
RESOLUTION

Whereas, a critical situation exists with respect to shore erosion along extended reaches of the shores of the Great Lakes.

Now, therefore, be it resolved that, for the purpose of preventing damage to the United States shores of the Great Lakes, it is hereby declared to be the consensus of the Great Lakes Commission that it should be the policy of the United States to expand the provision of PL 826, 84th Congress, as amended by Section 103 of the River and Harbor Act of 1962 (PL 87-874), to assist in the construction, but not the maintenance, of works for the restoration and protection against erosion by waves and currents of the shores of

CVX—1488—Part 17

the Great Lakes in the United States, for private as well as public property.

Be it further resolved that the federal contribution in the case of any project developed under the policy recommended by this resolution shall not exceed one half of the cost of the project; and the remainder shall be paid by state, county, municipality, political subdivision or private interests in the area where the project is located.

Be it still further resolved that the costs allocated to the restoration and protection of federal property shall be borne fully by Federal Government. Federal participation in the cost of a project for the restoration and protection of state, county and other publicly owned property shall continue in accordance with the provisions of PL 87-874.

GREAT LAKES EROSION
ASSOCIATION, INC.,
Willowick, Ohio, June 4, 1969.

GREAT LAKES COMMISSION: I would at this time like to present to this Commission the following points that I feel should be considered for possible recommendation to all public officials concerned in the regard to the extreme erosion condition on the Great Lakes and the impossible situation faced by the private property owners.

Study the removal of sand from the lakes and beaches to determine the effects such removal has on erosion with special interest on beach sand removed from built up areas at man made structures and how this can be used to alleviate erosion on the down drift side of such structures.

Recommend to state governments the urgent need for immediate interest and assistance to the private property owner.

Recommendation for Federal legislation to involve the Federal Government in the definite need for assistance on private property.

Study and recommend changes in the IRS rules that would at least allow the minimum recovery of a property owners investment through the loss of his lands and home to erosion.

I feel that a combination of property owner, local government, State and Federal Government is necessary to fairly attack the erosion problem. However, the need is now. May I again thank you for your time and sincere efforts to solve the problem not only in Willowick but on Lake Erie and all the Great Lakes.

Respectfully,

WADE E. MALM,
Chairman, Great Lakes Erosion Association, Inc.

TOO GOOD TO KEEP

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. SIKES. Mr. Speaker, the editorial contributions of America's weekly press have been legendary. Folklore and folk stories have, in particular, stemmed from this source. Some of the Nation's best literature got its start there. I am happy to note that the tradition is not dead, and that the weekly press can still make contributions which are outstanding in their content. One of these, from the Port St. Joe, Fla. Star, whose editor and publisher is Wesley R. Ramsey, is just too good to keep. Even though it concerns me, I want to pass it on through the CONGRESSIONAL RECORD for the benefit of my colleagues.

[From the Star, (Port St. Joe, Fla.)
July 17, 1969]

BIG JOHN TREES "HE COON"

Lots of foxes, foxhounds, pickup truck kennels, excitement, thrills, trophies, fried fish and hush puppies, soda pop, public speaking by Congressmen, members of the Florida Legislature and county officials. That was the scene on Big Sandy Creek on July 5 as the Northwest Florida Foxhunters' Association gathered for a full day of activities.

Of the hundreds of foxhunters and spectators that thrilled to the excitement of the day's activities, all returned home happy and satisfied, that is, with the exception of a county commissioner from Port St. Joe by the name of Walter Graham, even though he did win the special trophy of the day.

Walt is an ardent sportsman of long standing, having the reputation of being the best deer hunter on the Apalachicola River Valley and having more and smarter deer and fox hounds than any ten sportsmen. Walt's dogs have been known to run a fox for three days without quitting, but always catching the fox and then after holding him for a few minutes just to assure the varmint who's the smartest and fastest, turns him loose for next week's run. Walt brags to his mill buddies that when a deer hasn't crossed the road in a week, his dog, Big John will make a track, run it and jump the deer only to have some member of his hunting party walk off the stand just one minute before a 12 point buck passed within ten steps.

BRAGS A LITTLE

Graham assured his mill buddies and fellow county commissioners that he would win at least half the trophies at the fox hunt. He admitted that he was worried about one bad habit his dog Big John had of trying to catch every coon in the woods before selecting a big, fat, juicy track to run. He said he had worried himself half sick in trying to come up with a solution to assure him of the first trophy of the day and had decided to instruct Big John to clean the area of coons before taking to a fox which would assure Walt of not losing points from the Judges if his dog did quit a fox to kill a coon or two. Graham said he sat up all night instructing Big John to catch the first coon that could be found and then go on and take the first prize in the fox hunt.

All was going well, hundreds of foxhounds just raring to go but their owners holding them back with all the strength they possessed, just waiting for the dignitaries to be introduced. No one particularly likes these long winded introductions; however, it was a part of the day's activities and it seemed to be going quite well until the master of ceremonies came to the guest of honor, our friend and congressman Bob Sikes. Thirty minutes passed and Joe Chapman was only half through the list of things that Sikes had done for his district. After an hour and a half of telling of the Congressman's accomplishments, he had to cut the introduction short because the foxhounds were raising all manner of canine in trying to get the hunt started.

Graham was so eager to have his dog start first, he had removed the old rusty chain from Big John's collar and was now holding him with only one hand, anticipating the end of the introduction of the Congressman which was the signal for the dogs to start.

EMBARRASSING

What happened in the next few minutes shouldn't happen to a dog, it was down right disgusting and embarrassing to Walt and an outrage to a true fox hound lover.

At the end of the introduction, Joe Chapman said, "It is my pleasure to present to you, Mr. He Coon himself and pointed to Sikes.

That did it. Big John heard those words "He Coon", remembering his master's instructions, took to the Congressman with

the most vicious yelping one has ever heard. It might have been disastrous for the Congressman had Big John not lost all of his teeth several years ago in a fight with a gopher he had trailed for a day and a night.

Imagine the feelings of Graham at this moment and for the remaining part of the day as fox hounds from Alabama, Georgia and Florida took to the tall timber eager to earn their master a trophy. At the end of the hunt, trophies were handed out right and left while Graham and Big John stood far in the rear of the crowd that was gathered around the speaker's platform.

The judge announced that all trophies have been handed out except the last one, which was not originally planned for this hunt, but has been added by special Congressional request and this trophy is for the dog that recognizes the most cunning and potent varmint in the Panhandle woods—one that is always welcome to our hunt but one that we take pleasure in running back to the Hill. The winner . . . Walter Graham and his dog, Big John.

ARKANSAS—CATFISH AS A NEW MONEY CROP

HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 6, 1969

Mr. PRYOR of Arkansas. Mr. Speaker, the Arkansas Gazette, which began publication on November 20, 1819, is observing its 150th anniversary year in part by the publication of a series of reflective articles reviewing the progress of the State of Arkansas during this period. The Gazette is performing an outstanding service to our State in this series.

Leland DuVall, who has been honored on many occasions for his excellence in the field of journalism, wrote in the July 20 editorial section of the Gazette the story of a new money crop for our State, which is drawing widespread attention. Mr. DuVall's subject is "Catfish Farming," which is an industry in its infancy now but is predicted to become a huge cash crop for our State in the future.

Mr. Speaker, I thought it would be worthwhile for our colleagues to have the opportunity to read Mr. DuVall's excellent article.

The article follows:

ARKANSAS—CATFISH AS A NEW MONEY CROP (By Leland DuVall)

The fish is a fascinating creature. Each day, in fair weather and foul, it lures millions of people out of their beds at outlandish hours and draws them to lakes and rivers where they are subjected to hazards of nature—cuts by sharp stones, snake and insect bites, blisters on tender hands that are not accustomed to heavy work and sunburn on skin softened by air conditioned atmosphere—with which they have lost their familiarity in their urban surroundings.

Preparation for the excursions is a continuing (and expensive) ritual involving visits to the sporting goods departments of stores, purchases of a wide variety of equipment and gadgets and many hours spent in cleaning boats and fine-tuning motors.

Between trips, fishermen engage each other in animated and exaggerated conversations about the pleasures of reverting, for a few hours, to the primitive living patterns of their ancestors. The more dedicated angler is

able to weigh the sharp pain of a popping bug hook that may have embedded itself in his neck as a result of an awkward or careless cast, and the disappointment of a line that suddenly went slack when a snared bass threw the plug, against the remembered thrill of exhibiting a prize string to admiring neighbors.

By the year 2000, according to the lead article in the anniversary issue of Fishermen's Digest, America will have 63 million anglers who will fish 1.3 billion days. If current averages do not change dramatically, most of them will end up with empty stringers and quite a few will buy fish—both as a protection for their pride and to satisfy a genuine hunger for the food. The demand for fishing space will continue to rise, and the Digest article predicted that 34 per cent of the expansion would be in the form of "a vast increase in the number of farm ponds" and other artificial impoundments.

"By far the greatest improvement in recreational fishing will come from more efficient management of existing warm-water fisheries," the Digest said.

Unfortunately, the article did not explore the management angle beyond a recommendation for a reduction in the level of water pollution with particular emphasis on curtailment of the use of insecticides. Obviously, this will not be enough to satisfy the expanding demand of sport fishermen and the mere control of pollution—the essential first step in any program to increase fish production in the United States—will do little to supply the growing commercial market for fish.

Even though this country has many millions of acre-feet of fresh water in natural and artificial impoundments, long rivers and streams and thousands of miles of shore line, and its fishing fleets rake the oceans on both sides of the continents with sophisticated nets and even though millions of fishermen prowl the waterways each day, this country still imports about three-fourths of the fish consumed each year. Our reputation as a "producer of surpluses" falls overboard when we mention fish. The country is faced with a chronic shortage of food fish and, so far, there is little indication that market needs can be supplied from domestic sources in the near future.

The strong demand for food fish, coupled with the short supply, may have opened the way for the rapid expansion of a farm-related business in Arkansas that could generate an impressive flow of income. "Fish farming" is an old enterprise in many parts of the world but it is relatively new in the Western Hemisphere. In Arkansas, the idea is so new that as recently as a decade ago its very legality was being seriously challenged.

In 1955, a Lonoke County farmer drained his private-constructed reservoir and found that he had several thousand pounds of fish. When he began to sell his "crop," the Game and Fish Commission—with backing from fishermen—contended he was violating the law. Opponents of the sale claimed the farmer could sell the rough fish—those that normally moved in commercial markets—but should not be permitted to sell the "game" fish under any condition. Public opinion simply had not accepted the idea that fish could be domesticated and handled as a farm crop.

Early ventures into fish farming in Arkansas have not been completely documented but indications are that the business was initiated in the 1920 decade. In 1927, Roy Prewitt, a partner in the Prewitt-King Fish Farm at Lonoke, built a five-acre lake near Evening Shade and experimented with the domestic production of bait minnows and channel catfish. In 1943, Prewitt built two ponds near the Pulaski County Hospital and used the impoundments to grow bait minnows. In 1946, he moved his business to its present location. C. C. Culp operated a minnow and

goldfish hatchery near Morrilton for several years beginning in the 1940 decade. Steele Dortch generally is credited with having initiated minnow farming in Lonoke County when he constructed ponds near Bear Skin Lake in 1944.

Minnow farming still is "big business" in selected areas but its major contribution to the economy of Arkansas may turn out to be its role as the foundation on which commercial fish production is being built.

Despite the fact that commercial catfish farming still is a fingerling in Arkansas, it has grown to the point that there is little question about its survival and rapid expansion. Publicly-sponsored research is at an "irreducible minimum" and persons in the business have been operating on a trial-and-error basis but they have accumulated enough information to convince themselves that the industry has an excellent potential for profit. After all, profit is the only significant motivation in business.

The most compelling driving force behind the catfish business at this time is the strong market demand. Companies and individuals in the field know they can supply only a fractional part of the existing demand and they do not even wonder how many pond-raised, protein-fed catfish could be sold at a profitable price if they were in position to offer their product to all their potential customers.

Even in Arkansas, only a relatively few people are familiar with good-quality catfish. A wide variety of fish have been marketed as catfish and some of them were inferior so that many people who believe they know the taste of catfish would be pleasantly surprised if they were offered the genuine product. The pond-raised fish unquestionably are far superior to the "wild" catfish that are available irregularly at restaurants and fish markets but even the wild catfish are in strong demand.

Gary Loff, manager of Southern Catfish Producers at Dumas, said his plant had a capacity of almost 10,000 pounds a day but most of the fish grown by the 23 members of the co-operative are sold to a select group of restaurants. He said franchise operators, attempting to expand the chains of quick-service food outlets, were practically "standing in line" waiting to buy a steady supply of fish. They will have to wait until production can be expanded.

"Two years ago," he said, "we believed we faced a five-year period of shortages. Now we think the market expansion will be ahead of our maximum potential growth for at least 10 years."

L. D. Owen, who heads Inland Fish Farms, said his firm experienced the same frustrating problem of trying to supply an existing demand.

Expanded production in the next few years may go primarily to the restaurants. Both the formal food service firms and the quick-service drive-ins (many of which operate under franchises) are limited only by the short supplies of good quality catfish.

When volume through these outlets reaches a plateau, the retail stores will begin to receive significant shipments of the fish. Pond-raised catfish have been test marketed in a few stores and the customers responded by snapping up supplies quickly. One processor said his company conducted a test in Kansas City by offering fish at a selected store one a week. The retail price was about \$1.50 a pound but he said the "repeat customers" learned the delivery time and waited in line for the fish to be offered.

Some producers do not even offer their fish to the processing plants. Instead of selling dressed fish, they dispose of their production through "fee" lakes where fishermen pay for the right to catch the fish. Some lakes are owned by the farmer who grows the fish; others are owned by individuals or companies that buy fish from the commercial

producers. No one is prepared to say how far this market system can be expanded.

One processor said he had to turn down a food retailer who was "begging" for 3,000 pounds a week with the promise that the volume would be expanded as fast as supplies became available. He said a franchise operator wanted to contract for 200,000 pounds a year but the limited supply prevented him from signing either contract.

At the moment, no one seems disturbed about the demand side of the market equation; all the people in the business want an increased supply. This is a rare condition in American agriculture where the problem usually is related in some way to surpluses. At the present stage of development, even the more advanced producers are unwilling to predict the course the business will follow.

Quite naturally, fish farming has been concentrated primarily in the delta and Grand Prairie and the changes in the business so far have been designed to make more efficient use of manpower.

Ernest Bradshaw of Dumas said he saw catfish farming as a "sound" business with some of the hazards that commonly were associated with other agricultural ventures. Some pitfalls that are encountered in cotton and soybean production do not interfere with fish farming, since the business is not vulnerable to the extremes of the weather.

Many of the farmers who have experimented with fish production are familiar with rice and are accustomed to moving large quantities of water. Bradshaw, who is a banker and farmer, said the fish-rice rotation offered the best opportunity for profit in his operation. A field that has been flooded and stocked to fish for two or three years is extremely fertile and rice yields rise sharply when the rotation calls for cereal cropping. Bradshaw also believes that many of the hazards of disease and parasites can be avoided by using "new" ponds.

This arrangement rules out the use of "small" ponds for fish production and the growers in Southeast Arkansas expect that ponds of 100 acres or larger will dominate the pattern in the future. Certainly this is true where a fish-rice rotation is followed and the system may account for most of the commercial expansion in the delta and Grand Prairie areas.

The fact remains that domestic catfish production is a new business and the limited amount of research and experimental work on which current management practices are based may not have provided a clear indication of the direction the industry will move. Rice farmers can be expected to continue the present path toward larger ponds, crop rotation and a supplemental feeding program but there may be other ways to produce catfish in commercial (and profitable) quantities.

The intriguing characteristic of the catfish business can be found in the possibilities for expansion, improvement and innovations. At this point in the development of the business, no one can say how fish will be produced five or 10 years from now. Farmers in the areas where water is plentiful and the opportunities for rotation exist may continue to "pasture" their fish, making the most of the natural food supplies and providing supplemental nutrition in order to assure adequate growth. This does not rule out the possibility that farm ponds with only a few acre-feet of water may become an important source of fish.

In the area where poultry provides the major source of agricultural income, farmers are accustomed to a "confined feeding" production system. Broilers are packed in houses, turkeys are fed at a density of 1,000 birds to the acre and many laying hens are confined in wire cages. Men who are familiar with this kind of management would not hesitate to grow catfish in cages in their farm ponds if it could be demonstrated that con-

fining feeding offered an opportunity for supplemental income.

Preliminary research has indicated that the catfish can be grown successfully in close confinement. Wire cages have been used in some of the experiments but Prewitt may have overcome some of the problems related to the business with a cage design that uses a synthetic fiber net instead of metal. (Fish grown in wire cages injure themselves by bumping against the mesh.)

Prewitt's cage consists of a frame of light aluminum tubing from which the treated nylon net is suspended. The rectangular frame is "floated" on four blocks of styrofoam—one under each corner—so that the sides of the cage are a few inches above the water.

The best stocking rate, according to information now available, is 350 to 400 catfish per cubic yard of water. One university scientist reported that a lower density resulted in fighting among the fish.

In most of the tests so far, floating feed has been used and the fish were stocked as "yearlings" in the spring. Catfish consume very little feed when the water temperature is below 60 degrees but they eat eagerly when the temperature is around 70 degrees. This means that the "feed-out operation" would extend from the spring until the fall and during that period catfish grow from fingerlings to the ideal market size of a little more than a pound.

Preliminary information indicates that one major advantage of confined feeding is that it improves efficiency. In a feed-out operation, fish return a pound of gain to 1.25 to 1.5 pounds of feed, which is somewhat better than the most advanced feed ratios for other farm animals. (Cattle produce a pound of gain for about eight pounds of feed and, under near-ideal conditions, broilers will return a pound of gain for two pounds of feed.)

The other major advantage of cage feeding is that it eliminates the problem of harvesting the fish. A cage containing 500 catfish can be towed to the bank or into the shallow water and the "crop" can be dipped up with a hand net.

The limiting factor in the number of fish that can be produced in a farm pond apparently is the availability of oxygen. People who are familiar with the business claim that the information now available indicates that production of a ton of catfish for each surface acre of the farm pond is within the range of possibility and some experiments have produced more than 3,000 pounds to the acre.

(For free-ranging fish, as the business is practiced in the eastern part of the state, current production apparently runs around 1,000 pounds to the acre. Given the strong demand that now exists in the market, this production rate apparently is profitable.)

People who have examined the possibilities of what might happen as a result of research contend that the present production levels can be raised sharply. They see no reason why oxygen cannot be restored to the water through a recirculating system so that the production rate of a pond can be increased. This possibility will be explored with further research. The more daring investigators believe that the recirculating systems now on the market, coupled with relatively inexpensive purification equipment, can give the grower a "controlled environment" for his fish and still enable him to make a profit.

A summary compiled by the Arkansas Soil and Water Conservation Commission estimates that Arkansas has more than 90,000 lakes and reservoirs with 243,000 surface acres and a storage capacity of 1.8 million acre-feet of water. (These figures are for the "small" impoundments and do not include the major lakes created by the Corps of Engineers dams.)

The development of a management system that will enable the owners of water im-

poundments to use their facilities for commercial fish production will require considerable effort and a series of trial-and-error experiments on the part of producers. Perhaps the major opportunity lies in another direction: That of genetics.

So far, very little has been done in this area. A few producers of fingerlings have practiced selection and culling in an effort to pick the best breeding stock but, so far as can be learned, very little thought has been given to developing strains that would make more efficient use of feed, resist disease and thrive under the specific conditions that might exist in a farm pond. The high rate of reproduction in fish creates an extremely favorable condition for breed improvement. A glance at the achievements of broiler breeders will give some idea of the potential.

At the moment, catfish have a corner on the market, so far as commercial fish production as a farm crop is concerned, but this does not rule out the possibility that other kinds of fish may grab off an important part of the market. Now that fish are gaining recognition as a farm crop, the potential for improvement is almost limitless.

It should be understood that all this activity in the domestication and exploitation of fish will not interfere with the sportsman and his activities. He still will crawl out of bed at outlandish hours, troll the lakes and streams and risk the hazards associated with the sport. He will spend increasing amounts of money for equipment and for lures designed more with the objective of attracting the fisherman than with hooking the fish.

If the new farming venture is successful, as it apparently will be, the sport fisherman will gain in at least one area. When his expedition turns into a waterhaul, he will be able to buy fish at the boat dock or at his supermarket and thus satisfy his hunger for the delicious food.

THE FOUR U.N. HUMAN RIGHTS CONVENTIONS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

MR. ROSENTHAL. Mr. Speaker, with the return of President Nixon from his round-the-world trip and with the appearance of hints from the Executive at a revision of American foreign policy, I think the time is appropriate to reconsider the ratification of four United Nations conventions which I feel must accompany any such revision.

By ratifying these conventions—on genocide, the abolition of forced labor, political rights for women, and freedom of association—the United States would stand to lose nothing and to gain a great deal. None of these conventions grant anything for which our Government does not already provide. They merely affirm the basic human rights and freedoms embodied for all our citizens, in theory, in the Declaration of Independence and in the Constitution.

On the other hand, while the conventions would add little to our domestic liberties, their ratification would considerably benefit the United States in its world affairs. For many years, the world looked to our country for moral leadership. The United States stood as the major champion of individual freedom and human rights; indeed, at least two of

these conventions owe their passage to American initiative.

In the 20 years which have passed since the first of these conventions was adopted, our prestige may have suffered. The presence of strongly competing ideologies and our embroilment in the Vietnam war acted to diminish somewhat our esteem in the eyes of people in parts of the globe.

Now is the time to reestablish this prior position. We have come to learn that military right does not bring this respect. Perhaps, through a moral reawakening we can regain the confidence and leadership of mankind. Toward this end, the ratification of the four U.N. human rights conventions is a necessary first step.

Other reasons compel our favorable treatment of these conventions. Ever since the inception of the United Nations, the strengthening of that body has been a primary goal of American foreign policy. President Nixon himself reaffirmed shortly before taking office "our continuing support of the United Nations and our intention in the years ahead to do everything that we can to strengthen this organization as it works in the cause of peace throughout the world." Yet, the failure of the most powerful country on the globe to ratify conventions nearly unanimously adopted by the General Assembly belies this goal. We cannot, on the one hand, encourage world cooperation through the organs of the United Nations while, on the other, continue to deny effect in our domestic affairs to the resolutions of those organs.

We are also pressed to activity on these conventions by the force of public opinion. All past human rights conventions to reach the Senate floor have received unanimous consent. Moreover, both Presidents Kennedy and Johnson added the strongest endorsement to these conventions. There can be hardly a doubt that if polled on this issue, the American people would give their rapid and enthusiastic agreement.

In light of these facts, and in the face of two decades of congressional lethargy, I should like to reintroduce this resolution. If this country is ever to assume a new humane and enlightened foreign policy, it must minimally move to affirm these most basic U.N. statements of human rights.

HEREDITARY ASPECTS OF OUR NATIONAL HUMAN QUALITY PROBLEMS

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. GUBSER. Mr. Speaker, on July 15 of this year I inserted an item in the RECORD which told how the National Academy of Sciences had refused to encourage a purely scientific study of "hereditary aspects of our national human quality problems." This study was urged by Dr. William Shockley, Nobel laureate in physics from Stanford University and one who was largely responsi-

ble for inventing the transistor. At that time I expressed no personal view regarding the validity of Dr. Shockley's proposal, but did say that I was shocked that men who call themselves scientists are afraid to seek the truth. I asked the question: Is not the logical first step in solving any problem that of learning the truth about that problem?

Dr. Shockley's theory that we should objectively study man's behavioral traits and consider hereditary genetic factors instead of completely emphasizing the environmental aspects of human quality is certainly worthy of our thoughtful consideration.

For those who are interested in further exploration of Dr. Shockley's views, I submit herewith a letter which he wrote to former Secretary of Health, Education, and Welfare, the Honorable John W. Gardner, under date of October 13, 1967:

OCTOBER 13, 1967.

HON. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare,
Washington, D.C.

DEAR MR. GARDNER: This letter represents an endeavor of my intellectual conscience to address that of my nation through you personally as the organizational head of the most appropriate government department. It pursues the questions I directed to you in my letter of September 21, 1966 and concludes with a specific recommendation for action that you could initiate.

The concerns expressed in this letter are based on my evaluation that in your department and in the intellectual community of the nation as a whole the emphasis on environmental aspects of human quality is so great that it excludes proper consideration of hereditary genetic factors. I appraise this unbalance as deplorable and dangerous. During the last two years my studies have increased my conviction that concentration upon the environmental factors cannot solve the important problems of man's future and that adequate solutions to poverty, crime, illiteracy and national security problems demand facing hereditary problems. I believe that to avoid very real dangers to world wide human welfare, civilization including particularly the United States must face in a broader sense than it does now the problems raised by James Shannon (Director of the National Institutes of Health) in congressional testimony: "The effect—if I may put it bluntly, Mr. Chairman—is that we are weakening our genetic inheritance." Dr. Shannon emphasized biochemical physiological traits. What my intellectual conscience impels me to demand is that we look objectively also on man's behavioral traits. This my investigations lead me to conclude is not being done adequately. I conjecture that this lack of needed effort is caused less by the great difficulties involved than by the form of entrenched dogmatism that I call inverted liberalism.

With the advent of nuclear weapons, man has in effect reached the point of no return in the necessity to continue his intellectual evolution. Unless his collective mental ability can enable him reliably to predict consequences of his actions, it is possible that he may provoke his own extinction or at least enormously drastic modification of humanity.

Let me illustrate by a specific speculation upon the evolutionary aspects of this drastic modification: Sweden and Switzerland both have extensive shelter facilities that would save substantial fractions of their populations from death from world-wide fallout in the event of an unlimited nuclear war involving "dirty weapons" that might destroy the preponderance of the human life on earth. A much less substantial fraction of

our population would survive. This preferential survival of the most foresighted components of the human race is a form of "self renewal" for human evolution that my intellectual conscience does not allow me to face complacently. I feel an obligation to try to increase the probability that man's destiny will be shaped by the application of intelligence to determine realistic goals for human progress rather than by forces man has let get out of control. These speculations about man's future evolution accent my fears that contemporary United States population trends are such that we are disproportionately multiplying the least foresighted elements of our population. I quote a paragraph from a published paper that I read at the last meeting of the National Academy of Sciences:

"If study shows that ghetto birthrates are actually lowering average Negro intelligence, objectively facing this fact might prevent a form of genetic enslavement that could provoke extremes of racism. I feel no one should be more concerned with this possibility than Negro intellectuals." (Such developments could negate the great progress of our Negro middle class that I estimate is growing less than one third as fast as the ghetto component.)

The inverted liberalism that now blocks attempts to reduce the environment-heredity uncertainty is caused, I conjecture, in large measure by emotional reactions to Nazi history. Our founding fathers knew the lesson to be learned from Nazi history and put it in the First Amendment. It is the value of free speech, not that eugenics is intolerable. Although a form of eugenics has been in effect in Denmark for 30 years, no attempt to gain enlightenment from this experience has apparently been carried out by federal agencies, according to the answer to my letter to you of September 21, 1966 prepared by Dr. R. L. Masland.

I evaluate Dr. Masland's answer to be particularly significant since it was he who emphasized to me in a letter on January 28, 1965 that much might be learned by studying the current effects of eugenics experiments including those of Sweden and Denmark. In his 1966 letter Dr. Masland suggested that genetic aspects might be under study in a program directed by Dr. Otis Dudley Duncan at the Population Study Center of the University of Michigan; a telephone call to Dr. Duncan indicated that genetic factors were not being studied. What other than entrenched dogmatism can have kept government agencies from undertaking or promoting research so clearly seen by Dr. Masland to be relevant to gaining significant insight on important population quality problems?

Two programs bearing on genetic qualities have come to my attention. Both are now in the status of having been disapproved after evaluation by the Department of Health, Education and Welfare. Both appear to me to be worthwhile and relevant programs. One is by Professor W. A. Kennedy, president elect, I understand, of the South-eastern Psychological Association. Kennedy's credentials are vouched for by Professor Harry Harlow of the University of Wisconsin whose competence I believe to be unquestionable. Harlow introduced Kennedy's paper at the last spring meeting of the National Academy of Sciences. In this paper Kennedy said:

"A second limitation is fear on the part of the scientist of the consequence of working in the area unless he clearly announces beforehand in the prospectus that he is an environmentalist and is consistent with the current national climate, which is that in a country where all men are created equal, it is a blasphemy to investigate differences. And although no one in the 20th century is struck dumb for blasphemy, his research funds can be struck, and the effect is the same."

Kennedy informs me that the studies he was undertaking in keeping with the title of his paper "Racial Difference in Intelligence: Still an Open Question?" no longer can obtain support. Poor research quality or entrenched dogmatism?

The second study that has been brought to my attention was proposed by Dr. Helen B. Fryor, research associate in pediatrics, Stanford University and Dr. Hulda E. Thelander, director, Child Development Center, Children's Hospital of San Francisco. (Dr. Thelander last year received an L.L.D. from the University of California at Berkeley.) Their proposed study on genetically induced physical and mental handicaps among children did not find support at H.E.W. in spite of several submissions, they inform me.

The study appears to be an exploratory step along unmapped research paths directly relevant to reducing the environment-heredity uncertainty in causing mental handicaps. The disapproval of the proposal, Dr. Thelander also informs me, is in keeping with a further antiresearch influence upon those studies for which she has succeeded in obtaining non-government support: Records of afflicted children used in her research specifically exclude racial information that Dr. Thelander is sure would contribute to reducing the environment-heredity uncertainty.

I would appreciate comments from your department or other government agencies relevant to our understanding of and research on current behavioral genetic trends in our population. In public lectures, at Michigan State University, George Washington University, and several others this fall and winter, I plan to refer to the concerns of this present letter and to my previous correspondence with your department and other government agencies during the last three years. I intend to repeat a recommendation I have made several times before, most recently in a letter to the editor sent to Time Magazine in regard to its recent Essay "Race and Ability". (Sept. 29):

"Does Time really believe that the 'No one knows' sentence of its concluding paragraph justifies complacency about ignorance that may lead to unwise and conceivably harmful expenditures of tens or hundreds of billions? With racial strife currently increasing at probably more than 50% per year, we need to reaffirm one of the best American traditions—search for truth must be based on scientific probity. The public should insist that our government request the National Academies of Science and of Engineering, the nation's scientific intellectual conscience, to carry out interdisciplinary research on already existing research and to invent and to initiate programs to reduce the environment-heredity uncertainty so that our social problems will be attacked on the basis of objectively established facts and sound methodology."

It is my understanding that the Department of Health, Education and Welfare can appropriately ask the National Academy of Sciences to undertake such a program. I request an opportunity to discuss with you personally my reasons for making this recommendation including the reason for emphasizing interdisciplinary aspects.

Sincerely yours,

W. SHOCKLEY.

THE LAW MAY ASSIST IN THE
FIGHT TO STOP POLLUTION

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. ESCH. Mr. Speaker, one of the major areas of national concern over the past few years has been the question

of pollution of our air and water resources. The cleaning up of our lakes and streams and the purification of the foul air over our cities will take billions of dollars and the cooperation and assistance of all levels of government, of corporations, and of private individuals.

It is heartening when individuals take an interest in society's problems and set out to take some action to correct them. It is for this reason that I call your attention to the efforts of a small group of George Washington University law students to help clean up the air here in our Nation's Capitol. I do not prejudice either the specific legal action which they expect to undertake or the results of that action. But I do applaud their concern. The cause of society is advanced by the efforts of such individuals to correct its wrongs.

Under unanimous consent I include their release, as covered in Washington area papers, at this point in the RECORD:

THE LAW MAY ASSIST IN THE FIGHT TO STOP
POLLUTION

The Washington, D.C. area bus companies are about to be confronted by a group of George Washington University law students who are testing the practical application of the law, in an attempt to help solve the growing problem of air pollution.

G.A.S.P., INC. (The Greater-Washington Alliance to Stop Pollution) is a non-profit corporation, currently being formed by these eight students of the Law, as a vehicle to assist in the intensifying struggle to abate air pollution. The first target of this group is the D.C. area transit companies, whose buses, it is common knowledge, continuously spew out great quantities of offensive smoke and gases throughout the Washington area streets.

This fledgling corporation received its impetus from a seemingly innocuous, but evidently successful, law school assignment. A common criticism of the present legal curriculum is the excessive emphasis on ancient and often archaic court decisions. Recognizing this defect, Professor Arthur S. Miller, of the George Washington University Law School faculty, made a radical change in the presentation of his Spring, 1969 semester Administrative Law course, in an effort to make this study more "relevant."

All 61 students in this administrative law class were assigned the following: "Assume you are counsel for a local citizen's organization, and write a legal memorandum identifying and analyzing the alternative legal actions which may be brought by the citizen's group in order to force the D.C. area transit companies to abate the air pollution caused by their buses."

Having completed a thoroughly researched analysis, eight of these students—Elaine Bloomfield, Paul Breitstein, S. David Fine-man, Paul J. Gossens, John H. Johnston, Joel B. Miller, Ron Plesser, and John S. Winder, Jr.—readily concluded that their efforts could serve as far more than a mere academic exercise. The students are now coordinating their individual efforts, as well as adding some scientific data essential to the complex field of air pollution, and will soon commence legal proceedings.

The initial efforts, like the major portion of the primary research, will be directed to the administrative remedies available from one or more agencies in the D.C. metropolitan area, such as the Washington Metropolitan Area Transit Commission, having jurisdiction over D.C. buses and air pollution. Failing administrative relief, however, G.A.S.P., INC. has indicated a clear desire to pursue the elimination of this visible source of air pollution through the D.C. courts,

which these students realize will require financial assistance as well as help from attorneys admitted to the D.C. bar.

THE OBJECTIVES OF THE NATIONAL
SOJOURNERS, INC.

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SIKES. Mr. Speaker, I would like to bring to the attention of this body the admirable objectives of the National Sojourners, Inc., and to quote their national president's message and resolutions adopted by this organization at their golden anniversary convention in July of this year. I am sure my distinguished colleagues will find much inspiration and food for thought in the reading of these documents:

PRESIDENT'S MESSAGE, JUNE 28, 1969

1. *General:* As your newly installed President, I would like to, first, express my deep appreciation to all those who have made this possible. It is with a deep sense of humility that I am accepting the grave responsibility for guiding the destinies of National Sojourners, Inc. for the ensuing year. I trust, with God's help and guidance, I will be able to perform the many duties and responsibilities involved in this most important position. Due to human frailty, mistakes are apt to occur and I shall appreciate your viewing in fraternal spirit any act of mine concerning which you may hold a different opinion. It is my sincere desire to work harmoniously with everyone and I wish to thank all of the Brothers for giving me this opportunity. As I indicated in my Report as President Elect, I have concluded, as a result of my travels during the past year, that there exists a great need for National Sojourners provided we use our military leadership training and background to further the Purposes of the Order. In the furtherance of these Purposes we must continue to emphasize the Bridge of Light Program, our Americanism Programs, and last but not least, we must strengthen our organization at the local level. Included in the latter area we must emphasize membership, local programs, local projects, and our position in the local community and environment. In view of these points of emphasis, we must strive to make National Sojourners the militant arm of Masonry. In connection with this effort, there are a few specific matters that I want to present to you in more detail this morning.

2. *Area and Regional Representatives:* On examining the existing Area and Regional Representative situation, I concluded that certain adjustments should be made to provide more effective coverage. Under my plan there will be 15 Areas and 55 Regions in the United States, including Puerto Rico and Canal Zone which are now part of the Southeastern Area. In addition, there are 11 Overseas Regions. A breakdown of the organizational structure has been posted on the Bulletin Board and will be published in the July-August issue of The Sojourner. A copy of Procedural Directive No. 1, dated 1 July 1969, was sent to each Representative at the time of his appointment. Representatives have been asked to use this as a guide for the coming year. I want to thank Brother Koeckert for the preparation of this Directive. I am sure it will provide great assistance to the Representatives. Representatives have been appointed for most of the Areas and Regions. The few remaining vacancies will be filled within the next few weeks. I will expect everyone accepting appointment to give their time and

efforts to the advancement of the Purposes and assisting the local Chapters in developing worthy projects and programs. I have not appointed them to the Membership and Expansion Committee, but as my Representatives, I will expect them to provide the necessary leadership in the membership activities of the local Chapters. They must not be considered as I.G.'s, but as available for assistance to the Chapters and the Chapter Officers. When one accepts an appointment as a Regional Representative one must realize that there is a responsibility which accompanies that appointment. Of the current 65 Regional Representatives, only 25 have submitted their Regional Report. I certainly hope my appointees have a better record this time next year.

3. *The Committee of 33:* As I interpret the Constitution and By-Laws, the Committee of 33 is the advisory body to the National President, and in addition has certain prescribed duties. The performance of the latter, I will leave to the Chairman to see that they are carried out. As far as the advisory function is concerned, I will give to the Chairman within the next few weeks several vital problems which I will expect to have critically examined by the Committee and their recommended solutions presented to the National Officers at the Mid-Winter Meeting. This function of the Committee is of utmost importance to me as the National President, and I hope to take advantage of the knowledge and talents of this august body of dedicated Sojourners. I had hoped to have had these problems ready to give to the Committee today, but I hesitated to do so until after certain decisions had been made by this Convention.

4. *The Mid-Winter Meeting of the Committee of 33:* I hope that I will be able to work out with the Chairman of the Committee of 33 a change in the agenda so that the Committee of 33 will hold its working session without the National Officers being present in order that I may have a meeting of the National Officers in attendance in a concurrent session. The two separate sessions then would be followed by a joint session at which time the Committee would present to the National Officers the results of their deliberations. This would in my opinion result in developing a meaningful mid-year evaluation. Members who are not members of the Committee of 33 nor National Officers would be welcomed at either or all sessions.

5. *Membership:* I am sure that after the discussions which we have heard at this Convention, I need not emphasize the criticality of our membership situation. During the past year as President Elect and as Chairman of the Membership and Expansion Committee, I found that it was impossible to properly perform both duties as they should have been performed. I found that the Area and Regional Representatives who constituted the membership on this vital Committee were too involved in other matters. As a result of this experience, I am appointing a Membership and Expansion Committee consisting of those members of Chapters which have been particularly successful during the past year in increasing their own membership. I have asked Brother Stewart Pollard to serve as Chairman. Brother Pollard is stationed in Washington and will be able to monitor our membership problems, and I hope assemble successful membership ideas from the other members of his Committee.

6. *Membership in Perpetuity:* In order to provide a stable financial base for National Sojourners, an increase in the number of Members in Perpetuity is considered essential. During the coming year I want the Area and Regional Representatives to emphasize at Chapter level, the advantages to the individual member and to the local Chapter of an increase in the members who hold this type of membership. In addition,

I am asking the Chairman of the Membership and Expansion Committee to develop a memorandum to be published in The Sojourner setting forth the many advantages of Membership in Perpetuity.

7. *Americanism:* This is an area of activity which I feel should continue to receive our greatest efforts. It is in the development of true patriotism and Americanism throughout the Nation that Sojourners must become the militant arm of Masonry if we are to make our required impact on the Nation. The Grand Master of Masons for the Commonwealth of Virginia told me that he was counting on the Sojourners in the Commonwealth to carry the Americanism Program for the Grand Lodge. I have succeeded in getting Brother Bacharach to accept appointment as Chairman of this important National Committee for the ensuing year. I know that under his leadership and with the Vice Chairmen continuing to serve in the four major areas, our program in Americanism will be strengthened. During the year I hope that we can develop programs which will "Prepare for '76" and aid in putting God back into the school system. As I mentioned last night, I think one of the basic reasons for the present youth situation is the absence of the Christian guidelines provided by the Ten Commandments. After the removal of prayer from the schools, the young people suffered the loss of proper sense of values of these guidelines in shaping their character.

8. *The Sojourner:* I have prepared a Memo for Contributing Editors setting up Themes and Deadlines for The Sojourner 1969-70. In addition to the Messages from the National President and the National Commander of the Heroes, space has been allotted in each issue to the Secretary-Treasurer, National Chaplain and Chairman, Americanism Committee. In addition, special space allocation has been made for the President Elect and each of the Vice-Presidents in the July-August issue. In order to encourage more meaningful articles from these officers, space has been allocated in only one other issue to each of them. Articles concerning our Purposes are appropriate at any time and may be contributed by any member. Writings by the membership is particularly encouraged. I hope all members will feel free to submit articles for publication. I wish we had sufficient articles submitted that we would have to establish an editorial board to screen them. This would greatly improve our publication as a media of communication.

9. *Communications:* One of my greatest disappointments as President Elect has been the lack of communication, not only among the National Officers but among all elements of our organization. Everywhere I hear the same complaint: I wrote him but I have not received a reply. While the workload is fairly heavy on a few individuals, most of those in the organization do not have too many pieces of correspondence to take care of. Why then is it so difficult to get a reply? One of the easiest ways to reply to a letter that requires a quick answer is to scribble a reply on the original letter and return it by the next mail. If all will think of the inconvenience caused by non-receipt of a reply when they are the ones looking for it, then let's do unto others as we want them to do unto us. I want to go on record right now; if I fail to get a reply from one of the appointed officers within a reasonable time and in the absence of a logical reason, I will let him know about it.

10. *Bridge of Light Program:* I trust that every Chapter and every individual Sojourner will actively participate in this most worthwhile program. This program will not only improve our image in the local Masonic environment, but will advance our own Purposes and can be a source of new members. Now that we have available the Sojourner Roll of Honor, at a small cost of \$1 per

copy. We should make sure that a copy of this Roll honoring outstanding Masons is placed in every Masonic Temple in the Country. On two occasions where I have presented copies to Blue Lodges, the reception of them has been most appreciative. In connection with the Bridge of Light Program, care must be taken to ensure that when an invitation to visit a Blue Lodge is accepted a *respectable representation* is present. Nothing is more discouraging than having a special night set up for a visit and then only two or three Sojourners show.

11. *Conclusion:* In conclusion I want to again thank all Sojourners for the opportunity afforded me to serve you as your National President during the ensuing year. I hope that I will be able to justify the confidence which you have placed in me. I feel that my chief responsibility during the coming year is to assist you in the furtherance of our Purposes and to be your representative with other organizations who have similar purposes. We must ever strive to strengthen the ties of affection, promote the prosperity of our Order, and protect its unity, integrity, and strength by maintaining the truest fraternal spirit. I shall need your sympathetic and understanding interest and friendship. I am counting on the same helpful support and cooperation which you have given so graciously and devotedly to my predecessors.

My life shall touch a dozen lives
Before this year is done;
Leave countless marks for good or ill
Ere sets the evening sun.

So this the thought I always wish,
The prayer I always pray:
Lord, let my life bless other lives
It touches by the way.

JOHN D. BILLINGSLEY,
Brigadier General, U.S. Army, Retired.
National President.

RESOLUTIONS

NOTE.—The following Resolutions presented at the 49th Annual Convention (Golden Anniversary) of National Sojourners, Inc., held at Cocoa Beach, Florida 26-28 June 1969 are furnished for your information and whatever action you deem appropriate:

APPROPRIATE RESPECT TO DEITY

Whereas our great nation was founded on a belief in God, to wit:

The Mayflower Compact, dated November 21, 1620, written by one, William Bradford, second governor of the Colony of Plymouth, with 31 signatures appended thereto, this document being one of the earliest produced during the American quest for freedom which culminated in the United States of America 150 years later, and which states:

"In the name of God, amen. We whose names are underwritten, having undertaken, for the glory of God, and advancement of the Christian faith, a voyage to plant the first colony in the northern parts of Virginia, do by these presents solemnly and mutually in the presence of God, and of one another, . . ."

and
The Declaration of Independence, dated July 4, 1776. This most eloquent statement of the American creed, drafted by Thomas Jefferson and signed by 56 signatories, states:

"When, in the Course of human events, it becomes necessary for one People . . . to assume among the Powers of the earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them . . ."

and
Whereas it is meet and right that this legacy should pass in perpetuity from generation to generation, in keeping with the Preamble to the Constitution of the United States, which admonished us to secure—for

the general welfare—the blessings of such beliefs to ourselves and our posterity, and

Whereas Article I of the Amendments to the Constitution of the United States of America states specifically that, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . ."

Whereas the great majority of American people who recognize and believe in the existence of a Supreme Being have been caused to lose a right and a liberty by a majority of one (1) via the Supreme Court of the United States, said majority of one being a person by the name of Mrs. Madelyn Murray O'Hair who is opposed both to a belief in God and to religion and who is, at this very time, establishing a center for the study of atheism in Austin, Texas, and

Whereas we, as Masons and National Sojourners, maintain and uphold a steadfast belief in God . . . that God must motivate man if present day problems are to be solved . . . and that God is the Supreme Architect of the Universe,

Let it therefore be resolved that National Sojourners, Inc., at its 49th Convention adopt as one of its programs for the ensuing year, the petitioning of the Congress of the United States of America to:

(1) Put God back into our schools, and
(2) Continue appropriate glorification of the wondrous works of the Supreme Architect from the far reaches of outer space by our astronauts, and

(3) Asking the blessing of deity in all such public and private facilities where deemed appropriate to the accomplishment of all reasonable and worthy undertakings
So that we shall henceforth recognize that God is part of our daily lives and activities and not merely the object of Sunday worship alone.

Be it further resolved that as this project has been duly adopted by Cape Canaveral Chapter No. 366 as part of its Americanism program for 1969, the same having the cognizance and wholehearted support of our National President Elect, Brother John D. Billingsley (BG, USA Ret.).

TO ESTABLISH THE POSITION OF THE NATIONAL SOJOURNERS IN RELATION TO THE REPEATED VIOLATIONS BY SOME PERSONS AND GROUPS OF PERSONS OF THE SACREDNESS OF THE ANTHEM AND COLORS OF OUR NATION

Whereas the Purpose of National Sojourners, among other fundamental items, includes the following:

"For supporting all patriotic aims and activities in Masonry, for developing true patriotism and Americanism throughout the Nation . . . to further the military needs of national defense and for opposing any influence whatsoever calculated to weaken the national security"; and

Whereas our National Anthem, "The Star Spangled Banner," and our National Colors, "The Stars and Stripes," are emblematic of the history, traditions and personality of our great Nation, the United States of America; and

Whereas organized minorities within our country, inspired and guided by enemies from other nations, have concocted groups which, under the protection of our democratic ways of life, have united subversively for the sole purpose of undermining our democratic system of government, and of insulting and desecrating, in the most disrespectful manner, those glorious emblems of our great nation, namely, our National Anthem and our National Flag; and

Whereas the members of Puerto Rico Chapter No. 146, National Sojourners, as a group of true, loyal American citizens of both Spanish and American ancestry, are greatly concerned about the anti-American activities of these enemies of our country, both at home and abroad; and

Whereas under our present tax laws and law enforcement there is continued disrespect and desecration of our National Emblems, without any real and effective punitive action being taken;

Therefore be it resolved: that Puerto Rico Chapter No. 146, National Sojourners, recommends:

1. The revision of present laws, both State and Federal, and their stricter enforcement, and the enactment of new laws where advisable, for the protection of our National Emblems, under all circumstances against any person or group of persons, single or collectively, who in any manner insults, desecrates or uses disrespectful action against these emblems of our Nation.

2. The inclusion, in such laws, of punitive action sufficiently severe to serve as a warning to those who might be planning to engage in any of these desecrating acts.

Be it further resolved: That a copy of this Resolution be sent to the National Headquarters of National Sojourners, Inc. to be submitted for consideration at our National Convention in Cocoa Beach, Florida, in June 1969, with the recommendation that same be adopted as a statement of the sentiment of all National Sojourners throughout the world, and that upon final adoption by the convention, a committee shall be appointed to convey the purposes of this Resolution to the appropriate authorities in our State and Federal Governments.

AGAINST THE ENACTMENT OF LAWS WHICH INFRINGE UPON THE CONSTITUTIONAL RIGHTS OF CITIZENS TO OWN ARMS

Whereas the Constitution guarantees to law-abiding citizens the right to own and enjoy property; and

Whereas thousands of such citizens derive pleasure from collecting weapons as a hobby or using them for target practice, and some choose to possess them merely for protection against housebreakers; and

Whereas the publicity following certain assassinations and other violent crimes has dramatically brought to the forefront the lesson that weapons, like personal valuables and money generally, are not immune from being illegally obtained through robbery; and

Whereas progress reports indicate that neither the crime rate nor unlawful use of firearms has decreased in those jurisdictions which have adopted so-called gun registration laws; and

Whereas current proposals for national, state, and local laws that would further require the ownership of weapons to be officially recorded, and to compel payment of license-fees in connection therewith, would impose additional, discriminatory taxation upon the persons affected; therefore be it

Resolved that National Sojourners proclaim that laws should be repealed that infringe upon the right of any responsible citizen to own firearms.

SUPPORT OF ROTC

Whereas great and injurious harm is being done to our beloved United States of America by the forces of evil, the instruments of which are undermining the minds, morals and personal integrity and patriotism of the nation's youth; and

Whereas the said forces of evil are being abetted in their evil plans by the red, pink and socialistic leaders in the colleges in which are included many, many members of the faculties and the establishment, and

Whereas the attempts by the taxpayers of the nation to teach, train, and inculcate the traits of loyalty, integrity, and honesty in the colleges and universities as well as the secondary schools through the medium of the Reserve Officers Training Corps, as required by law, are constantly being denigrated by unpatriotic faculty members and administrators;

Now therefore be it resolved by the National Sojourners in annual convention,

1. A four-year ROTC program be a required

item of the curriculum of each and every State and Federal supported university, with credit given for the courses. Failure to meet this requirement resulting in the withdrawal of all Federal aid to that institution.

2. The present Junior ROTC program in the high schools be continued and failure to do so by any school would require that all Federal funds be withdrawn from that institution.

3. That the National Sojourners, Inc. actively and vigorously insist that all Federal aid, including land grant privileges, where applicable, be withdrawn from those institutions where ROTC and/or NROTC or AFROTC units are deleted by the above mentioned forces of evil.

Resolution No. 31 as listed here was sent in the form of a telegram to The American Legion; a similar telegram was sent to DeMolay on their Golden Anniversary.

Greetings to the American Legion on the occasion of its 50th Anniversary, from National Sojourners, Inc., which is also observing its 50th Anniversary, and whose purposes are similar in numerous respects, with many of its members also Legionnaires.

NATIONAL HOLIDAYS

Whereas, proposals for National Holidays are from time to time made in the name of distinguished American citizens, and

Whereas, apparently no specific statutory regulation now controls the designation of such Holidays, and

Whereas, it appears proper to allow the test of time to evaluate and prove the lives of distinguished Americans worthy of such recognition.

Now therefore be it resolved: That National Sojourners, Inc. in Convention assembled on this 28th day of June 1969 do hereby urge the Congress of the United States to consider the enactment of legislation requiring the passage of a period of at least 25 years after the death of a distinguished American before the declaration of a National Holiday in his name and honor.

ASTRONAUTS PRAYER ESSENTIAL TO AMERICA

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. COLLINS. Mr. Speaker, again America faces the basic concept of prayer for our country. Felix R. McKnight, the editor of the Dallas Times Herald, has summed the issue up very clearly. Madalyn O'Hair has again gone to be heard by the Court. This time she is asking for prayer to be eliminated on the space program.

Many great laws have been passed during the leadership period of Speaker McCORMACK, but the most important resolution of all was when our House inscribed "In God We Trust" above the Speaker's head. This is the belief, the conviction, and the spirit of our House. We believe in prayer and the fundamental right of every American citizen to pray.

You will be interested in reading this excellent analysis by Editor Felix R. McKnight in the August 10, 1969, issue of the Dallas Times Herald:

It has come, in recent days, to the same, appropriate question: Will the courts again tolerate Madalyn Murray O'Hair, who seeks the peculiar satisfaction of fighting God?

Is it conceivable that she can again tight-

rope thin legal sidelines of the United States federal courts and achieve success in a channel that also belongs to a few million other citizens?

Three days ago the woman atheist who blew into Texas on ill winds a few years ago, filed another suit in Austin; a federal suit.

She seeks the same instant success she enjoyed in 1963 when the U.S. Supreme Court outlawed compulsory prayer in public schools—at her insistent request.

Now she would demand of the same tribunal that they silence the lips of American astronauts.

Mrs. O'Hair rent the reverent air of last Christmas Day with incensed cries that Frank Borman, leader of the Apollo 8 flight, had dared to read from the Book of Genesis as he drifted 230,000 miles away in the heavens.

On last Wednesday she continued her blasphemous binge in an Austin federal court. In her project against "religious exploitation of outer space," she would tear religion from the skies as she tore it away from students—who just might pick up a message or two from The Ten Commandments or other words from the indestructible Book.

In her suit against the National Aeronautics and Space Administration and its administrators, she seeks to prohibit them from "further directing or permitting religious activities or ceremonies and especially reading of the sectarian Christian religion's Bible, and from prayer recitation in space and in relation to all future space-flight activity . . ."

Unadulterated hogwash—but she promises to pursue all the way to the Supreme Court, if necessary. It is highly unlikely that she can match her 1963 success with the court. The American people wouldn't swallow it.

On sheer logic she wouldn't have a chance. One of journalism's true titans, David Lawrence, this week made the case that also has been presented in these columns. Non-sectarian and non-denominational prayers are built into various activities of federal, state and local governments.

It is the peak of inconsistency to say that unfettered, voluntary prayer should not be permitted in public schools—and then quickly recall that the President of the United States stood on the deck of the USS Hornet with astronauts Armstrong, Collins and Aldrin and said to the world:

"And now I think that all of us—the millions that are seeing us on television now and seeing you—would feel as I do that, in a sense, our prayers have been answered. I think it would be very appropriate if Chaplain Pirto, the chaplain of this ship, were to offer a prayer of thanksgiving . . ."

To which Chaplain Pirto responded: ". . . May our country, afire with inventive leadership and backed by a committed fellowship, blaze new trails into all areas of human cares. See our enthusiasm and bless our joy with dedicated purpose for the many needs at hand. Link us in friendship with peoples throughout the world as we strive together to better the human condition.

"Grant us peace, beginning in our own hearts, and a mind attuned with good will towards our neighbor . . . All this we pray as our thanksgiving rings out to Thee in the name of our Lord . . ."

We join with Editor Lawrence, as we have before, in asking how can such manifestations of belief in God be uttered at certain governmental functions and be denied at others?

The issue reaches other ultimates of inconsistency when the President of the United States places his hand upon the Bible and takes the oath of office from the chief justice of a Supreme Court that takes another path to rule with Mrs. O'Hair.

Or, when Congress specifies the oath of office to be taken by federal judges which ends with "So help me God." Chief Justice Warren E. Burger repeated the prescribed oath in the recent ceremony.

Or, when the two houses of the Congress open each session with prayer from their chaplains. Or, when governmental institutions such as military installations provide—with protection of the law—religious facilities for voluntary worship.

The American astronauts have their rights to worship, whether in the living room or on the moon. And the American people expect those rights to be preserved—come hell or Madalyn Murray O'Hair.

LOS ANGELES GROUP ORGANIZES VETERANS FOR PEACE IN VIETNAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BROWN of California. Mr. Speaker, I have been asked to bring to the attention of my colleagues the work now being undertaken by a Los Angeles group calling itself Veterans for Peace in Vietnam. While I am not familiar with this particular organization, I hope that my colleagues will give consideration to their statement of principles and purpose.

Slowly still the American public is becoming aware of the harsh realities of our situation in Vietnam. This veterans' group statement—by men and women who can hardly be accused of "anti-American" feelings—comes as another indication of the ever-growing discontent with American activities in Southeast Asia.

I believe that if more of our citizens are made aware of the situation, more of them will object to the discrepancies between historic American ideals and the policies we are now perpetrating abroad.

I insert the principles and policies of the Veterans for Peace in Vietnam in the RECORD at this point:

A STATEMENT OF PRINCIPLE AND A DECLARATION OF PURPOSE, VETERANS FOR PEACE IN VIETNAM AND AGAINST THE WAR

We are men and women who have served honorably in the armed forces of the United States of America. We believe that this "conflict" in which our country is now engaged in Vietnam is wrong, unjustifiable and contrary to the principle of self-determination on which this nation was founded. We believe that the activities of our forces in Vietnam are directly contrary to the best interests of the people of the United States. We believe that our policy in Vietnam supports tyranny and denies democracy. We believe this because as very concerned citizens we have investigated and researched the subject. We know, especially those of us who have been there, that the American public has not been told the truth about the war or about Vietnam.

We know—

That Vietnam is one country—historically, culturally and as specified in the Geneva Accords of 1954.

That this conflict is basically a civil war.

That the government in Saigon, despite the recent "election", is a military dictatorship—supported by a small feudal aristocracy, the ARVN officer corps and half a million American troops.

That the majority of the people we are fighting in South Vietnam are South Vietnamese, and that the only people we are fighting are Vietnamese.

That the primary reason for our military

involvement in Vietnam is the wish of our economic royalists to continue to exploit the human and natural resources of Southeast Asia.

That those people in America and Vietnam who are harvesting billions of dollars in personal profits from the "defense" business do not want an end to this war.

That the basic problem in Vietnam is not military—but social, economic and political; not American—but Vietnamese. There is no military "solution." There is no "American" solution.

We believe that if the American people realized this they would join the dissent of the millions of Americans already against this war.

We believe that true support for our buddies still in Vietnam is to demand that they be brought home immediately before anyone else dies in a war the people of the United States of America did not vote for and do not want.

We, therefore and hereby, join together as Veterans for Peace in Vietnam and Vietnam Veterans Against the War, Los Angeles Area, for the specific and sole purpose of ending our imperialist and un-American war on the people of Vietnam. We believe this to be the highest patriotism.

SOCIAL SECURITY INCREASE OR CHARITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. FRASER. Mr. Speaker, the march of inflation continues to take its toll of those on fixed incomes, such as our senior citizens who are receiving social security benefits.

Many of these older people are in dire straits. They have been writing to me in increasing numbers, not merely to complain about higher prices, but to point out that they now do not have sufficient money to pay for taxes or rent, food, and clothing. All of these people worked hard to earn their social security benefits and, until recently, were able to make their meager funds take care of their minimal needs.

Now, many of our social security recipients are faced with the necessity of asking for charity in order to have sufficient food and clothing. It is for this reason that I consider the current proposal for a 7½-percent increase in social security benefits to be completely inadequate. I recommend an increase of 50 percent over a 3-year period to prevent our older people from having to seek charity.

A letter appearing in Bernard C. Meltzer's column in the Washington Post on August 2, 1969, and Mr. Meltzer's reply succinctly state the problems of many of our senior citizens.

The article follows:

[From the Washington Post, Aug. 2, 1969]

HIGH TAXES HARD ON OLD

(By Bernard C. Meltzer)

Often the last vestiges of independence and pride disappear when old folks must turn to charity to keep going. Many of them now are being turned into paupers by constantly increasing real estate taxes. The letter below is a "tear-jerker," but it typifies the thousands received and I feel the story must be spread on the record.

Q. I'm 71, my wife is 68, I've raised three children who have presented me with ten fine grandchildren. I came to this country as a boy of sixteen and am proud to say I've never asked for a penny of charity.

Our only income is from Social Security. After we pay our taxes and other expenses, we have \$2 a day left for food and clothing. I've just been notified that the real estate taxes are going up. Next year, after paying the increased taxes, we'll have \$1.62 a day.

My wife and I literally keep track of every penny now. I've just told her that next year we won't be able to make it. We'll be forced to ask for charity. My 68-year-old bride is sitting opposite me with tears rolling down her cheeks. She keeps repeating, "We've worked hard all our lives, and now we've come to this."

The newspaper said that increased taxes were necessary for schools and higher wages for teachers. I raised my three children and paid my share of taxes when they were going to school. I'm not causing the problems they have now-a-days. Don't I have the right to live just the same as school teachers?

SICK OF IT ALL

A. Every month I receive dozens of letters like this. They are postmarked from all over the nation. They come from small towns and big cities alike.

I've published this heartrending letter to show that the most helpless poverty group is not those on "welfare," but the old folks past their working days who—in the sunset of their lives—are being turned into paupers.

With over \$30 billion of federal money being spent on a program to help the so-called "poor," it would appear that a fraction of this money could be set aside to help old folks in situations like this who want to maintain their independence and dignity and need just a little help.

Cases like this move me. Often I'll write a personal letter to the taxing authority, asking for consideration. I'm glad to report that they usually will find a regulation or reason (if they possibly can) to make an exception for the old folks.

(A realtor, appraiser and engineer, Bernard Meltzer answers questions only in this column. His address: 933 Crosswick rd., Jenkintown, Pa.)

THE HUMAN RESOURCES CLEARINGHOUSE STORY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. PEPPER. Mr. Speaker, the benevolent actions of the Human Resources Clearinghouse of Tallahassee, Fla., have been brought to my attention. It is a project worthy of note.

The Human Resources Clearinghouse is developing a program that will bring many a new and better way of life. I would now like to share with you some information on what they are doing:

THE HUMAN RESOURCES CLEARINGHOUSE STORY

Human Resources Clearinghouse, Inc. has enjoyed tremendous community acceptance from the point of governmental cooperation at every level and individual and organizational support.

From two hundred and sixteen manhours on a Sunday morning breakfast period with neighborhood children, by six volunteers to the loan and donation of tools and equipment by the City Manager's Office, we have individual volunteers who have amassed two

hundred clock hours of service at the Center.

Ten pre-school children have enjoyed twenty-six days of association and instruction by two university-faculty wives.

A faculty member has offered in-depth counseling with a twelve member family of the Frenchtown community.

The Florida State University chapters of several fraternities, sororities and other campus organizations have put in thousands of hours on work projects, camping trips, sight-seeing tours and organized recreational activities.

Within the neighborhood three hundred children and youth have participated in our "Curbstone Operation," Boys' Club, Cub Scout Pack, Boy Scout Troop and Girls' Club programs. The parents of these children and members of several civic organizations have met jointly in sponsorship of a Women's Club. Elderly residents of the area are being assisted by the "Good turn daily" projects of the scouts and scout leaders.

The Center supplements the fine recreation program afforded by the City of Tallahassee and complements the study and tutorial opportunities of the County School System.

Neighborhood adults are developing a new sense of pride in themselves, their children and their surroundings.

Many donors of essential equipment are unknown by name, many others contribute small amounts on a sustained basis and large chunks for projects like uniforms for the scout troop and cub pack.

An essential service need is met when interested persons learn of city, state and county facilities which are better qualified to meet their needs.

The agency affords a training place for interns in Education, Social Welfare, Community Organization, Planning and Recreation. Further, it affords hope and help for city youth that Self-Help is an avenue open to them!

The Human Resources Clearinghouse, Inc. was chartered at Tallahassee, Florida, July 12, 1966. It has been in continuous operation since May 1966, in its present quarters since September 1966.

RECENT SOVIET ACTIONS DIRECTED AT LIBERAL SOVIET WRITERS

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. ADAIR. Mr. Speaker, events of the past few weeks indicate that we are once again witnessing the use of Stalinistic tactics by the leaders of the Soviet Union to repress the voices of opposition and open discussion of views. The latest in a series of attacks against Soviet intellectuals occurred last week when several well-known liberal Soviet writers, including poet Yevgeny Yevtushenko, novelist Vasily Aksenov, and playwright Viktor Rozov, were dropped from the editorial board of "Yunost," the most popular Soviet literary journal for young people. A fourth member of the "Yunost" board, E. B. Vishnyakov, was reported to have "retired." These writers were dropped because of their outspoken views on the Soviet invasion of Czechoslovakia. Yevtushenko, the most popular of the writers, was removed also because of a series of poems he printed recently in the liberal magazine, "Novy Mir," about a trip to Spain in which he criticized his attackers "from left and right."

Another prominent Soviet writer, Anatoly Kuznetsov under pressure from the Soviet Government recently defected in London. Kuznetsov created a Soviet sensation with his 1967 novel, "Babi Yar," about the Nazi massacre with Russian collaboration of thousands of Jews in a Ukrainian ravine. Soviet critics accused him of concentrating too little on the "historical facts," and pointed out that Russians and Ukrainians also were killed. He was also attacked early this month by a Soviet paper for his new novel "Fire" in which the paper said he portrayed Soviet workers as "cynics, scoundrels, self-seekers, and alcoholics." On defecting, Kuznetsov said that not one of the books he published in the Soviet Union appeared as he wrote it. He said he defected from the Soviet Union, leaving behind his wife and son, because the censors there permitted nothing except praise for the Communist system.

These recent actions are illustrative of the Soviet return to past ways after a period of cautious relaxation. The anti-intellectual fervor of the Stalinist era returned with the decision 5 years ago to arrest the writers Andrei Sinyvsky and Yuli Daniel who were tried and condemned to years at forced labor in February 1966. Anatole Shub remarked recently:

The Kremlin bosses have turned increasingly to repression and reaction, xenophobia, and mystification. They appear to be counting on the fear and prejudice of the traditional mob of Russia's tragic history, and they are plunging the country's finest spirits into despair.

According to recent reports, the Soviets are alarmed over the way in which the United States outdistanced them in the space race. The United States made such quick progress because our space program is completely open and, as a result, the participation of scientists and intellectuals was encouraged and received. The Soviets continue to shun open discussion for the cloak of secrecy even when it prevents or inhibits economic and material progress.

The most distressing aspect of this situation, however, is the continued denial of the most basic of individual freedoms—the right of free speech. By stifling such dissent or expression of views, the Soviet leadership is rapidly alienating the younger generation. The "generation gap" grows daily in the Soviet Union and its satellites, as Soviet youth had looked forward to more and not less liberalization of Soviet restrictions on public expression. Pavel Litvinov, the grandson of former Foreign Minister Litvinov, said recently:

It is up to my generation to bring about change. I recommend to those of my generation to say frankly what they think. If mass protests could be organized, if they became known in the West and gained the support of foreign Communists, our government would have to take account of it, and this would produce an effect.

I am fearful that if the Soviet leadership continues to "closet" the intellectuals and youth and prohibit the public expression of their views, even more repressive measures may be resorted to. This spiraling effect is reminiscent of the purges of the Stalinist period.

RESULTS OF DISTRICT PUBLIC
OPINION POLL

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, more than 25,000 sixth district citizens responded to the public opinion poll I mailed to every household in the district at the end of June. This is far and away the best participation rate of any poll I have conducted. Because of the higher rate of response, the results are much more significant than if only a few thousand citizens participated.

Vietnam. The overwhelming fact revealed by the survey is that in every county and by considerable margins the war in Vietnam is rated the most important issue facing America.

Federal tax reform. Only about half as many citizens rated tax reform as the most important issue.

Campus unrest was a distant third in the ranking of important issues.

Missile defense—ABM—just barely nosed out farm prices for fourth place in the order of importance.

Farm prices was a close fifth in the list of priority issues, districtwide.

Breakdowns of the returns revealed surprisingly small variations in the rankings from county to county within the seven counties of the sixth district. In only two counties, Fond du Lac and Calumet, did the results show a difference in the ordering of priorities. In these two counties, farm prices were rated ahead of missile defense as the fourth most important problem.

President Nixon's conduct of the presidency was rated from fair to excellent by 90 percent of the district citizens, the poll indicated. Only 10 percent said Mr. Nixon is doing a poor job. Although many respondents noted as an Oshkosh woman did, that it was "sort of early in the game." Mr. Nixon had a clear majority of 56 percent approving his actions as good or excellent. Strongest support came from Green Lake County with 69 percent good and excellent ratings. Washington and Winnebago followed with strong 58 percent readings, though both these counties, gave Mr. Nixon a higher than district average of poor ratings, indicating strong difference of opinion in these counties.

Ninety-seven out of every 100 respond-

ents in the districtwide poll favor an increase in the personal tax exemption from \$600 to \$1,000.

The question of revenue sharing, as proposed by President Nixon in his August 8th television speech, induced a wide spread of opinion and revealed uncertainty as to the fiscal impact and local effect of such a new departure in Federal fiscal policy. Counties with the larger cities, Winnebago—Oshkosh, Neenah-Menasha and Sheboygan—Sheboygan as well as Washington County, approved revenue sharing by wide margins. Fond du Lac and Ozaukee Counties also approved it. Counties with least concentration of population, Calumet and Green Lake, oppose revenue sharing by 56-44 and 65-35 respectively.

The district gave strong backing to the proposal to make the Post Office into a Government-owned, self-supporting corporation. Support ranged upward from Calumet County's 74 percent to Ozaukee's 86 percent.

Additional random comments that respondents were encouraged to write on the survey ran heavily to "control inflation" and "law and order."

The complete tabulation of the results follows:

[In percent]

	Calumet	Fond du Lac	Green Lake	Ozaukee	Sheboygan	Washington	Winnebago	District average
1. How would you rate the job President Nixon is doing?								
Excellent.....	20.0	18.0	13.0	10.0	12.0	10.0	13.0	14.0
Good.....	37.0	38.0	55.0	45.0	40.0	48.0	45.0	42.0
Fair.....	41.0	32.0	21.0	36.0	37.0	27.0	28.0	34.0
Poor.....	2.0	12.0	11.0	9.0	11.0	15.0	14.0	10.0
2. What in your opinion are the most important issues facing this country?								
Federal tax reform.....	2.5	2.1	2.6	2.4	2.8	2.3	2.5	2d
War in Vietnam.....	1.9	1.6	1.5	1.3	1.7	1.5	1.4	1st
Farm prices.....	4.0	4.1	4.0	4.2	4.2	4.8	4.6	5th
Missile defense.....	4.8	4.2	4.1	3.8	4.1	4.0	4.1	4th
Campus unrest.....	3.9	3.5	3.2	3.7	4.0	3.5	4.0	3d
3. Do you favor an increase in the personal tax exemption from \$600 to \$1,000?								
Yes.....	99.0	97.0	89.0	97.0	99.0	95.0	99.0	97.0
No.....	1.0	3.0	11.0	3.0	1.0	5.0	1.0	3.0
4. Do you favor revenue sharing by the Federal Government with State and local governments with no strings attached?								
Yes.....	44.0	51.0	35.0	55.0	59.0	61.0	65.0	54.0
No.....	56.0	49.0	65.0	45.0	41.0	39.0	35.0	46.0
5. Do you support the proposal to make the U.S. Post Office a Government owned, self-supporting corporation?								
Yes.....	74.0	75.0	83.0	86.0	78.0	75.0	76.0	78.0
No.....	26.0	25.0	17.0	14.0	22.0	25.0	24.0	22.0

SIGNIFICANT VICTORY

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. DENNEY. Mr. Speaker on August 6, 1969, the President, with the help of Members of both parties, won a significant victory in the cause of peace. The victory, of course, was the vote that insured the development and deployment of the Safeguard anti-ballistic-missile system.

Mr. Speaker, there are those who are saying that the vote yesterday was a defeat because of the closeness. But they are wrong. There can be no defeat when an action by the Congress gives the President something he thinks is necessary for the security of the Nation.

There can be no defeat when an action by the Congress strengthens the President's hand in the negotiations for peace.

No, Mr. Speaker, the vote was a victory. Many football and baseball games are won by just one point.

A victory that could be one of the most significant of our times. This vote is additional proof that in this country we operate under the rule of the majority.

Those who say it is otherwise only damage the image of our Nation's leaders in the eyes of the world and only hurt the chances for eventual disarmament.

WASHINGTON WORKSHOPS SEMI-
NARS IS VALUABLE PROGRAM
FOR HIGH SCHOOL STUDENTS

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. REUSS. Mr. Speaker, on July 15, I had the opportunity to meet here on Capitol Hill with a large group of high

school students who had come to Washington from every part of the country to participate in the Washington Workshops Seminar on the Congress of the United States.

The Washington Workshops Foundation, a private nonprofit educational organization, has been conducting these seminars for 2 years now. Five 2-week seminars are being offered this summer. The program is open to every high school student of every background. A number of this year's students participated in the congressional seminars with scholarship assistance from the Washington Workshops Foundation and local businesses and community organizations. Throughout this summer nearly 1,000 young Americans will have come to Washington to study their Government firsthand.

I enjoyed my meeting with students participating in the July 11-July 22 seminar. I was impressed by their awareness of national issues and their commitment to building a better America.

The Washington Workshops Founda-

tion is performing a valuable service by giving young people a chance to learn firsthand about their Government, and to have a dialog with Members of Congress and Senators. I commend a series of questions and answers on the Washington Workshops program to my colleagues.

**TREATMENT CENTERS NEEDED
FOR TEENAGE DRUG ABUSERS**

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. TUNNEY. Mr. Speaker, all of us are aware that a drug abuse problem exists within the ranks of the youth of our Nation.

To some, this alleged "problem" has been blown all out of proportion, and is confined primarily to the so-called dregs of society. They would solve the problem swiftly and severely, by "tossing the bums in jail and throwing away the key."

Those among us who have studied the problem in depth, however, know that it is far more serious and not confined to a few—nor is it dealt with in such a simplistic and punitive manner.

Getting valid statistics on this teenage drug "cult" is extremely difficult. Yet, some facts do stand out clearly. The number of teenage drug users is rising at an alarming rate; the age level is getting lower; amphetamines and barbiturates—in addition to marihuana—are being experimented with on a wide scale; and, the abusers increasingly are the product of middle- and upper-class families. In fact, educators and public health officials report that students today are getting their first exposure to drugs as early as the sixth grade.

One southern California high school district last year expelled 211 of its 17,000 students for using drugs, while an extensive survey at a northern California high school revealed that three-fourths of the seniors said they had friends who smoked pot.

The spread of this cancerous habit is reflected even more dramatically by figures compiled by California's Bureau of Criminal Statistics. In 1966, the bureau reports, 5,355 youths under 18 were arrested for drug offenses, but the arrests jumped nearly three times in 1967 to 14,760. Of the latter, 18.7 percent were 18 years old; 36.6 percent were aged 17; 24.6 percent were 16; 12.9 percent were 15, and 7.2 percent were only 14 years old or younger. One shudders to guess at the number of teenage users who are not arrested.

While these figures do reflect only the situation in California, it is safe to say that they are indicative of what is happening in many parts of the Nation—and not merely in metropolitan centers.

The point is, we have a problem of growing proportions. This cannot be denied nor ignored.

If we were a barbaric, or even a medieval society, it would be relatively easy to succumb to "jailing the bums and throwing the keys away." We are not—and we cannot.

We are dealing with the lives of young Americans who have the potential for many years of productive lives ahead of them. It is our responsibility as mature adults and legislators to find the means by which these lives can be salvaged and their potential attained.

First, we must cut off the supply of illicit drugs, and thereby dry up the source of the problem. I have introduced three bills aimed specifically at strengthening the weakest links of our protective chain.

Second, we must educate our young people about the real and serious dangers of drug abuse. The Drug Abuse Education Act of 1969, which I and many of my colleagues strongly endorse, will provide the type of educational programs that are so vitally needed.

And third, we must establish medical facilities to which young people can turn with confidence for professional guidance and rehabilitation.

Today, I am introducing a bill to provide just that kind of treatment centers. This latest measure would amend the Community Mental Health Centers Act to authorize project grants to help finance the establishment of drug abuse treatment centers in junior and senior high schools, as well as other public or nonprofit private agencies and organizations. These grants would help offset the costs of construction, as well as provide funds for operation, staffing, and maintenance.

Establishing these outpatient-type centers in the public schools would make them readily accessible to teenagers in an environment in which they can have confidence. This is of crucial importance, for early treatment of drug abuse problems greatly enhances the prospects for quick and complete rehabilitation.

Mr. Speaker, drug abuse among teenagers is a special problem that requires a different approach from that followed for adults. This bill is tailored to meet the unique needs of these teenagers. These young people must be helped professionally before they are beyond help. We can do no less for the future of America.

CORNELL INTERNS IN WASHINGTON, D.C.

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. ROBISON. Mr. Speaker, I would like to report some good news from Cornell University of Ithaca, N.Y.—in the form of 42 Cornell students serving as interns this summer in a wide range of congressional offices, executive departments and agencies, and news media. It is not without pride that I cite these conscientious, curious, and bright Cornell students as well as their counterparts participating in and observing governmental operations all over the country—in local, county, State, and Federal levels.

Their presence in the Nation's Capital, while presenting a challenge to each one of them, also presents a challenge to each one of us, full-time participants, in the operation and guidance of American Government. These students have de-

cidated to take a keen "inside" look into their Government this summer with the hope that increased knowledge of the practical will augment their academic perspective from the campus. They have chosen to learn and participate rather than blindly confront. They are capable young men and women who wish to serve and contribute in a significant way. I call on all of us to listen to them, use their talents, and welcome their participation. Here are their names, and where they are working:

Joan Alano, Department of Interior, Public Information.

Maddie Bluefield, Office of Education.

William Broydrick, HUD, International Training.

Eliot Burg, Executive Intern—HUD.

Stanley Chess, The Washington Post.

Robert Ellison, Equal Employment Commission.

Allison Ferris, AID.

Eric Freedman, Dept. of Transportation.

Louise Fortmann, National Capital Housing Authority.

Jonathan Gellman, Executive Intern—Civil Service Comm.

Abigail Ginzberg, Institute for Creative Studies.

Steven Goldstein, Advisory Comm. on Intergovernmental Rel.

Jay Goodwin, Congressman William Fitts Ryan.

Wendy Gordon, Office of Education.

Joan Handler, HEW, Social Rehabilitation Services.

Deborah Huffman, The Washington Post.

Dale Kesten, House Republican Conference.

Bernard Leikind, NASA.

Stuart Lemle, Senator Jacob Javits.

Kenneth Levine, Executive Intern—HEW.

Steven Levy, Democratic National Committee.

Jeffrey Liddle, Congressman Philip Burton.

Kenneth Lowenstein, Senator Charles E. Goodell.

Thea Kerman, Congressman Marvin Esch.

Lorraine Mandel, Senator Jacob Javits.

Allen Miller, Congresswoman Martha Griffiths.

Christine Mumma, AID, Brazilian Affairs.

Susan Nelson, Appalachian Regional Commission.

Paula Noonan, Congressman Charles H. Wilson.

Carol Peacock, Institute for Creative Studies.

Marion Penn, Nader's Raiders.

Ronald Ravikoff, Advisory Comm. on Intergovernmental Rel.

Allen Riley, Office of Education.

Cynthia Rusick, Institute for Creative Studies.

Murem Sakas, Democratic Study Group.

Marilyn Tabor, Senator Edward Kennedy.

Amy Veranth, House Republican Conference.

Nancy Wallack, Office of Education.

Eric Weiss, Senate Banking and Currency Committee.

Anthony White, Teacher Corps.

Michael Wolf, Dept. of Justice, Civil Rights Division.

Howard Zalkin, Dept. of Agriculture.

I might add that I have had two interns of my own again this summer. It occurs to me that the most significant exchanges between us have involved a discussion of the assumptions upon which we base our actions.

I must admit, for example, that the shadow of the great depression of the 1930's, evoked most recently by the recession of the late 1950's, does not leave me with the same unconditional confidence in our economy that many college students of today profess. I realize that

this difference in premises leads us to different conclusions.

At the same time, an awareness of the difference permits a dialog that can create something positive. Too often we have seen attempts to bridge the alleged generation gap that are merely voices speaking past one another, each thinking that it has responded satisfactorily to the inquiries of the other when it has only satisfied itself. This causes both parties to feel that they have encountered irreconcilable differences.

It is well known that the response to impossible situations in this day and age is radicalism. Indeed, Hannah Arendt, in "The Origins of Totalitarianism," has pointed out that such a sense of irreconcilability is a prerequisite for the foundation of mass movements. I do not mean to say that there may be a Hitler in our future, but I do think it possible to exacerbate the present ills of our society by being so preoccupied with symptoms that we do not take the time to probe for an understanding between ourselves, and perhaps one day a cure in the process.

What the intern program tries to do, I think, is to show the college student that his impatience need not be equated with impotence. I am still not ready to let my hair interfere with my vision—indeed, I have not enough hair left to try—but I have seen changes in 5 years that I would not have predicted at the time. With enough positive enthusiasm, the cure of "one day" need not entail a millennium.

PENNSYLVANIA GOVERNOR SHAFER CALLS IMPORTANT CONFERENCE ON WATER POLLUTION CONTROL

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, plans for a 3-day Governor's conference on water pollution control to be held at the Penn-Harris Motor Inn, Camp Hill, October 1, 2, and 3, were announced today by Gov. Raymond P. Shafer.

More than 500 conservationists, industrial representatives, technical experts, legislators, and government officials at all levels are expected to attend.

Dr. Thomas G. Fox, Pittsburgh, chairman of the Governor's Science Advisory Committee, will serve as chairman of an 18-man steering committee.

The conference, the third in a series of annual meetings announced by the Governor to cover the entire field of environment, will have as its theme "Exploring the Gap—Regulation or Management?"

Governor Shafer will deliver the keynote address, U.S. Secretary of the Interior Walter J. Hickel will speak at a banquet Thursday evening. The Governor said:

This is a conference designed to focus attention on critical water pollution problems in the Commonwealth and to obtain new ideas from many points of view to produce

urgently needed solutions. In addition, we hope to stimulate better cooperation in water quality management.

Through various work groups and a final session devoted to summarizing important ideas, we will be better able to move forward with the task of protecting the quality of the Commonwealth's more than 50,000 miles of rivers, streams and lakes.

Pennsylvania's increasing population, expanding industry and our rapidly developing tourist trade make it imperative that we step up our efforts of preventing further pollution and reclaiming and restoring to a clean unpolluted condition every stream and lake in our Commonwealth.

Conference sessions will involve the legal aspects of water pollution control, adequate regulatory personnel, regionalization and comprehensive planning, the impact of citizens' groups and the proper utilization of water as a natural resource, according to the Governor.

Named to serve with Dr. Fox on the steering committee are:

Robert J. Bielo, executive director, State fish commission;

Henry Brown, president, Keystone Bituminous Coal Association, Harrisburg;

John T. Carson, director of the Division of Natural Resources for the Bucks County Planning Commission;

Dr. H. Beecher Charnbury, State secretary of mines and mineral industries;

Charles Lee Decker, secretary, Pennsylvania State Association of Boroughs, Camp Hill;

H. Bruce Gerber, chief sanitary engineer, Gannett, Fleming, Corddry, & Carpenter, Inc., Mechanicsburg;

Dr. Maurice K. Goddard, State secretary of forests and waters;

Carmen Guarino, president, Water Pollution Control Association of Pennsylvania, Philadelphia;

Arthur Harris, executive director, Three Rivers Improvement & Development Corp., Pittsburgh;

Mrs. Edna Isenberg, League of Women Voters of Pennsylvania, State College;

Eugene T. Jensen, regional program director, Federal Water Pollution Control Administration, Charlottesville, Va.;

John F. Laudadio, Pennsylvania Federation of Sportsmen's Clubs, Jeannette;

Franklin H. Mohny, executive vice president, Pennsylvania Coal Mining Association, Harrisburg;

Jack Sheffer, member, State sanitary water board, DuBois;

J. Edwin Slupeeck, executive director, Pennsylvania Municipal Authorities Association, Harrisburg;

Fred Speaker, attorney-at-law, Harrisburg;

William Tipton, secretary, Pollution Abatement Committee, Pennsylvania State Chamber of Commerce, and,

William Wilt, chairman, Joint Legislative Air and Water Pollution Control and Conservation Commission, Hollidaysburg.

FOREIGN AFFAIRS: WHAT IS THE QUESTION?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the July 25 New York Times carried an

article by C. L. Sulzberger under a Paris dateline. Assessing the effects of the Apollo 11 lunar landing from a European point of view Mr. Sulzberger's article is one more indication that the importance of the manned space flight program transcends the many scientific and technological gains that are being achieved and goes directly to the daily lives of people throughout the world. I commend this thoughtful article to the reading of my colleagues and the general public:

FOREIGN AFFAIRS: WHAT IS THE QUESTION?
(By C. L. Sulzberger)

PARIS.—Apollo's most immediate terrestrial spin-off was the renewal of faith in the United States by Europeans and the renewal of self-confidence by the Americans themselves. The long, bedraggled drift into aimlessness would seem dramatically to have been reversed.

There is no way of measuring such a sudden switch nor even of defining the reasons for it, and yet one does not need to be a psychologist to recognize its reality. Europeans had become bewildered by America's evident bewilderment and increasingly masochistic insistence on self-denigration. Now this has been swept away in one enormous rocket blast.

Less overwhelming events have in the past served to purify humanity. Admiral Morison wrote of the moment when Columbus embarked on his aimless but crucial voyage: "Most men in Western Europe felt exceedingly gloomy about the future." An astonishingly similar mood gripped the Occident ten days ago.

PUZZLEMENTS PAST

Code words were used to confuse profound issues and among these "Vietnam" was paramount. It expressed not only grim bewilderment with a new kind of war but puzzlements over U.S. urban development, the distress of overheated students with no place to go, the perplexity of atavistic race relationships and the fear above all of fear itself.

The fact that two men stepped out on the moon's pristine surface in full view of a fifth of humanity had poetic and philosophical significance which cannot be measured by computers. Suddenly men were flushed by a common feeling of pride, sensing that a limitless era of accomplishment had been opened to the lunar threshold.

SMALLER YET BIGGER

All of a sudden mankind feels both smaller and bigger and it is a giddy experience. He is smaller when he regards vast galactic distances which, huge as they are, can no longer be dismissed as infinite. But he is also patently bigger in recognition that, as in the first great human age of discovery, magnificent new frontiers loom as invitations to his ingenuity and courage. Precisely this phenomenon accompanied the Renaissance era.

Americans had been subsidizing into a quagmire of doubts symbolized by Vietnam. A vast guilt complex gradually choked the world's most powerful and wealthy nation: guilt because it was big and rich, guilt because it was at war, guilt because it could not win that war, guilt because, with all its fat-dripping prosperity and legacy of dreams, it was unable to create utopia on earth.

Psychological tremors originating inside America—which traditionally represents a European dream—spread to this continent, stirring uncertainty and gloom. These old lands are wise enough to know their own strength has ebbed and that their future free existence largely depends upon the friendship and resolution of their trans-Atlantic offspring. When both of these were obscured by self-doubts, democracy itself began to waver.

Part of this phenomenon could be seen

expressed in the anger of students inadequately prepared for prospects that did not please them by people whose deeds they didn't respect. Part of it could be seen in discontent with prevailing ideological systems, a discontent whose bitterness was enhanced by lack of ideas for any substitute systems. And part of it could be seen in what is called the generation gap, a huge mistrust of youth for age, of inexperience for experience, of what is hip for what is square.

Strangely enough the door to hope has been opened by the very acme of squaredness, three middle-aged American technicians of magnificent courage and very little color, whose curt, pragmatic language under stress was the very antithesis of the flamboyance youth fancied that it craved.

NEW AGE, NEW POETRY

Apollo's adventures have demonstrated that discipline intellectual precision and a willingness to work together within existing social frameworks produce the forward leaps man can now anticipate. Anarchy, luxuriating in self-indulgent isolationism and lost in romantic reverie cannot produce the diamond-hard poetry this age demands.

It is already apparent that America's faith has been renewed and refreshed and that this exhilarating phenomenon has been greeted with a surge of admiring relief by America's friends abroad.

Why, we know not. As Gertrude Stein lay dying she turned to those around her and asked: "What is the answer?" Hearing no reply, she then asked: "If so, what is the question?"

WIDOW OF REISTERSTOWN LIEUTENANT ACCEPTS DISTINGUISHED SERVICE CROSS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. LONG of Maryland. Mr. Speaker, Lt. James R. Hammersla, a fine young man from Maryland, was recently awarded posthumously the Distinguished Service Cross for heroism. I wish to commend the courage of this young man and to honor his memory by including the following article in the Record:

WIDOW OF REISTERSTOWN LIEUTENANT ACCEPTS DISTINGUISHED SERVICE CROSS

An Army lieutenant from Reisterstown who was killed in action in Vietnam last December has received posthumously the nation's second highest award for heroism.

Mrs. Carol A. Hammersla of Reisterstown, the widow of First Lieutenant James R. Hammersla, accepted the Distinguished Service Cross during ceremonies at First Army headquarters at Fort Meade, July 11. Lieutenant General Jonathan O. Seaman, First Army commander, made the presentation.

Lieutenant Hammersla was serving as commander of a convoy carrying supplies from Long Binh to Dau Tieng last December 17 when the convoy was ambushed by an estimated North Vietnamese Army battalion.

The lead vehicles began receiving fire and Lieutenant Hammersla's jeep was hit by an enemy rocket. He jumped out of the vehicle and rapidly organized his men into defensive positions.

Realizing that other sections of the convoy would soon drive into the ambush, he returned through intense enemy fire to his jeep and radioed a warning. Although wounded while transmitting the warning, he managed to return to his position where he continued to encourage his men and direct their fire until he was killed.

The citation accompanying the medal

noted that "his radio message prevented other convoy vehicles from being ambushed and caused reinforcements to be immediately dispatched to the battle site.

"His extraordinary heroism and devotion to duty, at the cost of his life, were in keeping with the highest tradition of the military service."

ANATOLY V. KUZNETSOV

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SPRINGER. Mr. Speaker, there has been a recent furor over the defection of Anatoly V. Kuznetsov, a Soviet writer, to Britain some days ago. The world has naturally awaited with some interest the reasons for Mr. Kuznetsov's defection to the West. In a New York Times article of August 7, 1969, titled "Kuznetsov Gives Account of Furor Over His Book," Kuznetsov gives his version of the situation on writers in the Soviet Union. It is an interesting article and quite revealing. I am sure my colleagues will be interested in reading it.

The article follows:

KUZNETSOV GIVES ACCOUNT OF FUROR OVER HIS BOOK

(NOTE.—The following article is by Anatoly V. Kuznetsov, the 39-year-old Soviet author who asked for asylum in Britain last week, saying that he could no longer work under Soviet repression and censorship. Mr. Kuznetsov describes his participation, under Communist party orders, in a legal action against an uncensored French translation of his work. He is acting in the French courts on behalf of the Paris publisher.)

Just over 10 years ago I was an utterly unknown student at the literary institute in Moscow. I wrote and offered to the magazine Yunost a novel about a young man who went to work in Siberia. I described the life there as it really was (I had myself worked on construction sites in Siberia), with its hardships and its poverty, but also with a young person's obstinate faith that things would improve and that some good would come ultimately of it all.

The editors of Yunost liked the novel very much. But there could be no question, they said, of publishing it. It would not get through the censorship, the authorities would ban the magazine if it printed the novel and I would be arrested or, at the very least, my prospects of a career as a writer would be gone forever. Life in Siberia had to be shown in the brightest colors so that young people would go there to work.

But the most important objection was that if my novel were published Western propagandists would seize on it and shout: "Look: Here is an honest piece of reporting from the Soviet Union itself—see how frightful it is to live there."

True, there was still a possibility of rescuing the novel, they said. The rules of "Socialist realism" permitted an author to reveal a little of the blemishes in Soviet life, but only if it was clear that they were minor defects soon to be removed, while the work as a whole must be infused with optimism and Communist ideology.

It would be possible, they said, to remove the more gloomy passages from my novel, "The Continuation of a Legend," to add some more cheerful passages and, by means of a few slogans, to give it the necessary spirit of Communist optimism. Then, maybe, they would print it.

More experienced writers advised me that this was the way to do it: That I must try to

get at least something across to the reader and that readers in Russia knew perfectly well how to distinguish between what an author has written out of sincere conviction and what he has written simply to satisfy the authorities. Everybody does it, they said.

But I couldn't bring myself to do it. For a long, long time the novel lay there without the slightest hope of being published. But then I forced myself to write some additional passages, which were so out of keeping with the style of the rest of the book and so ridiculously optimistic that no reader was likely to take them seriously. But I was young and inexperienced, and such work did not satisfy the editors. They turned the novel down altogether.

I suffered a great deal, quarreled with everybody, became almost hysterical, and finally moved out of Moscow. Then one day, quite by chance, I bought a copy of Yunost, opened it and couldn't believe my eyes: My novel had been published. I read it through on the spot and what I read made my hair stand on end.

Quite without my knowledge or agreement, someone had done the crudest hatchet job on my novel, cutting, rewriting and adding. The novel had now been given as ideologically optimistic a tone as anyone could wish. I remember bursting into bitter tears of pain and frustration.

And so my "Continuation of a Legend" was sent off around the world. It was translated into more than 30 languages. It was praised in the Soviet press. It was included in reading lists for Soviet schoolchildren. Imitations of my work started to appear. Later still the critics began to describe me as the originator of a new way of depicting young people in Soviet literature.

Apparently there must have been something human left in the novel, because even in its new form people liked it. It was especially popular in Czechoslovakia, where it went through five or six editions, if I am not mistaken.

But that was later. Before that came the great scandal. Louis Aragon sent us from France a copy of an anti-Soviet book, "L'Etoile dans le Brouillard," which turned out to be a translation of my novel.

SUMMONED BY COMMISSION

I was summoned to appear before the foreign commission of the Union of Writers. In icy but highly meaningful silence they handed me the book along with a translation of the preface to it. The translator, Mr. Chaleil, had written that, of all the Soviet books he had read, my novel had moved him most because of its truthfulness and sincerity and he recommended people to read this account by a young, honest, author from the Soviet Union itself, revealing how frightful life was there.

I was then put into an office, where I sat under lock and key, turning over the pages of "L'Etoile dans le Brouillard" and thinking. I had a fairly clear idea of what had happened. Mr. Chaleil had simply not bothered to translate those optimistic chapters which had been forced out of me, and had merely summarized them with the comment that they were poorer in quality than the other chapters.

He had understood me precisely (it was only later that I learned that he had once been a missionary in China and, through no fault of his own, had fetched up in a concentration camp in Siberia in the very same parts as I described in my novel. He was rescued by the International Red Cross. That was why he understood so well what I was saying).

The French edition was the best of all of them. And I sat there wondering what would happen now: Would they close down Yunost, would they arrest me or would they simply bring my career as a writer to an end once and for all?

WRITE A COMPLAINT

At last the door opened. I was led into another office.

"Well?" they asked. "So you've written an anti-Soviet book?"

"Chapters have been cut in the course of translation," I muttered.

"Then you can just sit down and write a complaint. Aragon will print it in his *Lettres Françaises*, and he wants you to make a statement to the French courts. Maybe it will be possible to sue the publisher."

I was handed a pen and a blank piece of paper and they dictated to me the text of my complaint. I was utterly overcome, my hands were shaking, and, no matter how I tried, I can still not recall a single sentence of that letter. They took it straight off me and the foreign commission sealed it and sent it off.

Meanwhile I was allowed to go away with orders to turn up the next day with a reasoned, indignant protest for publication in the *lettres Françaises*.

I have lived all my life in Russia and know no other way of life. And life there is such that only he survives who is constantly looking out for himself.

"The Continuation of a Legend" was my first novel, my first book. It was only because of it that I was accepted into the Union of Writers. I was living in a student hostel where I was not allowed to have my wife with me, so that for years we moved from place to place with no possessions and because we had no home for eight years we could not allow ourselves to have a child. But now, as a member of the union, I had some hope of getting a flat. Moreover, I was due to present my final thesis at the institute and the novel was to be part of it.

MATTERS IN PEOPLE'S MINDS

In those days the fuss about Dudintsev's "Not By Bread Alone" and Pasternak's "Dr. Zhivago" was fresh in people's minds. Pasternak's tragic fate is well known. The affair of Sinyavsky and Daniel still lay ahead.

I did not produce my complaint the next day—I couldn't get myself into the right frame of mind. I wonder if you have ever had to cut a calf's throat? You are sorry for the animal but you stimulate in yourself the necessary cruelty. It is only the first time that it's really horrible to stick the knife in. Later the convulsions of the calf and the blood excite in you the spirit of the slaughterman and you stab fiercely until the animal dies.

In much the same way I spurred myself to write the standard Soviet phrases of hatred and I managed to produce my protest, entitled "Literary Robbery." Actually it was I who had suffered robbery at the hands of Yumost, yet I was accusing the French publishers of doing it to me. The distortion of my work had been committed in Russia, yet I was declaring the Abbe Challeil's translation to be a distortion.

RUSHED TO A RESTAURANT

My protest appeared in the *Literary Gazette* in Russia and in the *Lettres Françaises* in France, and many other papers wrote about it.

One day I was suddenly called to the foreign commission, rushed out to a restaurant and seated at a well laid table at which about a dozen gentlemen were drinking, eating and talking French. I was terribly badly dressed, ashamed of my ignorance of the language, and couldn't understand why I was sitting there, when my neighbor leaned across and said in Russian: "Why do you sit there so rudely without opening your mouth? You are meeting your lawyer from Paris. Say something."

In the end the lawyer, M. Ambre, talked to me for about 10 minutes, informed me that my case was to be heard in France, and appeared to promise that I might be required to appear in person. With that he departed to inspect the sights of Moscow, to buy classical music on records, and that was the last

I saw of him. Presumably he didn't take to me, because about six months later a friend rang me up and shouted: "Read the papers, your case is on in France!" I realized that it was being heard without me.

I rushed off to buy the papers and bought them every day to follow with curiosity my case in the French courts. I was especially pleased with the frequency with which M. Ambre said: "When I was in Moscow and had my meetings with M. Kuznetsov . . ."

COURT AWARDED 1,000 FRANCS

I was equally surprised to learn that Mr. Maurice Garçon, a member of *Académie Française*, was appearing on my behalf. And it was also from the newspapers that I learned of the court's verdict and the damages of 1,000 francs awarded to me.

I never received a copy of the verdict nor did I receive the 1,000 francs. I still don't know to this day what happened to them. But my friends poked a lot of fun at me because of them and asked to see the money.

I still do not know who organized that court case so skillfully. Louis Aragon? But his name did not figure in the newspapers. At all events, once it was over I was included in a delegation of writers going to Paris in connection with the Soviet exhibition.

In Paris I was taken immediately to see Aragon. But he seemed not to take to me and avoided talking about the case.

As I left him I asked some passers-by where the Ministry of Justice was. I went up to it, stood there for several minutes and, with numbness in my heart, asked myself: "Shall I go in? Shall I tell them?" Then I recalled Russia, my mother, my wife and son, whom I loved so much and I turned and walked away.

I came to the conclusion then that it was my great misfortune to have been "born in Russia with brains and talent," but that my fate had been decided the moment I wrote that complaint under dictation. If you say "A" you have to say "B," and I was caught and condemned to live as all Soviet writers live—that is, keeping silent, looking out for themselves and still trying to get something across to the reader. This was only fair, but I did not imagine that conscience can cause such terrible pain. I did not think that one's conscience could be so frightful a burden.

"BABI YAR" BROUGHT KUZNETSOV FAME IN THE WEST

Anatoly V. Kuznetsov, the Soviet author who defected to Britain on July 30 and who now is seeking through the French courts to clear the record of the French publishing house that published one of his novels, is best known in the West for his book "Babi Yar."

"Babi Yar" is a documentary novel that deals with the massacres by the Nazis in Babi Yar, a ravine on the outskirts of Kiev, during World War II, in which most of that city's large Jewish population perished. Mr. Kuznetsov was born near that area on Aug. 18, 1929.

Although the Soviet Government regularly memorializes the victims of the Nazis, it has said little about Babi Yar and the place itself has been left unmarked. Mr. Kuznetsov, along with the Soviet poet, Yevgeny Yevtushenko, both non-Jews, have assumed the literary burden of mourning for Babi Yar's Jews. This has not set well with some Russians in literary and Governmental circles.

Before his defection to Britain, the 39-year-old author's latest controversial novel, "The Fire," had been sharply criticized in the Soviet Union for presenting a negative view of Russian life. The novel dealt with a demoralized people in a metal works town.

Several publications, reflecting the views of Soviet conservatives, attacked the novel for portraying workers as "cynics, scoundrels, self-seekers and alcoholics" and for falling to discuss the social causes of the deficiencies and the positive aspects of Soviet life.

GREENE URGES BOYCOTT OF SOVIET

LONDON, August 6.—Graham Greene appealed to fellow novelists today to refuse permission for their books to be published in the Soviet Union as a gesture of solidarity with Soviet writers.

Mr. Greene wrote in a letter to *The Times* of London.

"We have been unduly favored (bribed, our enemies might say) because, unlike the Russian novelists, our books have been published with alteration."

The Soviet Union does not adhere to western copyright conventions. It frequently pirates material, printing what it likes without payment. In the case of some writers, such as Mr. Greene, it has made a practice of paying royalties.

STOP MONSTER TRUCK BILL

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. CLAY. Mr. Speaker, now pending before the House Public Works Committee is a bill concerning trucks on our Nation's highways. If passed, it would allow even larger gargantuan trucks on our already crowded Interstate Highway System. I commend to the attention of my colleagues this editorial excerpted from the July 28 edition of the *St. Louis Globe-Democrat* and a statement on the bill, H.R. 11870, which I submitted to hearings before the Public Works Committee:

STOP MONSTER TRUCK BILL

The big trucks are threatening to roar through Congress again.

The same bill which sped through the Senate last summer, only to run out of gas in the House, is back again for another try at increasing the size of the highway giants.

This monster truck bill must be stopped again.

If it should get through Congress, private car owners face the unhappy prospect of competing for space on the nation's highways with behemoths which could weigh as much as 108,500 pounds and be up to 105 feet long. Automobiles would be grossly overmatched.

The measure is described as a permissive bill, since it would merely permit the states to authorize larger trucks than allowed under present law, dating from 1956, on interstate highways within their borders.

But states traditionally have gone along with trucking interests and congressional approval of the legislation would pave the way for "highway freight trains."

The metamorphosis in driving conditions would be grotesque. Longer, wider and heavier—as much as 50 percent more in weight—elephantine trucks would be allowed to lumber over the nation's highways, further congesting already hopelessly clogged traffic in urban areas from coast to coast. It would be chaotic.

The end result would be a shorter life for many roadways and bridges, older ones in particular, and considerably higher maintenance and replacement costs for taxpayers to pay.

The price is too high to pay for the convenience of any one industry.

In testimony on the bill last year, it was estimated that proposed increases in truck sizes might add up to \$3 billion in federal highway costs for strengthening roads and bridges.

Furthermore, it was revealed that even on the interstate system there are bridges unable to take heavier loads than the standards which existed during the years they were designed.

Making matters worse is the fact it would be impossible to restrict the big trucks to interstate highways. The monsters would have to get off the interstate routes for pickups and deliveries, rumbling over city streets and roadways totally incapable of withstanding the pounding of the rubber-tired juggernauts.

The nation's highways are in bad enough shape already without subjecting them to the additional stress of heavier loads.

Also would be the threat to motorists posed by giant trucks weighing more than 50 tons and many times the length of the average private passenger car.

It's shuddering to think of trying to pass one of these mammoths, or of meeting one on a narrow road.

There are approximately 80 million passenger cars in the United States, as opposed to about 17 million trucks of all sizes and descriptions. Of this number of trucks only a small percentage would classify as huge highway freighters.

In a nation dedicated to the greatest good for the greatest number the monster truck bill stands out as a shameful piece of special interest legislation.

STATEMENT OF CONGRESSMAN WILLIAM L. CLAY: CONSIDERATION OF H.R. 11870, HOUSE PUBLIC WORKS COMMITTEE, JULY 16, 1969

H.R. 11870 is a perfect example of crass special-interest legislation. It caters to a tiny 2% elite within the trucking industry. The great majority of truckers and the nation's 80 million automobile owners receive nothing from this bill, but they are the ones who will pay for it. Not even the giant trucking firms dare to dispute that bigger trucks will greatly increase the cost of regular highway maintenance. The Treasury Department last year also advised that the price of necessary road improvements under this bill would be \$2.8 billion. This money comes out of the pocket of the small trucker and the ordinary car owner. In addition the independent trucker will be paying for increased competition from the giants of the industry. The bill makes absolutely no attempt to right these flagrant inequities. Any fair legislation would include an increase in the taxes of those who operate the larger vehicles. Until such a provision is added, this bill stands as a blatant attempt to award special benefits to a small fraction of the trucking industry at the expense of the rest.

The costs do not stop at the Interstate highway exit. Other roads will suffer increased use and damage. Our highways, which have cost the taxpayers \$232 billion, will be forced to carry loads far beyond their capacities. The Director of the Bureau of Public Roads asserted last year that even the new interstate highway bridges will be overstressed by the greater weights. Rapid deterioration of our nation's roadways is the real price of this bill.

Large truckers arrogantly brush off as "sensational journalism" the repeated warnings about the safety hazards created by the bigger trucks. Facts, however, cannot be ignored. The absolute maximum width of a truck is now 8 feet. The legislation expands this to 8½ feet plus space for safety devices, which pushes the total to 9 feet. On a standard 12 foot lane this leaves only 18 inches of clearance. Every driver knows the danger and difficulty of maneuvering past a truck today. At 60 miles per hour, the new limits leave no room for the slightest misjudgment. Already, large trucks, which number less than 2% of our total vehicles, are involved in 11.6% of the fatal accidents. This percentage is sure to worsen if even bigger trucks appear on our highways.

Present weight restrictions limit the practical length of a truck to 65 feet. The legislation tacks on five feet more. With the grandfather clause, however, there is serious doubt whether the bill will even be effective in limiting truck lengths to 70 feet. In many

states special permits will allow lengths ranging up to 108 feet.

As a candidate, the President promised a thorough government study of the effects of this bill. No such report has been made. We cannot allow the nation's motorists to become guinea pigs in order to test the dangers of this legislation. Comprehensive research on all the potential problems involved is an essential prerequisite to serious consideration of this bill.

The small man is being asked to suffer to aid the rich. It is the giant companies that are pushing for this legislation with lobbies and full page advertisements, not the small firms. The small trucker lacks the capital and the business to utilize the giant trucks. He knows that this bill hurts him twice: once when his taxes go up and again when the large firms that can use the big carriers increase their competition against his company. Increased efficiency is the avowed goal of the bill but an industrial oligarchy is the result.

I urge the committee to respect the public interest and veto this unnecessary legislation.

RUSSIAN AUTHOR TELLS TERROR OF SOVIET LIFE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. ASHBROOK. Mr. Speaker, in June of this year the Washington Post published a 10-part series of articles by Anatole Shub, the Moscow correspondent for the Post who was expelled from the Soviet Union. As I pointed out in the introduction to the articles which were inserted in the RECORD on July 1, Mr. Shub was particularly close to many of the Russian intellectuals, artists, poets, and writers, and his articles give a telling description of their difficulties in achieving any freedom of expression in a controlled Communist state. Correspondent Shub reminded us of the major role played by the KGB, the Soviet secret police, in everyday life, creating an atmosphere of distrust and apprehension which is not limited to Soviet citizens alone:

The foreigner in Moscow—diplomat, correspondent, exchange scholar or businessman—lives in a state of permanent disability, inflicted by the KGB.

Almost unbelievable in a society such as ours are the police-state measures experienced by Shub in his 2-year stint in the vast, depressing Soviet prison. Except for highest diplomats of major countries and a few privileged permanent residents, for instance, all foreigners live in a few large segregated compounds. These ghettos are surrounded by high wire fences and patrolled 24 hours a day by KGB men in blue police uniforms. Travel is greatly restricted, with permission to travel required 48 hours in advance. In all tourist hotels and in apartments and offices occupied by foreigners, where the big eye of the KGB is more limited, the ever-present ear of KGB microphones is straining. Phones are continuously tapped, and the indispensable servants and service people—secretaries, translators, photographers, drivers, housemaids, repairmen, movers, and so forth—are

subject to periodic interrogation for any information they may be able to provide.

Now comes a similar account of Soviet suffocation of man's inherently free nature, this by a citizen of the Soviet Union and a member of its Communist Party. This indictment, by Anatoly Kuznetsov, a 39-year-old Soviet author who recently asked for asylum in Britain confirms, if confirmation be needed, the degradation and oppression of the Soviet system. For those in the literary field in the United States, the Soviet author's experiences should be particularly pertinent, although judging from Soviet past history, not surprising:

Everybody knows that the number of people murdered by the secret police runs into many millions, but when we come to reckon the number of people who are terrorized and deformed by them, then we have to include the whole population of the Soviet Union. The K.G.B.'s tentacles reach like cancerous growths into every branch of life in Russia. And in particular into the world of soviet literature. (Emphasis added.)

Those literary apologists for the Soviet Union here in this country who still retain some degree of honest objectivity might do well to put themselves in Kuznetsov's place and ponder his words:

When I quote what I wrote in "Babi Yar," I feel like an ant, cemented up in the foundation of a house. All around there is nothing but stones, walls and darkness. To live to the end of my life with this feeling of being stifled, in this state of being buried alive. . . .

Like new actors in a vast human tragedy of 50 years' running, the Shub and Kuznetsov roles repeat their themes of man's historic inhumanity to man. Some listen and learn, others agree but forget, others rationalize and ignore.

The loss of freedom in any country or countries provides of necessity a warning to those still free. Experiences such as that of Anatoly Kuznetsov must be repeated over and over if, by contrast, freedom is to be appreciated by the free. For this reason I insert the Kuznetsov story, which appeared in the Chicago Tribune of August 10, in the RECORD at this point:

RUSS AUTHOR TELLS TERROR OF SOVIET LIFE

(By Anatoly Kuznetsov)

It is a frightful story that I have to tell. Sometimes it seems to me as tho it never happened, that it was just a nightmare. If only that were true. . . .

The soviet system remains firmly in power in Russia only thanks to an exceptionally powerful apparatus of oppression and primarily thanks to what has been called at various times the Cheka, the G.P.U., the N.K.V.D., the M.G.B. and K.G.B.—in other words, the secret police or the soviet gestapo.

Everybody knows that the number of people murdered by the secret police runs into many millions, but when we come to reckon the number of people who are terrorized and deformed by them, then we have to include the whole population of the Soviet Union. The K.G.B.'s tentacles reach like cancerous growths into every branch of life in Russia. And in particular into the world of soviet literature.

TELLS WRITERS' FLIGHT

I do not know a single writer in Russia who has not had some connection with the K.G.B. This connection can be one of three different kinds:

The first kind. You collaborate enthusiastically with the K.G.B. In that case you have every chance of prospering.

The second kind. You acknowledge your duty toward the K.G.B., but you refuse to collaborate directly. In that case you are deprived of a great deal, in particular of the prospect of traveling abroad.

The third kind. You brush aside all advances made by the K.G.B., and enter into conflict with them. In that case your works are not published and you may even find yourself in a concentration camp.

TELLS OWN EXPERIENCE

How all this works out in practice I shall explain by reference to my own experience. As a matter of fact a similar story could be told by any Russian writer who is even slightly known. But they are there, and they want to live, so they keep quiet.

In August, 1961, I was preparing for the first time in my life to travel abroad, to France. I had been included in a delegation of writers. It was a most impressive experience because in the Soviet Union the only people who are allowed to travel abroad are those with "clean" records, who have been thoroughly "vetted," who have not been in any trouble at their work or in their political activities, who have never in their lives consulted a psychiatrist, who have never been before the courts, and so on and so forth.

What is more, the whole process of getting one's papers in order lasts many months and requires a mass of references, questionnaires, secret signatures, and confidential advice on how to behave, by the time a person has gone thru this procedure he is so intimidated and tensed up that the trip begins to seem like some religious ritual.

VISIT BY SECRET POLICE

I had already gone thru this intimidating procedure and was packing my case when someone telephoned to say that people from the secret police were going to visit me. A couple of men appeared and showed me their identity cards. They made a few jokes, chatted about literature, and then got down to business:

"You realize, of course, why we've come. One of our comrades will be travelling, as usual, with your delegation. But it will be difficult for him to cope on his own. So you will help him. You just keep an eye out to see that nobody slips away and stays abroad, to see who talks to whom, and to see how people behave."

"No, I don't want to," I said.

"You must."

"Let somebody else do it."

"Others will be doing it."

"I don't want to."

"Well, then we shall have to reconsider . . . in that case what's the point of your going?"

I remained silent, quite overcome. And the two men started to explain to me that this was the most usual and most natural thing: No group of tourists and no delegation could do without its comrade and the voluntary assistants attached to him.

VIGILANCE IS STRESSED

The western world was devilishly cunning, and we had to be incredibly vigilant, they said. Either I would undertake to maintain contact with the comrade or my trip would be canceled and I would never be allowed to travel anywhere abroad. The comrade would be a very pleasant person, and he would approach me himself, saying, "Greetings from Mikhail Mikhailovich."

Our delegation consisted of some 15 writers and editors of Moscow magazines, and we all gathered at the harbor in Leningrad to embark on the liner *Latvia*. I looked at each of the delegates and wondered: Which one of them is it? The person in-charge of the delegation was a woman from Intourist [the government tourist organization] who kept counting everybody as if we were chickens. Maybe she was the comrade?

APPROACHED BY EDITOR

But when we were aboard the ship it was one of the editors who came up to me and, with crooked grin, said "Greetings from Mikhail Mikhailovich."

He was a boorish fool, who spied openly and cynically on everybody, who kept counting up the delegation, and who listened greedily to every conversation. But I noticed that some of the writers also were keeping their eyes about them, especially a certain Sytin, who now holds one of the key jobs in the Soviet film world.

Of the 15 members of the delegation, one was from Intourist, one was the comrade and at least five were voluntary assistants. Later I came to understand that this was the usual arrangement.

TWO OF FIVE ARE INFORMERS

If five people are traveling abroad, at least two of them are informers. If two are traveling, at least one must be an informer. And if there's only one person, then he is an informer on himself.

Perhaps some other Russian writer will also, like me, be reduced to blind horror and will wrench himself out of the control of the K.G.B., and reveal what they did to him.

Perhaps Yevtushenko will one day tell of the conditions on which he was allowed to travel round the world and the reports he had to write.

We are all obliged to write reports after a trip abroad.

WONDERS WHAT TO WRITE

I was ordered to write such a report after my trip to Paris. I went through agonies trying to guess what our comrade would write, so that I would agree with him. On one occasion someone had turned up late for the bus, and the comrade had been green from fright. I described that incident in detail and others like it. I devoted about half the report to reporting on myself, because that is essential—where I had gone, whom I had met and what had been said.

But my report wasn't to the liking of someone high up. Eight years passed before I was again allowed to travel abroad, this time to Britain. You will now learn the price I had to pay for that.

COMRADES KEPT VISITING

I lived the whole of those eight years in Tula, and thruout that time the comrades kept coming to see me. When I inquired of other writers it appeared that this was the most ordinary occurrence—they went to see everybody. And it depended on the extent of the writer's decency which of the three categories of collaboration he would choose.

They would ask me gently and politely about my life, about what I was working on, what my friends, Yevtushenko, Aksyonov, Gladilin and others were doing, what they were saying, and what sort of people they were. At first I said only favorable things and spoke highly of them. But they objected.

Yevtushenko was committing mistakes, I was not watching carefully enough, I must provoke him to argument and report what was really going on inside him. They started to talk to me more sharply and to use threats.

At this I could take no more. I shouted at them that it was not proper behavior and I asked them to keep away from me. I said I didn't see anything bad around me, no conspiracies, and nothing anti-Soviet. If I did see anything, then I would ring them up. And with that they vanished.

PLEASED WITH RESULT

I couldn't believe my luck. So that, it seemed, was the way to talk to them. After all, what could they do to me?

I was already a well known writer, my books were being published in 40 different countries, and I could permit myself the luxury of having nothing to do with such characters.

How very wrong I was. I was simply transferred to the second category.

My home in Tula was open to everybody. One day there appeared a very pleasant young man, Yuri Ganin, a student at the Polytechnic institute, who unburdened himself to me at great length. He told me that he and his fellow students were being taught how to make missiles and were made to sign terrifying documents about the preservation of state secrets.

WORKS "KILL" FORMULAS

He said he had dreamt of being an inventor, but instead of that he was obliged to work out special "man-kill" formulas, and how many missiles were needed per thousand human lives.

The Soviet Union was, in his opinion, a fascist country. The students, he said, were publishing a hand-written magazine and were being arrested. Finally he burst into tears. I tried to calm him. Thru his tears he screamed that he would produce the magazine himself. I said that was stupid and that he would prove nothing by that.

Not long afterward somebody phoned me and asked me to meet him on the square outside. It was one of the comrades I knew, who invited me to sit on the bench and said: "Why didn't you ring us up? Somebody reveals state secrets to you and tells you various formulas, gives you information about underground papers, and you simply object that that is not the right way. What is the right way, then, in your opinion?"

LIKE A FRYING PAN

I tremble when I write now about that conversation. For me it was like a red hot frying pan. I was forgiven and allowed to go, but I was warned.

From that time in 1963 I was regularly followed. Not, of course, that I was an anti-Soviet element or that I was intending to organize some plot. On the contrary, I was a member of the Communist party, a recognized Soviet writer, and I wanted only one thing: To go on writing. But I had automatically to be followed, because I was in the second category.

Then I took a room in Yasnaya Polyana square [the Tolstoy estate square] where I wrote a novel. I became friendly with the scholars working in the Tolstoy museum, and they were very kind to me, especially the intelligent and attractive Luiza Senina.

REVEALS SPY DUTY

One day she came to my room and told me she had been appointed to follow every step I made and report every word I said. But, she said, I was good and trusting and she couldn't do it any more; she was having nightmares.

One of the "scholars" at Yasnaya Polyana was an officer of the K.G.B. and everybody, from the director down to the guides, had to report to him. Every foreigner who visited Yasnaya Polyana was kept under specially strict surveillance. The fact that I had taken a room there was especially suspicious, and they were trying to get something out of her about me. What was she to do? She would be sacked!

I was particularly shaken by the fact that this was taking place on the revered territory of Tolstoy's estate. "Well," I said, "Let's try and save you; let's make something up together."

DID NOT SUCCEED

I did not succeed in saving her. On the contrary, out of inexperience I wrecked her life. One day in the cafe a K.G.B. officer in civilian clothes sat down opposite me and started joking and asking odd questions. I looked him straight in the face and said: "Listen, by dint of pure logic, I have realized that you are from the security and that you're interested in me. So let's talk like man to man. What do you want to know? You ask the questions and I'll give you straight answers. It'll be easier for you and for me."

He was terribly embarrassed and started muttering that he was not interested in me personally, that I was above any suspicion, that I had well-known friends in Moscow, and that they sometimes behaved rather strangely.

LEADS TO DISMISSAL

Later, in his own time, he reached his own conclusions. Lulza Senina was dismissed after a frightful row, was given a hopeless reference, and was a long time without work until she was given a job as a librarian in some trade school, where she still is today.

I hurried away from Yasnaya Polyana as if a curse had been laid on it.

But wherever you live you still have contact with people. Young writers kept coming to see me, bringing their works with them.

ANOTHER FEMALE SPY

There was one very sweet girl, a student at the Teachers' Institute, Tanya Subbotina, who came along in this way and then one day asked me to go outside on the street with her. Once she was sure we were alone she said she had been forced to come to me and told to try and become my mistress and report on everything I did. Otherwise they threatened she would be turned out of the institute. She was not doing very well there, and they could well have done it.

Heavens above! I have recounted only two incidents, because they are no longer secret and everything is already very well known to the K.G.B. in Tula. Poor Tana got completely confused and told everything to her comrades.

But I was struck with the way people would immediately tell me everything, warn me, and give me advice. I cannot say any more, so as not to harm them. After all, they are there, they are not to blame, they are the victims.

NOTHING PRIVATE LEFT

There are others whom even I do not know. A stranger phoned me from a call box at a tram shop and told me what was in my letters to my mother and which foreign magazine I had at home:

"What on earth are you doing? Don't you realize that all your post is opened? That your neighbors on both sides and above you are watching you? That your phone conversations are recorded?"

He gave no name and hung up. Thanks. But I just couldn't understand: What was the point of this horror? I was writing literary works and had no intention of engaging in political activity. I was a writer. What do you want from me? That I should stop to think before every word I said on the telephone?

TELEPHONE IS TAPPED

In fact, on one occasion the telephone at home started tinkling in an odd way. I took off the receiver but heard no ringing tone, so I started banging on the rest. Suddenly a tired voice at the other end of the line said: "Please, don't keep banging, have patience. We're switching you over to another recording machine. It's a complicated system you understand..."

Later, an electrician appeared and changed the electricity meter, fitting a new one, freshly sealed, with a microphone, no doubt.

In 1967 I locked up my flat and went off on a long trip. Two days after I left, in the middle of the night there was a fire in my study and everything in it was destroyed.

PAPERS ARE SAVED

The firemen who came to the scene prevented the whole flat from being destroyed but never discovered what caused the fire. But my papers and manuscripts escaped by a real miracle. Literally on the day of my departure, I had moved the cupboard with the manuscripts into another room, intending to move my study there on my return.

After that I kept my manuscripts buried

in the ground. Another reason was that, whenever I left my flat for any length of time afterwards, I recognized by various signs that someone had been in the flat in my absence.

I frequently asked various top people about my having a trip abroad but without much hope. I wanted to see the world. They were always ready to promise me, but that was the end of it. Others went travelling, but not me.

INVITED TO PARIS

Then, unexpectedly, the Paris publishers, les Editeurs Francais Reunis, invited me to spend a month in Paris as part of the payment for my "Babi Yar."

I thought that the authorities must understand at last that I was no enemy so I made my application and started to go thru the procedural marathon. I got right on to the end of it only to be told that the union of writers had no money for my trip.

Then they told me in a whisper that it was simply that the authorities in Pula had formally sanctioned my departure, but that Safronov, the propaganda secretary, had said by telephone that I should not be allowed to go.

PONDERS SENSE OF IT

I explained in my "explanation" how my writings were maltreated. But they also deformed my whole life. I couldn't speak on the telephone, I practically stopped writing letters, and I saw an informer in every one of my acquaintances. I began to ponder: What sense is there in such a life at all?

Here is an extract from my diary in October, 1967:

"I have not been able to sleep for several days now. I am just a great lump of nostalgia. I turn over in my mind what I have written and compare it with what I would like to write and what I could write. I see before me years and years of life in which I could have known and studied, and understood, and created so much, which have been wasted. When I quote what I wrote in "Babi Yar," I feel like an ant, cemented up in the foundations of a house. All around there is nothing but stones, walls and darkness. To live to the end of my life with this feeling of being stifled, in this state of being buried alive..."

STALIN PROCESS BEGUN

That was just after the trial of Sinyavsky and Daniel. Solzhenitsyn's writings were no longer being published. The process of rehabilitating Stalin had begun.

I had my own troubles. There was an unpublishable row over "Babi Yar." They suddenly decided that it ought not to have been published. At Yuzost they told me that it was practically an accident that it had ever appeared at all and that a month later its publication would have been out of the question. In any case they forbade the reprinting of it.

RECEIVES FAMOUS LETTER

Before the writers' congress to which I was a delegate from Pula, Solzhenitsyn sent me a copy of his famous letter. [In which he denounced the censorship]. I spent several nights thinking it over. At home they wondered what was the matter with me. I said, "Solzhenitsyn is inviting me to commit suicide with him."

Yes, I could not find in myself the courage, and I probably fully deserved Solzhenitsyn's contempt. I simply did not attend the congress. I signed no protests, either then or later.

I saved my own skin and kept out of things. Others were expelled from the party and from the union and were no longer published. But they continued to publish me, and the comrades resumed their kindly and friendly attention.

URGED TO COOPERATE

How movingly they explained to me that the situation among the intelligentsia was very complicated. That people as tense as

the writers, however, clever they were, were in revolt and they did not want to resort to tough measures. I had done very well, they said, not to sign any protests; that was not the business of an artist. But I ought to try and influence my misguided friends and make them understand that if they did not stop causing trouble, then . . . well, you understand.

I went from town to town trying to keep out of the way of these comrades, from Moscow to Leningrad, to Kiev. Many people there probably remember me asking: What are you going to do; what is the way out; what is there to hope for? Nobody knew anything. Intelligent people in Russia feel only horror. There is nothing but darkness ahead.

On the night of Aug. 20, 1968, Russian tanks entered Czechoslovakia. I spent several days listening to the radio. Many people in Russia wept during those days. It marked, they said, the turn to fascism.

REALIZES MUST LEAVE

It came over me somehow of itself. I realized that I could not remain there any longer, that every day, every month and every year would see only a piling up of horror and cowardice inside me.

But Russia is as well defended as a prison. Just read Anatoli Marchenko's remarkable "evidence." He wanted only one thing: to get out. They caught him 40 yards from the frontier and threw him into the same camp as Daniel. Marchenko's description of that present day concentration camp is enough to make your hair stand on end.

Then I received another invitation, this time from America, from the Dial Press, which had allotted \$5,000 for my trip. I began to attend all meetings in Pula. I presented Safronov with signed copies of my books, and I always turned up on time for talks with the comrades and spent six months fixing my papers for America.

TURNED DOWN AGAIN

Then I was turned down again, with the explanation that Dial Press had published Solzhenitsyn as well as me and they were therefore enemies. It was clear from certain details that once again it was the K. G. B. which would not let me out. This coincided with some fierce criticism of my latest writing in the press.

Now I began to feel myself run-down and hemmed in like a wolf. I went down to Batumi square [in the Caucasus] to study the lay of the land. The whole of the holiday coast of the Black sea is under the strongest guard. When darkness falls patrols drive everybody away from the water. Searchlights play over the beach and the sea. Radar installations detect even a child's ball floating on the surface of the sea.

But I had made up my mind to swim under water to Turkey with the help of an aqualung, entering the water before the patrols appeared and pushing in front of myself an underwater raft with spare oxygen containers. I would swim by compass just one night, otherwise I would be detected in the morning by the helicopters that were about like flies. I had trained myself to swim without stopping for 15 hours. I started on the building of my raft.

OVERCOME BY FEAR

It was frightening all the same. I imagined myself being cut in two in the darkness by a submarine at full speed—they are about the place like sharks. Or I would drown.

So I decided to make one last desperate effort to obtain permission for a trip abroad. I no longer thought of anything but getting out, at any price.

Night and day I had going round in my mind only to get away, away, away from that monstrous country, from those scoundrels, from that K. G. B. Let me get out, even to the Antarctic, even to the Sahara, so long as they are not there.

I just could not go on.

It was stronger than me; it was the animal instinct for self-preservation. I was at least a living being.

I wrote in "Babi Yar" that by the time I was 14 I should have been shot 20 times. That I was still alive is practically a miracle, a sort of misunderstanding. So there we are: According to the rules of the K. G. B. I should now be shot for the 21st time. If only because I went straight at them and got out. If only because I am writing this. And I shall go on writing, as long as there's life in me.

PROPOSED AMENDMENTS TO SECTION 592, TARIFF ACT OF 1930, 19 U.S.C.A. SECTION 1592

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1969

Mr. ROYBAL. Mr. Speaker, I have introduced a bill, H.R. 13502, to amend section 592 of the Tariff Act of 1930, 19 U.S.C.A. section 1592, to update and modernize, and to provide guidelines in, an anticipated portion of the special and administrative provisions of that act. H.R. 13502 is a revised version of the bills, H.R. 19114 and H.R. 20502 introduced by me in the 90th Congress, and of H.R. 7347 which I introduced on February 20, 1969, earlier in this first session of the 91st Congress.

Because of the importance to the international trade community throughout the United States of these proposed amendments, manifested by the numerous inquiries which I have received regarding this matter, I would like to include in the Record at this point, the following items: First, a short statement of the purpose of H.R. 13502; second, the provisions of section 592 of the Tariff Act of 1930, 19 U.S.C.A. section 1592, as it now appears on the statute books, together with the provisions of section 621 of the Tariff Act of 1930, 19 U.S.C.A. section 1621, under which penalties assessed under section 592 can be asserted within 5 years after the date of discovery of an alleged violation—an almost unlimited period of limitation; third, a general background statement regarding the need for this legislation; fourth, the text of the bill itself; and fifth, a section-by-section analysis of its provisions.

I. PURPOSE OF H.R. 13502

The purpose of H.R. 13502 is to modernize and up-date the special and administrative provisions of the Tariff Act of 1930 relating to penalties now imposed under section 592 of the Tariff Act of 1930 (19 USCA § 1592); to provide for a more realistic statement of the penalty in terms of the claimed loss of revenue; to provide guide lines, totally lacking in the present law, for administering this section; and thereby to bring the provisions for penalties for underpayment of customs duties into conformity with the provisions of the Internal Revenue Code for underpayment of taxes.

II. SECTIONS 592 AND 621 OF THE TARIFF ACT OF 1930

SEC. 592. SAME—PENALTY AGAINST GOODS. (19 USCA § 1592) (49 Stat. 527) If any consignor, seller, owner, importer, consignee, agent, or other person or persons enters or introduces, or attempts to enter or introduce,

into the commerce of the United States any imported merchandise by means of any fraudulent or false invoice, declaration, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or makes any false statement in any declaration under the provisions of section 485 of this Act (relating to declaration on entry) without reasonable cause to believe the truth of such statement, or aids or procures the making of any such false statement as to any matter material thereto without reasonable cause to believe the truth of such statement, whether or not the United States shall or may be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement; or is guilty of any willful act or omission by means whereof the United States is or may be deprived of the lawful duties or any portion thereof accruing upon the merchandise or any portion thereof, embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement, or affected by such act or omission, such merchandise, or the value thereof, to be recovered from such person or persons, shall be subject to forfeiture, which forfeiture shall only apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles of merchandise to which such fraud or false paper or statement relates. The arrival within the territorial limits of the United States of any merchandise consigned for sale and remaining the property of the shipper or consignor, and the acceptance of a false or fraudulent invoice thereof by the consignee or the agent of the consignor, or the existence of any other facts constituting an attempted fraud, shall be deemed, for the purposes of this section, to be an attempt to enter such merchandise notwithstanding no actual entry has been made or offered.

SEC. 621. LIMITATION OF ACTIONS. (19 USCA § 1621) (49 Stat. 527). No suit or action to recover any pecuniary penalty or forfeiture of property accruing under the customs laws shall be instituted unless such suit or action is commenced within five years after the time when the alleged offense was discovered: *Provided*, That the time of the absence from the United States of the person subject to such penalty or forfeiture, or of any concealment or absence of the property, shall not be reckoned within this period of limitation.

III. GENERAL BACKGROUND STATEMENT

Section 592 of the Tariff Act of 1930 provides that imported merchandise is subject to forfeiture, or, if it has gone into consumption, to a penalty equal to its forfeiture value, whenever any false statement is contained in any document submitted in connection with the customs clearance of the merchandise, or whenever any false statement, written or verbal, is made in connection with the entry or attempt to enter the goods, or whenever any false or fraudulent practice is followed in entering or attempting to enter the goods, without reasonable cause to believe the truth of such statement, and whether or not the United States is or may be deprived of any lawful revenue.

This result follows whether such false statement is made or false practice followed by the importer, or by the shipper, seller, consignee, agent, or some other person, and often occurs without the importer having had any knowledge that any statement made or practice followed was incorrect, and without any intention on the part of the importer to violate or fail to comply with the customs laws and regulations.

When any person having anything to do with the importation is guilty of any willful act or omission by means of which there is or may be any loss of revenue, forfeiture, or a penalty equal to forfeiture value, follows.

This is indeed a strange statute, which imposes forfeiture value penalties for negligence (false statements made without reasonable cause for believing they are true) whether or not there is an actual or potential loss of revenue, while imposing such penalties for willful acts or omissions only where they result in an actual or potential loss of revenue!

Cases involving commercial transactions usually arise long after the goods have gone into consumption, resulting in monetary penalties equal to the forfeiture value of the goods, which is the U.S. duty-paid landed value including the importer's profit.

When applied to a line of goods imported over a period of years, under the provisions of section 621, quoted above, many penalty notices in recent years have been in terms of a forfeiture value of over a million dollars.

The forfeiture value is also usually completely disproportionate to the claimed underpayment of customs duties. Since importers are required to deposit customs duties reviewed by customs officials at the time of entry, the claimed underpayments are supplemental assessments, which importers frequently dispute. In fact, many penalties have been imposed while the importer is engaged in litigation in another forum, contesting the very basis of the penalty assessment.

Forfeiture value is in any event a very severe penalty for most of the violations charged, which are often very technical, or result from changes in circumstances in the country of exportation not known to the importer, or to changes in interpretation of the laws for determining dutiable value of imported goods.

Relief from penalties imposed under Sec. 592 may be sought administratively, by petition for remission or mitigation under Sec. 618 of the Tariff Act of 1930 (19 USC 1618). Local Customs officials at ports of entry have no jurisdiction to determine such matters when the penalty stated exceeds \$2,000. The disposition of such penalties is determined by the Commissioner of Customs, Bureau of Customs, Washington, D.C., with the approval of the Secretary of the Treasury when the penalty stated (forfeiture value) exceeds \$20,000.

Section 592 contains no provisions for administrative guidance with respect to the disposition of penalties imposed in terms of forfeiture value.

Disposition of such matters accordingly is subject to variance from one administration to another, with settlements bearing some relation to the loss of revenue alleged, depending upon the nature of the violation of the law or regulations and the mitigating circumstances which may be present.

In addition to payment of the loss of revenue, penalties equal to six and eight times the loss of revenue (600% to 800%) have been imposed.

This is disproportionate to penalties imposed in internal revenue tax situations, which provide for payment of 5% of the underpayment in case of negligence and 50% of the underpayment in case of fraud (26 USC § 6653).

Issuance of penalty notices in the terms required by Sec. 592 of forfeiture value of imported merchandise involving millions of dollars when the actual claim for loss of revenue may be only a few hundred dollars or a few thousand dollars is not only unrealistic, but damaging to business and creates a false impression as to a company's solvency.

The present law thus imposes serious problems on those engaged in international trade, carrying implications which may affect the reputation and financial stability of the business to an extent unrelated to and disproportionate with the nature of the violations alleged, without any provision in present law for judicial review.

In addition, the present provisions of Sec. 592 requiring the statement of penalties allegedly incurred in terms of forfeiture value

of important merchandise imposes an administrative burden on Customs officials, who frequently find it necessary to cushion the shock of impending penalty notices in sums in excess of the gross worth of an importer (which would put a business into bankruptcy), with the explanation that remission or mitigation based on the loss of revenue or a multiple thereof, may be sought by administrative application under Sec. 618 of the Tariff Act.

The amendments proposed in H.R. 13502 are accordingly intended to alleviate the problems encountered by the trade and by the Government, by modernizing a provision which has been on the statute books in substantially the same form since 1875 (see reviser's notes to 19 USCA 1592).

During the intervening years, particularly the last two decades, many other provisions of the Customs laws have been up-dated, by the Customs Simplification Acts of 1951, 1953, 1954, and 1956, and by the Tariff Classification Act of 1962, which modernized the classification schedules.

The proposed amendments are not intended to and would not permit avoidance or evasion of the payment of lawful duties nor would it relieve importers of any duties or responsibilities now imposed by law.

The same provisions and prohibitions now contained in the law have been retained, for the most part, with the amendments providing only for a more realistic statement of the actual claim of the Government in terms of the loss of revenue instead of in terms of forfeiture value, which seems more severe than is warranted in most instances.

Cognizance should be taken of the fact that, in addition to the provisions of Sec. 692, proposed to be amended, there remains on the statute books as part of the criminal code, a substantially similar provision (18 USC 542) under which flagrant violations of the customs laws may be dealt with.

The proposed amendments are also intended to provide administrative guidelines not now contained in Sec. 592 for the disposition of assessment incurred thereunder.

The provisions of the Internal Revenue Code, also administered by the Treasury Department, have been examined and the proposed amendments are patterned after the IRC provisions dealing with underpayment of taxes.

IV. TEXT OF H.R. 13502

A bill to amend section 592 of the Tariff Act of 1930 (19 U.S.C.A. 1592), and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 592 of the Tariff Act of 1930 (19 U.S.C.A. 1592) is amended to read as follows:

"SEC. 592. PENALTY AGAINST GOODS.

"(a) If any consignor, seller, owner, importer, consignee, agent, or other person enters or introduces, or attempts to enter or introduce, into the commerce of the United States any imported merchandise by means of any fraudulent or false invoice, declaration, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or makes any false statement in any declaration under the provisions of section 485 of this Act (relating to declaration on entry) without reasonable cause to believe the truth of such statement, or aids or procures the making of any such false statement as to any matter material thereto without reasonable cause to believe the truth of such statement, or is guilty of any willful act or omission, by any of which means the United States is or may be deprived of the lawful duties or any portion thereof accruing upon the merchandise or any portion thereof, embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement, or affected by

such act or omission, such merchandise shall be assessed with additional duties and penalties as hereinafter provided in subsections (b) or (c) and (d) of this section.

"(b) If the United States is or may be deprived of the lawful duties or any portion thereof accruing upon such merchandise or any portion thereof due to negligence or unintentional disregard of the customs laws or regulations, but without intent to defraud, there shall be assessed on such merchandise a penalty equal to five per centum of the underpayment of the lawful duties due and payable on said merchandise."

"(c) If the United States is or may be deprived of the lawful duties or any portion thereof accruing upon such merchandise or any portion thereof due to fraud, there shall be assessed on such merchandise a penalty equal to fifty per centum of the underpayment of the lawful duties due on such merchandise."

"(d) If the determination of the lawful duties payable on such merchandise has become final, by reason of liquidation of the entry or entries of such merchandise, without assessment of the full amount of the lawful duties payable thereon, there shall be assessed on such merchandise additional duties equal to the amount of the underpayment of the lawful duties due thereon and not theretofore assessed and paid, in addition to the penalty hereinabove provided in subsection (b) or (c) of this section."

"(e) Such penalties and additional duties as may be assessed under subsections (b) or (c) and (d) of this section may be remitted or mitigated in whole or in part by the Secretary of the Treasury pursuant to a petition for remission or mitigation filed under the provisions of section 618 of the Tariff Act of 1930 (19 U.S.C.A. § 1618)."

"(f) If any consignor, seller, owner, importer, consignee, agent, or other person, as the case may be, shall, within sixty days after receipt of notice of the final determination of the Secretary of the Treasury upon his petition for remission or mitigation filed under subsection (e) of this section file with the principal customs officer at the port of entry, a petition requesting judicial review thereof by the United States Customs Court, the said United States Customs Court shall have jurisdiction to review said determination as to the amount of the underpayment of lawful duties, if any, including all findings and determinations entering into the same, and as to the applicability of subsections (b), (c), and (d) of this section, none of which determinations and findings shall be presumed to be correct. Every such petition shall, within ninety days after the filing thereof, be transmitted to the United States Customs Court, together with the pertinent entry or entries and accompanying papers. The proceedings in the United States Customs Court shall be a trial *de novo*, pursuant to such rules as the Customs Court may prescribe. *Provided*, that payment of the penalties and additional duties assessed under subsections (b) or (c) and (d) of this section shall not be required during the pendency of the proceedings initiated by the filing of said petition for review by the United States Customs Court but shall be deferred until after the final judicial determination thereof. *And Provided Further*, that the filing hereunder of a petition for review by the United States Customs Court shall, until after the final judicial determination thereof, act as a stay of any proceedings theretofore or thereafter instituted by the United States in a federal district court to collect the amount of said penalties and additional duties. *And Providing Further*, that nothing in this section shall be deemed to deprive any person of any and all rights and remedies (including trial by jury) of a party in a suit brought by the United States in any federal district court

to collect any penalties and additional duties assessed under section 592 of the Tariff Act of 1930 (19 USCA § 1592) prior to or after the effective date of this Act, except that if such person elects to file a petition as provided herein to invoke the jurisdiction of the United States Customs Court for a review of the final determination of the Secretary of the Treasury, a final judicial determination of said petition shall be conclusive of all matters litigated therein."

Sec. 2. Except as hereinafter provided, the amendments made by the first section of this Act shall become effective on the day following the date of enactment of this Act and shall apply to all penalties and additional duties assessed thereafter, under section 592, or section 592 as amended by this Act. *Provided*, that in the case of any and all penalties assessed prior to the effective date of this Act, in which a final determination or final reconsideration has not been made prior to the effective date of this Act, whether pending before any agency of the United States government, or the subject of proceedings in a court of competent jurisdiction, or otherwise pending and not finalized, the provisions of subsections (b), (c), and (d) of section 592 as amended by the first section of this Act shall be applicable and controlling for all purposes. *And Provided Further*, that the provisions of subsection (f) of section 592 as amended by the first section of this Act, for judicial review by the United States Customs Court of administrative decisions made hereunder, shall apply to and be effective with respect to all administrative decisions in which notification to the consignor, seller, owner, importer, consignee, agent, or other person, as the case may be, of the final determination of the Secretary of the Treasury, is issued on or after the date of enactment of this Act.

V. SECTION-BY-SECTION ANALYSIS OF H.R. 13502

The bill would divide section 592 of the Tariff Act of 1930 (19 USCA § 1592) into six subsections numbered (a) to (f), setting out in subparagraph (a) the conduct which subjects the merchandise to imposition of penalties and additional assessments. Subparagraphs (b) and (c) set out the penalties which may be imposed. Subparagraph (d) provides for collection of the revenue due. Subparagraph (e) provides for administrative review. Subparagraph (f) provides for judicial review by the Customs Court, if desired by the importer.

Section 592(a). The language providing for forfeiture of the goods, or for imposition of penalties equal to the forfeiture value, has been eliminated, with language substituted to provide for assessment of penalties and additional duties based on the loss of revenue, as further described in subsections (b), (c) and (d).

Since the entire section 592 is being handled on the basis of loss of revenue, the language "whether or not the United States shall or may be deprived of the lawful duties, or any portion thereof" heretofore provided as a penalty for negligent duties but not willful acts or omissions, has been deleted.

The description of the conduct and documents, acts and omissions, as now contained in section 592, has otherwise been retained without change.

Section 592(b) provides for assessment of a penalty equal to five per centum of the underpayment of lawful duties, where such underpayment is due to negligence or unintentional disregard of the Customs laws and regulations without intent to defraud. This provision is not intended to permit or provide for the assessment of any penalties where increased duties become due on liquidation of entries due to clerical errors, mathematical errors, changes in rate or value, or any other usual differences in duty which normally occur in the ordinary course of business, including differences in currency

conversion, shortage, overage, or otherwise. It is intended that no penalties provided in section 592 as amended shall be assessed or deemed incurred, except where there has been gross negligence or an unintentional disregard of the laws and regulations without a willful intent to defraud, but without reasonable cause to believe the truth of statements contained in documents submitted in connection with the importation of merchandise.

Section 592(c) provides for an additional assessment of fifty percent of the underpayment of lawful duties where such underpayment is due to any willful act or omission or conduct amounting to fraud.

Section 592(d) provides, in addition to the penalties provided for under subsections (b) or (c), for the collection of the underpayment of the lawful customs duties payable, where the customs transactions have been finalized without such assessment having been made; but this provision would not be invoked or applied, where the customs transactions have not been finalized, and where full collection of the lawful duties payable will be made in the normal processing of the customs entries, as they are liquidated.

Section 592(e) provides for remission or mitigation of any assessment or penalty imposed, upon review of the matter by the Secretary of the Treasury pursuant to a petition filed under Sec. 618 of the Tariff Act (19 U.S.C. 1618). This provision spells out in Sec. 592 as amended the procedure now followed administratively in the processing of penalties under Sec. 592, without procedural change.

Section 592(f) provides for judicial review of administrative determinations in penalty matters by a trial *de novo* in the United States Customs Court upon the filing of a petition within the time prescribed, with the principal customs officer at the port of entry, leaving the implementation of the Court procedures before the United States Customs Court to be fixed by Court rules.

Similar jurisdiction was formerly lodged in the United States Customs Court to hear and determine petitions for remission of additional duties imposed under section 489 of the Tariff Act of 1930 (19 USCA 1489), which was repealed by the Customs Simplification Act of 1953, Public Law 243-83rd Congress, Sec. 18(b), when the provision for assessment of additional duties thereunder was also repealed.

While petitions for remission under former Sec. 489 involved only a determination of intent in entering merchandise at a value lower than the appraised value, the proposed amendment to Sec. 592 necessarily involves a broader question; i.e., judicial review of the correctness of the determination of the amount of the underpayment.

This question never arose under Sec. 489, which related solely to the importer's good faith in his declaration of entered value, because judicial review of the determination by the Customs officials of the dutiable value of the merchandise under Sec. 402 of the Tariff Act of 1930 was separately provided by Sec. 501 of the Tariff Act of 1930 through reappraisal proceedings.

Section 592(f) affords an importer the option of (1) bringing an action in the United States Customs Court to seek a review by that tribunal, *de novo*, of the final determination of the Secretary of the Treasury as to the amount of the underpayment of lawful duties, if any, and as to the applicability of subsections (b), (c) and (d) of Section 592 as amended; or (2) of defending an action brought by the government in the federal district court for collection of the penalty imposed. Thus, litigants in Customs penalty matters would have a choice of forums similar to the election of forums afforded in tax litigation, where taxpayers have the choice of challenging an assessment in the Tax Court of the United States, the Court of Claims, or the federal district courts.

Section 2 of the bill establishes the ef-

fective date of the proposed amendments, making the revised law applicable prospectively to all notices of penalty or additional assessment issued on and after the day following the date of enactment. Section 2 also provides for retroactive application of the statute in those cases in which a notice of penalty was issued prior to the date of enactment of the Act. This would include penalties pending before any agency of the United States Government and/or cases pending within the jurisdiction of a judicial body empowered to act in these cases, and which are not finally adjudicated.

In addition, section 2 of the bill provides for application thereafter of the guidelines for administering the statute set out in subsections (b), (c), and (d), since no administrative guide lines are contained in the present statute.

This provision would avoid the administrative burden of carrying out two sets of procedures in dealing with matters theretofore initiated and not determined administratively, as of the date of passage of this Act.

Section 2 of the bill also makes available the procedures for judicial review with respect to all administrative decisions in which notification to the party charged of the final determination of the Secretary of the Treasury is issued on or after the date of enactment of this Act.

WHY POLICEMEN CANNOT BE RECRUITED

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, as many of our colleagues know, it becomes increasingly difficult for the Metropolitan Police Department to recruit and retain able and qualified members of that force. In spite of our determined efforts to improve pay and benefits for members of the force, the turnover remains high.

Many of our colleagues may not be aware of the frustration faced by the members of the Metropolitan Police Force which has, at least in part, led to this rapid turnover. In this connection I should like to include at this point in the RECORD, exchanges of correspondence between Sgt. Carl W. Beatty, in behalf of police officers involved in two recent incidents, and Commissioner Walter E. Washington, responding with a presentation of the position of the District government with regard to the incidents.

Mr. Speaker, I commend these exchanges of correspondence to all our colleagues for careful attention. We cannot long expect our men in blue to give their utmost to uphold the law when they, in turn, cannot even be sure that their own municipal government will back them in doing their duty. Perhaps the time is here, Mr. Speaker, when Congress itself must back up our policemen with the muscle they are being denied in the District building.

The letters read as follows:

POLICEMEN'S ASSOCIATION,
OF THE DISTRICT OF COLUMBIA,
Washington, D.C., June 10, 1969.

HON. WALTER E. WASHINGTON,
District Building,
Washington, D.C.

DEAR MAYOR WASHINGTON: At an Executive Committee meeting of the Policemen's Asso-

ciation of the District of Columbia, it was unanimously voted that I bring to your attention a number of matters concerning the good will and effective operation of the policemen of the Metropolitan Police Department.

Firstly, I have received no reply to my letter of May 15, 1969, in which I wrote you about the Marion Barry incident and the investigation of that incident by the Public Safety Director and attorneys for Mr. Barry. What we requested in this letter was a statement of policy concerning citizens' allegations against the police as well as a statement of position by you supporting the Policemen's War on Crime and Lawlessness. Since May 15, other incidents have occurred, notably, the one on Friday, June 6, during which a policeman was prevented from ticketing a motor vehicle which was being operated in violation of the law. In the melee which ensued, a citizen student was injured. The usual cry of brutality went up and a citizens' group converged on the District Building. To the credit of the officials of the Police Department, the policemen involved were neither suspended nor placed on administrative leave. While at the District Building, the students from Federal City College beat a policeman who was ticketing an automobile and robbed him of his service revolver, which to a policeman is the most serious thing that can happen to him. We feel that on each of these occasions policemen were entitled to a strong public statement issued by you and by the Public Safety Director condemning citizens who take the law into their own hands, who foster mob rule and lawlessness, who attack policemen while performing their duties, and at the same time giving strong support and encouraging policemen. The members of the Policemen's Association feel that it is about time that the Mayor and the Public Safety Director once and for all give public support to every policeman in enforcing the laws and statutes of the District of Columbia. You should discourage by refusing to hold audiences with so-called citizens' committees whose hatred for authority is exemplified in their complete disrespect for policemen. Their actions, for example, in beating up a policeman in broad daylight at the District Building, is nothing short of anarchy and warrants the public condemnation of the head of our City Government. The men on the force expect this of you if we are to have meaningful law enforcement.

Secondly, the members of the Police Association feel that it is discriminatory for the Public Safety Director or his representative to order white policemen away from certain problem areas. A white policeman should not be singled out any more than a Negro policeman should be eliminated from working in a complete white area. To preclude the white officer from performing police duties in any so-called trouble area is to play into the hands of those who seek to split the community. The Negro officer stands a chance of being intimidated which is grossly unfair to him and the white officer is made to feel as though he is a second-rate policeman. After all, all men who wear the uniform are sworn to uphold the same laws with the same impartiality regardless of race.

Thirdly, I was surprised to learn at a recent meeting that Melvin Washington had been appointed as an assistant to the Public Safety Director whose job was to supervise police and fire operations. We received no order announcing this through the Department or otherwise and we wish at this time to raise certain objections to Mr. Washington's qualifications to this important position. It has come to our attention that Mr. Washington is an ex-Metropolitan Police Officer who resigned a number of years ago following certain actions which received widespread newspaper publicity. In view of the circumstances of this case, which I shall be pleased to call to your attention, it is the

Executive Committee's unanimous opinion that Mr. Washington may be less than qualified to work with the Department from which he resigned.

Fourthly, the Association also raises certain questions concerning the fitness for work in the area of police relations of Emmett Sullivan. It has been brought to our attention that Mr. Sullivan has been on the scene of certain disturbances from time to time and has been acting in a supervisory capacity issuing orders to various police officers and officials. We believe that the nature of his job function should be more thoroughly investigated.

And lastly, the members of the Policemen's Association deserves to know the chain of command of authority from the District Building right down to the last man on the street. As the situation now exists, the rank and file of the Department feel as though there are so many bosses and supervisors outside of the Department that they do not know to whom to turn or from whom to accept orders. We feel that an explicit and clear understanding of the functions of numerous persons (who have received widespread newspaper publicity) should be properly outlined to the Department.

Respectively yours,

CARL W. BEATTY,
President.

FOUR POLICEMEN FACE CHARGES AFTER FRACAS

Disciplinary charges are being prepared against four Metropolitan policemen who took part in an off-duty drinking and gambling session, climaxed by the shooting of one officer by a second yesterday.

The injured man Pvt. Raymond J. Miller, 33, of 3521 Stanton road S.E., is in Washington Hospital Center with a bullet wound in the groin. His condition is reported to be satisfactory.

Charged with assault with intent to kill is Pvt. Joseph P. Ellis, 36, of 1610 Savannah street S.E., according to Inspector Howard F. Mowry.

SECOND PRECINCT MEN

The four policemen, all detailed to the second precinct, were in the apartment of Pvt. Melvin J. Washington, 30, at 315 W street N.E., when the shooting occurred. Also present were Pvt. James B. Wilson, 35, and two women guests: Nannie P. Fields, 28, of 4411 Third street N.W., and Sharon W. Gerran, 29, of 729 Decatur place N.E.

High-ranking police officials converged on the Northeast apartment yesterday afternoon as soon as it was learned a police officer had been shot.

Deputy Chief Howard V. Covell, who said all four have been suspended, told reporters the men had worked the midnight-to-8 a.m. shift in their precinct and then adjourned to Pvt. Washington's apartment. Inspector Mowry said he was told the quartet drank one fifth of whisky and part of another during the morning and early afternoon.

SHOOTING DICE

At about 1 p.m. Inspector Mowry said, Pvts. Miller and Ellis started a dice game with Pvt. Washington looking on. Investigators said Pvt. Wilson told them he had gone to lie down in another room to sleep and did not witness the gunplay.

Just before the shooting occurred, police said, the two women arrived. Both denied seeing what happened between Pvts. Miller and Ellis.

Inspector Mowry said Pvt. Washington told him Pvt. Ellis shot Pvt. Miller when the latter declared he wanted to stop shooting dice and go home. Pvt. Miller said Pvt. Ellis drew his service revolver and fired one shot, according to Capt. Lawrence Hartnett of the homicide squad.

ARRAIGNMENT SET

Pvt. Ellis will be arraigned today in Municipal Court on the assault charge. He joined the police force in 1949.

Pvt. Miller, who is single, became a policeman in 1962. Pvt. Washington is a former plainclothesman who was recently transferred to the second precinct. He became a policeman in 1952. Pvt. Wilson has been in the second precinct for 11 years and was commended in 1951 for rescuing two children in a fire.

GOVERNMENT OF THE DISTRICT
OF COLUMBIA,
Washington, D.C., June 16, 1969.

Sgt. CARL W. BEATTY,
President, Policemen's Association of the
District of Columbia, Washington, D.C.

DEAR SERGEANT BEATTY: I refer to your letter dated June 10, 1969, in which you bring to my attention certain matters concerning the operation of the Metropolitan Police Department.

Pending further discussions with you I will withhold comment on the matters raised in the first substantive paragraph of your letter and reply briefly to the others.

I do not know the incident to which you refer concerning the removal of white police officers from certain problem areas. As I recall our discussion, the specifics of this item were still somewhat vague. However, the use of particular officers for operational purposes is a matter that should appropriately be determined by the Chief of Police, his subordinates and field commanders.

Mr. Duncan advises me that he has investigated the incident in 1960 to which you allude concerning Mr. Melvin Washington. As I understand it, Trial Board charges were brought, Mr. Washington was found guilty and fined \$100.00, and that the finding of guilt was reversed by the Board of Commissioners. After 15 months additional service, Mr. Washington resigned from the force in order to attend college. He put himself through four years of college, three years of law school, became a member of the District of Columbia Bar, and served successfully for a year and a half as Assistant Corporation Counsel, during which time he earned the respect and high esteem of the judges before whom he appeared. Mr. Duncan states that he has complete confidence in Mr. Washington's integrity and ability and qualifications. He serves as one of three Special Assistants and is not a policeman nor a Deputy Director of Public Safety with line authority over the Police Department as your inquiry infers.

It is not Mr. Emmett Sullivan's role to act in a supervisory capacity or to issue orders to police officers or officials, and he has been so instructed since the date of his assignment. Mr. Sullivan's job calls for him to meet personally with many citizens who complain to my office and to try to assist in a solution of their problems. In this connection, he is required to make inquiries for information from the various District departments and agencies. He also performs such special assignments as I or Mr. Duncan may assign him from time to time. As you will remember, Mr. Lorraine Johnson served in a similar capacity to Commissioner Tobriner during his administration.

The chain of authority from the District Building to the policeman on the street is as follows: The police function is vested in the Commissioner of the District of Columbia; he has delegated this function to the Director of Public Safety. Under this delegation the Chief of Police is responsible for the operation of the Department.

Sincerely yours,

WALTER E. WASHINGTON,
Mayor.

POLICEMEN'S ASSOCIATION
OF THE DISTRICT OF COLUMBIA,
Washington, D.C., May 15, 1969.

Mayor WALTER E. WASHINGTON,
District Building,
Washington, D.C.

DEAR MAYOR WASHINGTON: I am writing as president of the Policemen's Association of

the District of Columbia, whose membership is comprised of over 4,700 active and retired policemen. On behalf of the men on the force, and to express their strong feelings, I write to protest the manner in which the investigation of the arrest of Marion Barry is being handled.

If a policeman on the Metropolitan Police force has allegedly engaged in misconduct, there is a procedure established by which a citizen can file a formal complaint, which will be processed in an orderly, established manner, which will result in an investigation and a report. We on the force do not understand why a complaint by Mr. Barry is handled any differently or why you, as the Mayor, must order a top priority investigation by the Public Safety Director, assisted by the District of Columbia Human Relations Commission and Mr. Barry's lawyers, as was reported in the daily papers. It has been publicly announced by one of Mr. Barry's lawyers that he intends to file a civil action for damages. I suppose this will involve the individual policeman and the District of Columbia government. To the men on the force who are on the streets day in and day out, trying to maintain law and order, it is difficult to understand why the Public Safety Director, who is their boss, is working with the attorneys for a person who intends to sue the policeman and the District.

In this day and age, and in the atmosphere in the District created by people like Mr. Barry, who makes public pronouncements that police are like mad dogs, a policeman tried before a jury in this jurisdiction is at a complete disadvantage. When this is compounded by the Public Safety Director and the Human Relations Commission being directed to work with attorneys representing Mr. Barry, then the police officer is indeed in a sad way.

We do not understand how Mr. Duncan, as Safety Director, can personally conduct an investigation of a police officer, since ultimately, he must be the judge of the police officer's conduct following investigation. Since a police officer has neither the means nor the opportunity to conduct his own investigation, it seems that the only proper procedure is to have such investigation conducted by a totally and completely impartial, disinterested Board. Upon complaint, properly filed, Mr. Barry would have the right to present his case to the Citizen Complaint Review Board, who would determine if there is sufficient evidence upon which to bring charges before a Trial Board. This is the only function of an investigation by officials of the District of Columbia. It is not, and cannot be, to assist a complainant's attorneys in gathering evidence for a civil suit.

We members of the force would also like to know, once and for all, whether we are supposed to enforce the law as it is written. The law includes within it traffic regulations and other provisions which to many people seem to be inconsequential. We would like to know, Mr. Mayor, what we are supposed to do if every person we gave a ticket to tore it up and threw it in our faces. If Mr. Barry can do it, why can't every citizen do it? And if every citizen can do it, what is our function? We feel that we should have the right to enforce the law with the full and complete support of you and the Public Safety Director, as well as the Chief of Police. If improper action by a police officer has been taken in enforcing the law, the courts are there to protect the citizen. We on the force do not feel that we must justify our decisions and our judgment on the public streets, for to be required to do so would, in fact, create innumerable disturbances and ill will. It seems to us, therefore, that the District government should strongly support us in doing a job which we are paid to do, and to which we are dedicated. To be confronted with a "top priority investigation" every time we enforce the law against some-

one like Mr. Barry is to destroy the morale of the men who can very properly say: "Why make an arrest? Why enforce the law? Let's put in our eight hours and pick up our check." If this is what you want, and I am sure it is not, just tell us.

We sincerely trust that the men on the force, in enforcing the law, will have your full and complete support. We also hope that procedures established by law will be followed in judging the complaint of Mr. Barry, as it would be in any other case.

Respectfully,

CARL W. BEATTY,
President.

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., June 16, 1969.

Sergeant CARL W. BEATTY,
President, Policemen's Association of the
District of Columbia, Washington, D.C.

DEAR SERGEANT BEATTY: This in reply to your letter of May 15, 1969, in which you protest the manner in which the arrest of Marion Barry, on May 13, 1969, is being handled and also ask whether or not I and the Public Safety Director want Metropolitan Police Officers to enforce the law.

As you may recall, the parking ticket which gave rise to the incident was written by Officer R. L. Lehmann of the Special Operations Division, who had been assigned duties on Fourteenth Street in connection with prostitution in that area. As the ticket was being written, there was a confrontation between Officer Lehmann and Mr. Barry. Additional policemen were called to the scene as supporters of Mr. Barry appeared on the street from the Pride, Inc., building. Mr. Barry and three others were arrested and transported to the Thirteenth Precinct. A further confrontation occurred there, during the course of which it is alleged that Mr. Barry sustained physical injuries. He was then transported to D.C. General Hospital and Mr. Duncan, the Public Safety Director, at my request, was dispatched there to observe his condition. Subsequently, Mr. Barry was transported to the central cell block where he and the three other prisoners were processed during a three-hour period.

The following day, more than 100 of Mr. Barry's supporters and other citizens occupied the Council Chamber at the District building. Their mood was extremely angry and hostile at what they regarded as police brutality directed at Mr. Barry. Serious disorder could have resulted. Moreover, when you refer to as a ticketing incident actually had at least four other aspects to it involving citizens and policemen. It seems to me that under such conditions I have the right and indeed the obligation to inform myself of all the facts and circumstances surrounding the incident in the public interest. Accordingly, I directed Mr. Duncan personally to conduct the investigation. It is my intention, and his, to receive statements and reports from the Police Department in the usual fashion and such additional statements from citizens and other evidence as Mr. Barry's attorney chooses to make available. Having received that information, it is my intention to ask the Human Relations Council to secure whatever additional information might be needed, if any. Mr. Duncan's role is simply to gather facts from whatever sources are available, evaluate them, and report to me.

Viewed in this light, your statements that Mr. Duncan "is working with the attorneys for a person who intends to sue the policemen and the District" and that the investigation is "to assist a complainant's attorney in gathering evidence for a civil suit" are misleading and literally inaccurate. I decided to conduct the investigation in this manner to assure that it would have maximum credibility from the standpoints of both the Department and the community. It also may have had the effect of averting, at least temporarily, an ugly incident.

You say you would like to know "once and for all" whether police officers are supposed to enforce the law as it is written. I trust you will accept, once and for all, my reaffirmation of commitment to strict enforcement of the law as it is written. I would add that strict enforcement assumes professional enforcement and the use of judgment and common sense. It is a violation to emerge from an automobile on the traffic side of the vehicle. This occurs thousands of times each day and yet few arrests are made because of it. This is not to suggest that illegally parked automobiles should not be ticketed. It underscores, however, that judgment is a necessary ingredient in all police work.

I think my actions to date, and those of Mr. Duncan, indicate that we strongly support the Police Department. We want it to be, and to be recognized as, the finest police force in the United States. We want every citizen to respect every police officer and we want every police officer to respect our citizens and be proud of his uniform and his profession. In order to bring this about, your Association and I must continue to work together, as we have done in the past when misunderstandings arise. I appreciate your bringing to my attention the concerns expressed in your letter of May 15. I hope that this answer helps clarify the questions you raise.

As you know, I will be pleased to meet with you at any time, as I am with the representatives of all responsible organizations, to consider these and any other matters in further detail. It appears to me that this is a desirable way to resolve matters of mutual concern.

Sincerely yours,
WALTER E. WASHINGTON,
Mayor.

PRESS HAS FIELD DAY OVER FAILURE TO PASS TAX LAW

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. HANNA. Mr. Speaker, apparently the press is having a field day over the administration's inability to effectively negotiate its tax program through the Senate. Interestingly enough all the discussion about the President's difficulty is being laid at the door of the Senate.

I would like to remind both the press and some of my colleagues who may have forgotten that a substantial number in the House stood firm on the tax question before it reached the Senate. It was in the House that the President learned how difficult the extension of the surcharge would be without meaningful tax reform.

The answer to the question of why the administration was unable to grasp this point I will leave to the pundits. It is enough to say that the handwriting was clearly printed on the wall when the surcharge extension barely passed the House.

I insert the following article by Alan Otten of the Wall Street Journal as part of my remarks:

A TIME FOR EPTNESS
(By Alan L. Otten)

WASHINGTON.—"The thing that's most surprised me about the Administration thus far has been its incredible ineptness."

That evaluation, by one of the Capitol's senior Republican hands, overstates only slightly a verdict voiced by many politicians and political analysts here these days; the word "inept" recurs with monotonous regu-

larity. It's a verdict that could foreshadow deepening difficulty for President Nixon unless soon reversed.

Long-time Nixon students are flabbergasted by the persistent snarls and snafus. "Based on the campaign, which looked pretty efficient, I expected a far sharper, smoother operation," says a veteran labor lobbyist. Declares a Democratic Senator: "These men are acting as though none of them had ever been around Government before."

On matters big and little, the President and his key lieutenants have stirred controversy and confusion unnecessarily. They are promising programs they knew they couldn't possibly produce, and ignoring or offending powerful members of Congress and outside interest groups. While the indictment is often a broader one, a good part of the dissatisfaction arises from Mr. Nixon's dealings with Congress.

The recent brouhaha over extending the income tax surcharge is a sterling example of conflict and chaos that easily could have been avoided. To practically everyone here but Treasury officials, it was clear that the Senate Democratic leadership wasn't refusing outright to extend the surcharge but was merely trying to insure that broad tax overhaul would also be considered this year—a goal to which the Administration professes deep attachment. The matter could have been compromised early and effortlessly; Sen. Mansfield isn't known as an unreasonable or uncooperative man.

The Administration, though, climbed on its high fiscal horse. It stubbornly demanded the full year's extension, and began to wall about the horrible consequences of anything less—stirring new uncertainty and nervousness in financial circles. Mr. Mansfield's compromise offers were haughtily turned down, with Treasury officials insisting he'd be forced to yield all the way in the end. At the last minute, sanity asserted itself, and the final compromise isn't very different from what the Administration, with a little more sense and sensitivity, could have had from the start.

The mistakes have been widely distributed, from the White House down through all the departments. Mr. Nixon's day-to-day gyrations on future U.S. policy in Asia, voiced during his just-concluded world tour, surely created widespread doubt and uneasiness among Asian leaders and American public alike; after years of public life and campaigning, the President must be aware that what he says in one place will be reported in another place, and that contradictions, real or apparent, avoidable or unavoidable, will make him appear unsure and floundering.

Repeatedly, Nixonites have neglected to sound out key Congressmen before sending bills to the Hill. Advance consultation might at least have muted the hostile reaction of Rep. McCulloch and other GOP civil rights advocates to the Administration's proposal for revamping the voting rights law. The White House has yet to sound out either Ways and Means Committee chairman Mills or ranking Republican Byrnes about the Nixon welfare-reform and revenue-sharing plans to be divulged on Friday. Both liberal and conservative Republicans complain of difficulties with patronage, public works projects, correspondence, and other political life's blood.

Many top-priority Administration projects aren't off the ground yet. Pre-inaugural talk promised that one of the early jewels in the Nixon crown would be a glorious program to stimulate private voluntary social-uplift endeavors. New men are being constantly imported to get this program started, but it remains completely bogged down. Meanwhile, the U.S. Chamber of Commerce and other private groups stand waiting expectantly for a signal that never comes.

Treasury officials act startled when anyone even asks the whereabouts of the plan to give fat tax credits to industries putting plants in slum areas—even though cam-

paigner Nixon billed this as a keystone of his urban program. Transportation Secretary Volpe has again and again declared that a new program to finance mass transit facilities is on the point of transmission to Congress—yet it remains mired in dispute with the Budget Bureau.

The explanation most widely offered for all the snarls and snafus is that Mr. Nixon and his top braintrusts are perpetually preoccupied with getting out of Vietnam and fighting inflation. Unquestionably, these should be their chief preoccupations, yet men running the Government of the United States should manage to budget their time so that a little is left for second- and third-level problems; many top officials aren't involved in the two big nightmares anyhow.

Other explanations seem more relevant. Most top men are woefully inexperienced in Government; that's true of most new teams, but this one seems to be learning extra-slowly. The performance of a few high-ranking officials has been at best mediocre; others are too cocksure, which can be equally disastrous. Distrust of the career bureaucracy leads Nixon men to ignore advice and warnings. "I've never seen guys so intent on making their own mistakes," a top career official asserts. "You try to help them, but they really don't want to listen." In the White House and many agencies, overstaffing has blurred lines of command.

Some of the new boys either don't understand or don't accept the importance of Congress and of outside groups. It's as if they're hoping to run the Government much like a corporation or a law firm, making the decisions themselves and reporting back only occasionally to the stockholders or clients. Those who scorn the Democrats as impractical and far-out are ignoring the fact that, like it or not, these dreamers control both Houses of Congress.

There's no sign yet that the nation as a whole is upset about the way the Nixon men are running things. But if on-the-job experience doesn't soon produce a more efficient operation, the result will be not only damage for the President on a wide range of specific issues, but also the creation of a public image that may later be difficult to alter or eradicate.

SOVEREIGNTY OVER SINAI WAS NEVER EGYPTIAN

HON. LEONARD FARBSTAIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. FARBSTAIN. Mr. Speaker, one of the Middle Eastern areas most hotly in dispute today is the Sinai Peninsula and Suez. It was through this region that Egypt has on two occasions advanced her armies virtually to the border of Israel, and sporadic Egyptian attacks along the Suez Canal have kept the area in continual turmoil, in defiance of the United Nations cease-fire resolution.

It is important, if we are to understand the situation in that part of the world, for us to know the history in terms of international law. If we look into the matter in careful detail, the amazing conclusion emerges that the Sinai area is really, historically and legally, "no-man's land."

Therefore Israel is, in hard fact, not invading the sovereign territory of Egypt or of anyone else, in establishing defense posts in the Sinai.

The complicated background is set forth, with quotations from a number of

distinguished authorities, in an article appearing in the current issue of *Prevent World War III*—a publication which has been issued for more than 25 years by the Society for the Prevention of World War III, Inc., of 50 West 57th Street, New York, N.Y. 10019. The article itself is a translation from a study that originally appeared in the internationally known French publication, *La Revue Encyclopedique Juive*, Paris, 1969.

The article follows:

TO WHOM DOES THE SINAI BELONG? A NO-MAN'S LAND

In view of the problems raised by the current political situation in the Near East, it is important to note that by occupying the Gaza Strip and the Sinai Peninsula, Israel has not violated any internationally valid Egyptian rights of sovereignty. It is a fact that Egypt has not accorded Egyptian citizenship to the Bedouins living in the Sinai, but has merely issued to them an identification card stating that they have the status of inhabitants of the Sinai. Thus even Egyptian administrative practice in the Sinai proves that Egypt has not considered the Sinai Peninsula as being an integral part of the country. Nor has the population of the Gaza Strip ever been considered as belonging to the Egyptian people, but it was under the control of a military governor.

The League of Nations never confirmed any boundary lines between Egypt and Palestine. On May 22, 1935, the League of Nations accepted the Franco-British agreement of March 7, 1923 regarding the boundary lines between Syria, Lebanon and Western Palestine. On September 16, 1922, the League of Nations also confirmed the western boundary of Transjordan, which had been cut off from Western Palestine, and to which the stipulations contained in the mandate for setting up a National Jewish Home in Palestine were no longer to apply.

Regarding the boundaries between Transjordan, Iraq and Arabia, their gradual demarcation was on several occasions brought to the attention of the Mandate Commission of the League of Nations. The only border of Palestine which was never determined by the Allies is therefore the southwest border; there has been no agreement or exchange of views with the neighboring countries on this score; never has a body of the League of Nations discussed this matter.

WHAT IS THE LEGAL STATUS?

In 1956 and 1957, after Egypt had nationalized the Suez Canal, as well as after the first occupation of the Sinai by the Israelis and the Anglo-French intervention, the legal status of the Sinai began to arouse public interest in England. There were proposals that the U.N. take this area under its administration. In a letter to the *Times*, Lord Soubury, a former diplomat and British Governor-General of Ceylon, expressed the opinion that this measure would not constitute a violation of Egypt's sovereignty, since this country had never had any rights to the Sinai. This letter, published on February 6, 1957 in the *Times*, contains among other things, the following observations:

"Since Great Britain and France played a part in the military action at the Suez Canal three months ago, many people in the legal field have declared themselves either in favor or against the legality of this action, but there has never been any analysis of the legal grounds of Egypt's claim that Israel invaded any Egyptian territory and that Egypt demands Israeli evacuation of this territory belonging to it. This problem was brought up in the British Parliament several times by Dr. Dalton, Captain Waterhouse and others. . . . On December 5, 1956, Dr. Dalton declared that Egypt had no rights to the Gaza Strip because this ter-

ritory had never belonged to it, but is a part of Palestine. . . . Before being a part of Palestine, this territory had naturally belonged to Turkey. During the same debate, Captain Waterhouse declared that the Sinai Peninsula had never been a territory normally belonging to Egypt."

"The Egyptian boundaries are based on a Turkish decree of 1841, in which the Sultan confirmed Mehemet Ali as the hereditary ruler of Egypt "within its former boundaries." This decree included a map on which the eastern boundary of Egypt extends from Suez to Rafah, which is between El Arich and Gaza. This map was reproduced as an official Egyptian document at the time of an agreement signed with Italy on December 6, 1925 to determine the boundary between Egypt and Tripolitania. Another map was attached to this document indicating the new western boundary of Egypt as being farther to the west than on the 1841 map. The eastern boundary on this map extends from Tabah, in the Gulf of Aqaba, to Rafah. However, this boundary has never been claimed to have been officially determined. This was never a boundary, but rather a demarcation line indicating the limits of the territory where the Egyptians administered this part of the desert in order to protect the pilgrims traveling from Egypt to Mecca."

"In 1892, when the new Viceroy Abbas Hilmi was named by the Sultan, the Turks agreed that he continue to administer the Sinai Peninsula as his predecessor had done. This arrangement was confirmed by the Turks in 1906, but all of these agreements, formally set down in Decree No. 3006 of 1906, make a clear-cut distinction between administration and sovereignty, the latter being reserved for Turkey alone."

"It is important to note that the Egyptian border has not been mentioned either in the proclamation of the British protectorate regarding this country in 1914, or in the mandate for Palestine after the war."

"It follows that while Egypt has, for a long time had the customary right to administer the Sinai Peninsula, it is not in possession of the right of sovereignty over the Sinai. As long as the Egyptian administration in this area protected the Canal and helped maintain peace in the Near East, it naturally had the support of Great Britain. But now this territory has become a dangerous base for aggression against Israel and for stockpiling of communist arms."

"The U.N. would certainly be doing a great service to the world by assuming administrative control of this explosive territory. In so doing, it would in no way violate a sovereignty which Egypt has never had."

COLONEL MAINERTZHAGEN'S PERTINENT FINDINGS

Colonel Richard Mainertzhagen also wrote in the *Times* on this matter. He had served from 1914 to 1918 on the staff of the British Army in East Africa, in Palestine and in France; after the war he was a member of the British delegation to the Paris peace talks; then he was a political officer in Palestine and in Syria until 1920, and from 1921 to 1924 he was the military advisor to the Near East Department of the Colonial Ministry. During the Second World War, he served on the staff of the Ministry of War. Considered to be one of the foremost specialists on Near East Affairs, the *Times* asked him for a statement of his views. His letter was published on February 8, 1957. In it he confirmed Lord Soubury's opinion regarding the status of the Sinai and went on to say: "In 1926, Lord Lloyd asked the Foreign Office if the 1906 agreement was still valid; he received an affirmative reply. This was confirmed to me in 1928 by Lord Lloyd in person."

"In 1922 Turkey had to give up all its colonies. When Israel invaded the Sinai in November 1956, it was a No-Man's Land. The

question may be raised, whether we or the U.N. have any right at all to force Israel to evacuate a country which belongs to no one, particularly after Egypt had misused its right of administration by blocking the Gulf of Aqaba in violation of U.N. resolutions and by making the Sinai the base of attacks against Israel."

"The map included in the above mentioned Turkish decree of 1841, was not made public in 1892 nor in 1906, even though the British Ministry of Foreign Affairs had never questioned its existence or the exclusion of the Sinai from Egypt by the Turkish decrees of 1841 and 1892. A copy of the map showing the Suez-El Arich border was shown to the British Consul in Egypt by the Turkish Commissioner in that country in 1892. The Consul noted that this map indirectly confirmed the London Convention of 1840, in which the Sinai Peninsula is included in the territory belonging to the Pacha of Acco. This territory was not ceded to Mehemet Ali of Egypt."

"On May 1, 1906, Lord Fitz Maurice stated before the House of Lords, in the name of the Ministry of Foreign Affairs, that Rafah and El Arich were part of Egypt, whereas the Sinai Peninsula was only under Egyptian administration."

"The question can therefore be asked, whether Turkey implicitly settled for an Egyptian border extending from Suez to Rafah when a demarcation line was determined between the Sinai and the territories administered by the Turks in the State of Rafah in 1906. It is likely that Turkey only permitted the Sinai to remain under Egyptian administration, thus maintaining the status quo in the territory extending to the west of Rafah."

"As for determining where the true boundary of the Turkish decree lies, I cannot give any definitive reply. Practically speaking, it would seem that it is in El Arich, but an official Egyptian publication of 1926 or 1927 reproduced the 1841 map with the line extending from Suez to Rafah. The caption of this map shows that it is in all probability the interpretation given by the British in 1906 to the boundary determined in 1841."

SOVEREIGNTY NOT ESTABLISHED

All of these statements show that Mainertzhagen, Soulbury, Lord Lloyd and others arrived at the following conclusion (the documents available to them not allowing for any other interpretation): the 1906 agreement as to the administration of the Sinai has not changed the status of the Sinai as a territory under direct Turkish sovereignty, and Egypt had no right of sovereignty over the Sinai Peninsula.

A passage from a book, *Middle East Diary 1917-1956*, published in London in 1954 by Colonel Mainertzhagen, supports this assertion:

"Before 1906, the boundary between Turkey and Egypt extended from Rafah in the north to the vicinity of Suez. All of the eastern and southern part of the Sinai belonged to the province of Hedjaz, of the Ottoman Empire. In October 1906, Egypt obtained administrative rights in the Sinai up to a line extending from Rafah to Aqaba, while Turkey expressly reserved for itself the right of sovereignty. General Allenby and the British army, without the assistance of the Egyptian army, occupied Turkish Sinai, which consequently came under the control of Great Britain by right of conquest. This simple explanation can be confirmed by the Foreign Office."

With the proposal that England keep the Sinai in order to make it a buffer zone between Egypt and Palestine and a base with harbors on the Mediterranean as well as on the Red Sea, Colonel Mainertzhagen stresses that "No national problem can arise in the Sinai Peninsula, since this territory includes only a nomad population of a few thousand people who know nothing of matters of sovereignty, and whose only desire is to live in peace."

TECHNIQUE OF PUBLIC PROTEST

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. DERWINSKI. Mr. Speaker, one of the most objective editorial commentaries on the technique of public protest appeared in the Thursday, July 24, editorial columns of the *Harvey, Ill., Tribune*.

It is a welcome although rare occurrence to have a communications media properly describe the manner in which news media is used by the public protestors and radical groups of today.

The editorial follows:

PROTESTORS PLAN THEIR PUBLICITY CAREFULLY

For the last several years, picketers, protestors and demonstrators have had the news media over the proverbial barrel and the leaders of these ad hoc events now can easily qualify as top level promoters, press agents and public relations specialists.

The first role of a newspaper is to cover news events and pass on the information they obtain to the public. Realizing that this credo makes the news media gullible because reporters are instructed to cover anything that draws a great deal of attention, protestors often plan their press strategy better than the actual demonstration.

The plan for press coverage is too simple: paint-up a handful of signs, call all of the news media representatives in the area and anonymously tell them that a march is planned at a certain location at a certain time to protest a certain injustice. Once the reporter arrives, put on a big show for this photographer, recruit nearby residents to make it look bigger than it actually is and then wait for the press clippings to pressure the individual or organization you are protesting against.

Members of the press are then caught in the spider's well-planned web. If the newspaper or radio-TV station declines to publish or air the march or demonstration, the protest leaders use the lack of press coverage to gain additional support by claiming that someone is trying to suppress the event. And, residents of the immediate area who witnessed the event will spread the word to their friends and neighbors—often completely out of proportion with the event.

Recently, the *Chicago Tribune* tried unsuccessfully, to demonstrate the futility of covering such situations adequately and with balance by refusing to print any stories about college demonstrations for one day. The newspaper was highly criticized by its readers and other news media for "censoring the news."

There is no adequate solution to the situation and newspapers and other communications media are faced with a real problem in attempting to comment on the merit of each protest. For that reason, we would urge our readers to continue to the editorial below for an opinion of a so-called "rent strike" Friday afternoon in Harvey.

The preliminary press coverage mentioned earlier had been arranged. We were called twice in a matter of minutes to make sure that we would have a reporter on the scene. When he arrived without a photographer, there were only three pickets on the scene. When the photographer arrived, that number was immediately doubled by passing out signs to sympathetic observers—people who do not even live in the apartments in question.

That is typical of most of the protests and demonstrations we have covered during the era of the publicity seekers and we believe that our readers should know the back-

ground on how some of these events get in the newspaper. It might also help eliminate a few hundred illegitimate demonstrations.

TAX-EXEMPT BONDS SERVE PUBLIC WELL

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. CHAMBERLAIN. Mr. Speaker, in supplementary views to the committee report accompanying H.R. 13270, the Tax Reform Act of 1969, and during the debate on this bill last week, I endeavored to make it very clear that while I supported the general purpose of the bill I thought that the committee went much too far in its treatment of tax-exempt interest on State and municipal bonds. Because of the closed rule there was no opportunity to vote on this particular issue. However, I am satisfied that many Members were deeply concerned about this part of the legislation, especially under section 601 and 602. I was encouraged to note that this concern is matched by a recent editorial appearing in the *State Journal of Lansing, Mich.*, on Saturday, August 9, 1969, and I commend it to the attention of the Members of the other body and to my colleagues here in the House for consideration should a conference report consider this aspect of the legislation:

TAX-EXEMPT BONDS SERVE PUBLIC WELL

The tax reform bill passed in the U.S. House of Representatives Thursday may be the most far-reaching tax bill since the enactment of the income tax constitutional amendment, as suggested by Chairman Wilbur Mills of the House Ways and Means Committee, but it apparently also has raised many questions about its potential effect upon our complex economy.

Take the subject of tax-exempt bonds. The legislation proposes some drastic revisions concerning the tax-exempt status of bonds issued by states, municipalities, school boards and similar local governments. It proposes that local authorities will be eligible for a federal subsidy to offset the effects of higher interest rates on such bonds.

Inevitably the effect of such action on local governments must be adverse. In fact, in some instances, it may even be catastrophic. School boards, for instance, are having great difficulties these days getting voters to approve bond issues for essential construction needs. If interest rates on school bonds are raised, as inevitably they would be, the problems would multiply for school districts already harassed by financial problems that seem almost insurmountable even now.

More bond issue proposals would go down the drain by means of voter rejection. Those that were approved by voters would contain other hidden perils, including the difficulties involved in going hat in hand to the federal government. The City of Lansing has a good case of this federal bureaucratitis on its hands right now in its urban renewal projects crisis with Uncle Sam.

Further complicating the problem for local units of government would be the increased difficulties that would arise in the sale of municipal bonds, or bonds of other local units of government. These bonds, now tax exempt, generally are quite popular in the securities market but even so, some units of government are encountering difficulties in selling bonds for essential public projects.

Many very important public improvements would be adversely affected by the new tax

proposal. Cities that need sewage treatment plants, for instance, may find it impossible to sell bonds to finance them.

The tax reform bill still must be voted by the Senate and it appears now that the Senate will not tackle this legislation before fall. Perhaps by then the experts will have made a much better study of the potential effects of this bill and will recommend changes in the public interest.

Tax reform is desirable but tax changes just for the sake of changes can be very harmful. It appears that the proposal to remove tax exemption for local and state bonds is one such change that helps no one—but perhaps injures all of us.

JOIN HANDS PLEDGE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BROWN of California. Mr. Speaker, we all know that our Nation is troubled by infinite problems, most of which each of us individually feels incapable of solving. We here in Congress, each in our own way, are trying to do what we can to ease the tensions and inequities which we see around us. Laws, however, can only go so far. Individuals must take the responsibilities that are facing them. I would like to take this opportunity to acquaint my colleagues with another group which has a similar aim. The Join Hands movement is a program for action to bring about equality and justice for all Americans now. The Join Hands pledge is one I wholeheartedly support. Therefore I insert it into the RECORD at this point, so that all my colleagues may read it and begin to think what it can mean in their lives:

Martin Luther King's cause was and is America's cause. I recognize and affirm that cause as my own. I therefore make the following moral commitment:

1. I pledge to confront my own fear and prejudice and strive to eradicate them.

2. I recognize the special rights and privileges that I enjoy, and I pledge to demand the same rights and privileges for each and every man.

3. I pledge to actively support both legislation and taxes to provide more and better jobs, housing, health, recreation, and education for all in our country who are poor, under-employed and ill-housed.

4. I pledge to trade with those business concerns which practice fair employment and provide upgraded job opportunities.

5. I will demand that every effort be made to achieve and maintain quality education in all schools and, in particular, to develop integrated schools of the highest quality. I pledge not to remove my children from such schools.

6. I pledge to welcome neighbors of all races and creeds; to support open housing and to rent or sell my home without restrictions.

7. I pledge not to try to escape the problems of my city, but to work to rebuild it as a place where human dignity flourishes.

8. I pledge to support those political candidates, regardless of party, who demonstrate the clearest understanding that the brotherhood and equality of all Americans is the major issue of our times—the one which must receive first priority both morally and economically.

9. I pledge violence will not cause me to react violently, nor will it cause me to abandon my commitment to this pledge.

10. I pledge this is a commitment to action, not just words.

In signing this pledge I commit myself to involve my friends, neighbors and my co-workers in active support of the aims of this resolution.

I hope that each Member of Congress will reflect upon the importance of active efforts toward realizing the Join Hands goals. As the Join Hands newsletter says:

One nation, indivisible, with liberty and justice for all is not merely an ideal goal, it is a format for the preservation of our free society.

And, each of us must have the courage now "to stand up for freedom together."

Additionally, I would like to commend Mrs. Janice Bernstein, chairman of the Join Hands executive committee, for her tireless and most competent efforts in putting the pledge before the Nation.

VOTING RIGHTS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. PEPPER. Mr. Speaker, I am sure our colleagues will be pleased to know that the distinguished former Member of this body from Atlanta, the Honorable Charles L. Weltner is now writing a regular column for the Atlanta Journal and is thereby continuing his distinguished public service to his area. I recently saw a copy of his column of July 30 and I insert it in the CONGRESSIONAL RECORD. I believe it will be of great interest to all who remember Congressman Weltner's service with high regard and affection. The article follows:

[From the Atlanta Journal, July 30, 1969]

VOTING RIGHTS ACT A SUCCESS

(By Charles Longstreet Weltner)

Sometimes it's hard to understand what they mean in Washington—for instance, Sen. Sam Ervin of North Carolina on proposals to extend the Voting Rights Act of 1965.

Opening hearings of the Senate Judiciary Committee on July 9th, Ervin said: "The law has served its stated purposes and served them well. The proposal to extend the act five years more is a cynical effort to keep these states under federal supervision despite the fact that they have fully conformed to the terms and goals of the law."

A Washington daily reports: "Ervin said the 'repressive' law has already done its work, turning parts of his State and the six others into 'conquered provinces' by enrolling 800,000 new Negro voters."

Now, that's a bit confusing. If the law has "served its stated purposes and served them well," as the senator says, it is not only a very unusual law, but about the only civil rights law that has produced any civil rights. And if the states involved have complied with it and are still standing—contrary to dire prediction—how is anyone hurt by its extension?

That is not answered. We do learn, however, that Georgia, South Carolina, Alabama, Mississippi, Louisiana, Virginia and 39 counties in North Carolina are "conquered provinces" because they have, between them, 800,000 more Negro voters than in 1965.

It's hard to see just who has done the conquering here, with Lester Maddox, John Bell Williams, Strom Thurmond, and all the others still doing pretty well in the provinces, and George Wallace carrying five of them last fall.

Charles Evers did win the mayor's office in Fayette, Miss. (Pop. 1,626), but that hardly makes him King on the Hill.

The Nixon administration is having its own difficulties with the Voting Rights Act. Atty. Gen. Mitchell five times postponed scheduled appearances before the Congress to testify. Finally, he came up with a recommendation to ban literacy tests nationwide, and to create a National Voting Advisory Commission to examine vote frauds, whether racial or just crooked.

At first glance, it sounds like the Nixon team finally figured out something fairly reasonable to say, notwithstanding its delay and its heavy debt to Strom.

They made no recommendations, however, for additional staffing, notwithstanding the present number of examiners would be responsible for 43 additional states, as well as continuing in the Deep South.

But mainly, the whole package doesn't make any sense, because there is no sense of having examiners except where they are. Hence, the Mitchell plan could take them away from where they are needed and send them to where they are plainly useless.

And the Voting Advisory Commission? Odds are very heavy that the first stop would be Cook County, Ill. (Republicans have never understood that a massive Democratic majority is not necessarily equivalent to massive Democratic corruption).

In the meantime, a few facts might serve: Last summer Negro registration, "provinces"-wide was 1,617,000, or 57 per cent of those eligible by age to vote—up from 877,000 or 30.9 per cent, before passage of the act.

Mississippi in 1965 had 8.3 per cent of age-eligible blacks on voting rolls; now it has 59.4 per cent.

Georgia, by contrast, had 41.4 per cent in 1965, and is now up to 56.1 per cent. Three counties only in Georgia have had federal examiners—Terrell, Lee, and Screven—contrary to popular idea that every militia district is overrun with federal agents.

The 1965 act is the only real success in a hundred years of civil rights legislation, including specific voting rights legislation in 1957 and 1960. That's because it does what needs to be done where it needs to be done.

Anyway, what's wrong with letting people vote?

DEMOCRACY IN ACTION

HON. FRED SCHWENDEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SCHWENDEL. Mr. Speaker, I recently received a copy of a letter written by a high school student in my district, Mr. David Sallen, to President Nixon. It seems to me that one of the most effective methods of developing the interest of our young people in government is to encourage them to communicate their views to our elected officials. Thus it is with a view to encouraging young people such as Mr. Sallen that I insert his letter in the RECORD:

FORT MADISON, IOWA.

DEAR PRESIDENT NIXON: I am a great admirer of the Presidency. When you became President, a great honor was bestowed upon you and just as equally you received a great responsibility. A year ago I prayed for a good and honorable successor to President Johnson. Up to now you have fulfilled our country's hopes. You have added respect to our nation. You have traveled far and wide for the sake of peace between men as illustrated in your journeys to Europe and the Pacific. You have done many needs for peace, but I ask that you do one more: Please, President

Nixon, end the war in Viet-Nam very, very soon. Today is Sunday, July 20, 1969, and three brave men are landing on the moon. Also in far off Southeast Asia, today is another dark Sunday, the beginning of another dark week in which over two hundred brave young men—Americans who have almost their whole life ahead of them—will die and be sent home to be buried by their parents and friends. *Why? Why, Mr. President, must this happen? It isn't fair to let these boys die!*

Many young men such as myself who are in their middle teens must risk their future. We can not decide when we want to go to college for we have no choice—it's either to college or to the armed forces immediately after high school graduation.

I trust, Mr. President, that you will end the war quickly, for it is causing many tragedies and much anguish.

May God bless you.

Sincerely yours,

DAVID URBAN SALLEN.

PRESERVING OUR NATION'S WILDERNESS AREAS

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SAYLOR. Mr. Speaker, this Nation has a duty and responsibility to the unborn generations of Americans to preserve and protect the wilderness areas which, unless protected, will disappear in exact proportion to the demand for land or the services that can be gleaned from such areas.

To protect America's wilderness areas, we need a new kind of commitment to conquest. We need to conquer our insatiable American appetite to bend, fold, and mutilate every conceivable natural resource for the transitory satiation of a physical or material desire. Who would put a price tag on the stillness of a forest? What is the economic demand for the feel of a forest breeze? Who will give us a cost analysis of the sun streaming through the trees at dawn? Who dares to quantify the sights, smells, and sounds of the wilderness? Poets and artists have perhaps captured the essence of this natural American heritage but it is up to the Congress to make sure that that which has been glorified in art and literature is not physically lost or destroyed.

One may say that the person who challenges nature on its own terms is merely acting but one more characteristic chapter in the American psychological and physical struggle to best the elements, but my own view is that he is seeking something more profound, and that is, an appreciation of the wonders of the land beheld without benefit of contrivance or convenience. Perhaps it is a seeking for a spiritual renewal; certainly, there is a need for such renewal. Consider for yourself the difference between seeing a doe dart away from a busy highway in our national parks and walking upon a doe drinking from a stream in the depths of a forest where the only sound is that made by the rustle of underbrush against your legs. There is no comparison. One estimate shows that over a million people a year seek the comfort of roughing it in the Nation's wilderness

areas—only in our wilderness areas can they hope to find that physical and mental change of pace which produces spiritual renewal.

According to the Forest Service, the number of people using our wilderness areas each year is increasing faster than those persons who use our national park and recreation areas. We must provide for that increasing number and that means a commitment to purchase and otherwise protect the areas. In a tight budget year, there is always a necessity to search extra hard for Federal programs to cut back; there are obvious areas ripe for such pruning, but it is my hope that the Congress will consider the future of our wilderness areas as a "top priority" item in any budget considerations.

One of the best explanations of one of the reasons why we need to increase and protect the Nation's wilderness areas was recently published in the Wall Street Journal. The article "The Call of the Wild," is convincing on our duty toward wilderness areas; it may even suggest to our colleagues a type of vacation which I have found to be the most restful and fulfilling possible. The article follows:

THE CALL OF THE WILD: MANY AMERICANS, TIRED OF CROWDS AND CITIES, VACATION IN WILDERNESS—PERILS, INCLUDING MOSQUITOES, DON'T DISCOURAGE CAMPERS; U.S. MAY ADD MORE SITES—A GUIDE CATCHES THE MEASLES

(By Richard D. James)

ELY, MINN.—When the Ken Ropers of Springfield, Va., said they wanted to get away from it all, they really meant it. A few weeks ago, they gathered their two daughters, loaded tents, sleeping bags, air mattresses and other camping gear into their station wagon and drove 1,200 miles to this north woods town of 5,000. Then they transferred everything to a 17-foot canoe and paddled off to spend five days in a roadless wilderness known as the Boundary Waters Canoe Area. It comprises 1,100 square miles on the Canadian border.

"We've camped for 16 years and in nearly all the national parks," says Mr. Roper, a lieutenant colonel in the Army Corps of Engineers. "But lately they're getting so crowded it's like being in downtown Washington, D.C. So we decided to head for the back country." He swings an arm out to indicate the uninhabited miles of spruce, jack pine, lakes and rivers about him. "This really gives me a sense of freedom."

The Ropers aren't the only ones responding to the call of the wild these days. Increasing urbanization is prompting more and more people to get away from it all during vacations, and with national parks and other popular areas filled to overflowing they're increasingly turning to the country's last remaining wildernesses—15,000 square miles of land in 14 states that have been set aside and preserved in their primeval state by the Federal Government. The 58 areas, mainly in the West, are accessible only on foot or horseback or by canoe.

COMPETING WITH MOTHER NATURE

"There's been a dramatic increase in the use of these areas, especially in the past four or five years, and we don't see any leveling off," says Ray Karr, head of the U.S. Forest Service branch that administers the land. The Forest Service is considering adding 30 other sites, totaling 7,000 square miles, to the system.

The Forest Service says an estimated 1.2 million people will visit U.S. wildernesses this year, about double the number of five years ago. The total is still far below the 45 million people expected to trek to the nation's 35 na-

tional parks, but the number of wilderness users is rising twice as fast as the number of park visitors.

The areas attract people for many reasons, besides the urge to get away from noisy neighbors and crowded cities. "There's something very satisfying about competing with Mother Nature," says Mrs. Marjorie Steurt, an 81-year-old retired school teacher from Hemet, Calif., who has taken three wilderness trips. Rosalind Cartwright, a University of Illinois psychologist, says, "In the wilderness, people have to do everything for themselves, and they get great satisfaction from doing very simple things, like cooking a meal."

She adds: "There's no place in the wilderness for a computer."

RAVES AND BITES

Whatever the reasons—Nebraska meat wholesaler Stanley Sands says wilderness vacations strengthen family ties with "a camaraderie you can't get anywhere else"—most of the people who journey to the wildernesses come back with nothing but raves (and mosquito bites). But, they warn, the wilderness is no place for people who don't like roughing it.

Not only are there no roads, but no stores to supply food or other necessities, no bathrooms—not even outhouses—no tables, no cooking grates and no wells. Campers must build their own fireplaces from whatever rocks are handy. Streams and lakes supply the drinking, cooking and bathing water.

Like the Ropers of Virginia, most wilderness visitors travel in small family parties, but growing interest has led conservation groups to organize larger wilderness trips. This year, for instance, more than 800 persons will take trips in groups of about 30 sponsored by the American Forestry Association, a private group. For a close look at what it's like in the wilderness, join the group for part of its 10-day trip into the Boundary Waters area here, the most heavily used of all U.S. wilderness areas.

IN HISTORY'S STEPS

The 29-member party, including four guides and six women (the 81-year-old Mrs. Steurt among them), leaves from Fall Lake, 10 miles northeast of Ely, early on a Tuesday morning. Three motor launches hired from outfitter Jon Waters quickly carry the group, its packs and canoes 2 miles into the interior to a jumping-off spot just above Upper Basswood Falls on the Basswood River. The river marks the Canadian boundary at this point, and in the 17th, 18th and early 19th centuries it was a major highway for French voyageurs, who paddled birchbark canoes laden with beaver, mink, and ermine pelts.

Besides the launches and the guides, the outfitter has supplied sleeping bags, packs for personal belongings and all the equipment and food for the 10 days. (The guides do all the cooking.) The cost to each person: \$280. (For a smaller group, the charge for complete outfitting is \$9 per person per day, plus \$25 a day if they want a guide. Most small groups don't take a guide.)

At times, wilderness travel is grueling work, and visitors on this trip get their first taste of it at Upper Basswood. This is the first of the day's six portages, and more than 3,500 pounds of gear and food must be shouldered for about 300 yards. Each of the 12 canoes is carried by one man, and for a novice to swing this awkward 80-pound load over his head takes considerable grunting and staggering about. The yokes of the canoes, even though padded, chafe the shoulders. Besides the canoes, 65 packs, averaging 40 pounds each, wait to be portaged. The women carry their own; most men lug two at a time, and some have to make more than one trip.

Leather shoulder straps on the packs bite into tender muscles. Adding to the adventure is the fact that recent rains have made the portage slippery with mud.

At such points, wilderness campers quickly learn to appreciate little things taken for

granted in more everyday settings—for instance, the delicious taste of a bologna and cheese sandwich washed down with grape Kool-Aid that is served for lunch following the first portage.

Dr. Earl B. Thompson, a physician from Silver Spring, Md., who has visited four wilderness areas, recalls that for him a highlight of a horseback trip into a Montana wilderness last year occurred after four hot, dusty days on the trail when "the trip director dug down to the bottom of his pack and handed me a can of beer. It was the most beautiful sight in the world."

SQUISH, SQUISH, SQUISH

After lunch, the party pushes on. At one point, because the river is low, it's necessary to get out of the canoes and pull them over barely submerged rocks. Boots fill with icy water, and on the next portage the canoeists plod along the trail to a rhythmic squish, squish, squish.

"If you're worried about getting your feet wet, you won't have any fun on this trip," advises Erik Evenson, an 18-year-old guide from Northfield, Minn., (which despite its name is in southern Minnesota).

Further downstream comes a warning that the wilderness is no place for carelessness. Three men in one canoe have failed to paddle far enough upstream above a rapids, and the current sweeps them sideways to the lip of the rapids and onto a rock, where the canoe sticks. None is wearing a life jacket, contrary to instructions. Guides shout at them to put on the jackets, which they do. Finally, after what seems like a long time, they break free and paddle furiously to reach the river bank.

Later, chief guide Bob Hayes, a former Canadian forest ranger, tells of the danger the men were in. "If the canoe had capsized, the rapids are so deep and fast at that point that the men would have stood little chance of getting out alive." He mentions that earlier this year a Nebraska physician drowned in the same area when his aluminum canoe was torn in two by the rolling water and rocks.

There are no statistics on the number of people killed or injured on wilderness trips in the U.S. but danger is never far away. On this trip, for instance, one camper slashed his thumb badly with an ax on his first day out.

A BAD PLACE FOR THE MEASLES

This group is accompanied by a San Francisco heart surgeon, Dr. Howard Denbo Jr., who received a free trip in return for being on hand to treat any medical emergencies. If someone needs to be evacuated, he has been instructed to build a smudge fire that, it is hoped, would be seen by a ranger in a watch tower. Even so, it would still take a day to get a pontoon airplane into the area.

Erik Evenson, the young guide, says that last year he caught the measles on one excursion. No plane came, so he had to be taken out by canoe, a 40-mile trip that required 17 hours of nonstop paddling.

Wild game of all types abounds in wilderness areas, and visitors frequently encounter it. Gathering fire wood one evening, one woman on this trip stumbled onto a doe feeding in a clearing. "We looked at each other for a minute, both very wide-eyed," she says. "Then her snow-white tail fanned out and she bounded off. She was beautiful."

Not all encounters are so pleasant. Robert Duboc, a Kansas City, Mo., lawyer, recalls that several years ago he and his family were camped on an island when a man paddled by and warned them that a bear was working its way down the shore toward them. "We figured he smelled the food, so we rigged the food pack on a rope 50 feet up in a tree where he couldn't get it and kept it there for the three days we stayed," Mr. Duboc recalls. "We never did see the bear, but getting something to eat was sure a nuisance."

BEARS AND MOSQUITOES

To insure against bears raiding the food on this trip, two or three canoes were lashed down on the top of the food packs each evening. "That wouldn't keep a 500-pound black bear out," says Mr. Hayes, the chief guide, "but he'd make enough noise to wake us so we could scare him off."

But the only wildlife that anybody has to battle on this trip is mosquitoes, which in upper Minnesota seem to approach the size of eagles. On this trip, canoeists quickly learn to swat the pests without even breaking the rhythm of their paddling. A supply of repellent is as essential as a compass, and one family of three consumed a \$6 supply in four days.

The compass is necessary, too. In areas as trackless as the Boundary Waters wilderness, getting lost is always a threat, and even the guides carry maps and compasses. Sometimes, even the guides get lost. Mr. Sands, the Nebraska meat wholesaler, says that he and 20 other people, including a guide, were lost overnight last year in a wilderness in northern Colorado.

"We were in an area of downed timber, and every direction we went looked the same," he says. The men with the pack horses had taken a different route, and so the group had no tents or food except bullion cubes. "We rationed those out every four hours and spent the night around a big fire. It got pretty cold."

Finally, the next morning the group was found by a search party organized by wranglers accompanying the horses. "There was no panic. Everybody was very philosophical about the experience," says Mr. Sands. "My boys thought it was great. They'd like to get lost on every trip."

U.S. EDUCATION COMMISSIONER JAMES E. ALLEN URGES INCREASED ATTENTION TO APPLICATION OF EDUCATIONAL RESEARCH

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BRADEMAS. Mr. Speaker, on July 17, 1969, the distinguished Assistant Secretary of Health, Education, and Welfare for Education and Commissioner of Education, the Honorable James E. Allen, Jr., delivered a significant address at the Conference on American Education sponsored by the National Network of Regional Educational Laboratories here in Washington, D.C. Of particular interest in the Commissioner's remarks were his discussions of the need for practical application of the results of educational research.

Mr. Speaker, at this point I insert the text of Mr. Allen's address in the RECORD:

STRENGTHENING EDUCATIONAL RESEARCH AND DEVELOPMENT

(Remarks by James E. Allen, Jr.)

It is a privilege to be with you today to share in your conference. This gathering has tremendous potential for the future development of American education, for as key figures in Government, industry and the academic community and as leaders in educational research and development, you can provide powerful leverage for raising the quality of our instructional system.

There is no need for me to give a sales talk to this group on the importance of research and development in the field of education. Although traditional ways and methods still

persist, and although there is still resistance to change, the winds of change in education have never blown so strongly as they now do. It is obvious that if all this movement is not to result in a shaking up that settles back into a mere rearrangement of the old, or in a "change for change's sake" approach that may or may not produce constructive results, the research and development activities throughout the Nation are going to have to be strengthened.

The approach that may be most helpful in securing the degree and quality of research we know to be necessary is to consider the question of why, in a situation, every aspect of which emphasizes the importance of a vigorous, widespread program of research and development, do we not yet have it.

This is not to disparage the progress attained in educational research and development. Measured against the past, the progress has been tremendous, but placed in the perspective of the future, it is too little and too slow.

LACK OF SUPPORT FOR RESEARCH

The basic reason is lack of support—the support of sufficient money and the support of philosophical commitment. This answer, of course, only produces the further question of why have we not been able to secure the necessary support?—and this brings us, as the young people say, down to the "nitty-gritty."

In all frankness, we must acknowledge that a major cause for the difficulty in securing support for research and development is that our efforts thus far have not produced convincing results. Whether the judgment be fair or not, too many of those who play a part in determining the support for research and development in the field of education are not sufficiently sold on its value to give it full and enthusiastic backing.

There is, of course, something of the vicious circle here—more support would produce better results which would bring more support—and around we go. But a waiting game of this sort cannot answer the urgencies of our educational needs. We must in some manner produce the convincing results that will build an active constituency for a much larger program of research and development.

NEED FOR APPLIED RESEARCH

Since Sputnik and the National Defense Education Act, legislation at both the State and Federal levels has, in varying degrees, emphasized research. This emphasis has produced some exciting programs but despite vigorous efforts of such groups as the National Network of Regional Educational Laboratories, the Research and Development Centers and other formal efforts, their application has been severely limited and their effect almost obscured in the "business-as-usual" atmosphere that exists in too many of our schools.

A recent national survey of school practices and attitudes, asking school administrators and their staffs to identify recent educational research and development results or products that have had or will have widespread influence on school practices throughout the Nation, found two-thirds of the respondents unable to identify even one such advance. The vast majority of school systems surveyed had had no experience with nongraded sequences, programmed instruction, modular scheduling, instructional television, or team teaching—all of which are now familiar, well-tried parts of instructional practice.

It would seem that much of what we have so laboriously learned about educational theory and practice has been—to say the least—underadvertised, poorly packaged, and thinly distributed.

Thus, our first goal must be to get the good, new ideas and practices into use—and get them there quickly.

A TARGETED APPROACH

Equally important in producing convincing results is to bring research and development from the periphery of educational endeavor into the heart of it, where it belongs. In both the facilities and personnel of research and development programs there has been a tendency to make do or adapt rather than to seek the specialized and targeted approach that will know how to ask those questions about our schools that will reveal the basically important needs and then proceed to find the answers. This kind of approach, as it produces research that can stand clearly and convincingly as a foundation for educational change, will help to dispel the criticism of those who see research as too much involved with the latest technological fad or whim of the moment.

SHARPENING EVALUATION TECHNIQUES

Of great importance also to building a constituency for research is the sharpening of our evaluation techniques. Here education suffers, for so much of its good is immeasurable. But though difficult, evaluation is certainly not impossible and the educational community must be willing to cooperate in both creating and using procedures that will demonstrate the usefulness of new methods and programs.

Concentrating our efforts on dissemination, improvement of research techniques and practices, and evaluation, we can build a constituency for research that will give us the increased support so desperately needed.

I know that the adjective "desperate" has been so over-used as to somewhat diminish its effect, but in speaking of the need for educational research its full meaning is certainly justified. The broader concepts of education's purpose that are shaping our efforts today are creating problems so new and different that past experience alone can no longer be a reliable guide.

NEW STEPS AT THE OFFICE OF EDUCATION

In saying these things to you, I am also saying them to myself, for in assuming the Office of Commissioner of Education and Assistant Secretary, I do not envision my task as merely administering a collection of programs in a status quo fashion. Rather, I see the future of the Office of Education and the whole scope of Federal educational involvement as being dedicated to a strong advocacy for relevance and change, and to the development of a nationwide strategy for the improvement of every level of our educational enterprise.

Since I believe that such advocacy and such a strategy are dependent in the most fundamental way on research and development, I have been considering how this program of the Office of Education could be more effective both in its specialized function and as an agent for gathering increased support for the whole effort of educational research and development throughout the Nation.

A study has been made of the organizational structure of the Office of Education and the Office of the Assistant Secretary for Education to determine how we might synthesize our efforts to achieve greater impact on current instructional practice and assure improvements in the future.

Out of this study has come a decision to make certain organizational changes designed to enhance our internal operations and to broaden the Office of Education's capacity for stimulating constructive innovations and the application of those innovations in our schools and colleges.

The planning, research, and evaluation units within the Office of Education will be consolidated into a single unit under the newly established position of Deputy Assistant Secretary for Educational Planning, Research, and Evaluation. This new enterprise will bring together the Bureau of Re-

search, the Office of Program Planning and Evaluation, and the National Center for Educational Statistics. To these activities will be added—sometime in the near future—a special dissemination unit that will focus on transmitting information about new educational materials and practices.

The new Deputy Assistant Secretary will report directly to me and will have the basic responsibility of making the Office of Education a strong advocate of change and relevance in education. Pending announcement of the appointment to this newly instituted position, I have asked Dr. James J. Gallagher, Associate Commissioner in charge of our Bureau of Education for the Handicapped, to take on the responsibility of organizing the new Planning, Research, and Evaluation activity.

Thus organized, the research and development program of the Office of Education will be, I hope, the source and inspiration of Federal action that will encourage research and development by supporting projects that are focused on immediate, urgent educational needs, by participating in efforts to increase consumer confidence in the value of and need for strengthening research and development, and by seeking greater financial support.

THE FUTURE

Despite the discouragement of the stubborn persistence of the statistic which shows less than one percent of the educational dollar being spent on research and research-related activities, I believe that optimism is justified. Strong, almost irresistible forces for change are at work and if we can combine the strength of these forces with the strength of a revitalized and broadly applied program of research and development, we will see that percentage figure rise to a more appropriate and realistic level.

In conclusion, let me assure you that the Office of Education will be concentrating on the strengthening of not only its own program of research and development but also on the cooperative nationwide effort that will remove those restrictions and conditions in research and development which are now forcing us to face the question I earlier posed: Why, in a situation, every aspect of which emphasizes the importance of a vigorous, widespread research and development program, we do not yet have it?

MILITARY TECHNOLOGY AND NATIONAL SECURITY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. RYAN. Mr. Speaker, during the current session of Congress, both the House and the other body have begun to take a hard look at many aspects of the military complex. The administration's proposed Safeguard anti-ballistic-missile system was subjected to considerable debate and scrutiny in the other body, as were other Pentagon programs.

In the House many Members, including myself, have raised serious questions about the nature of and need for chemical and biological warfare research. As a result of these questions, and the growing public concern about the continuation of chemical biological warfare research, the Senate Armed Services Committee deleted the Pentagon's request for research and development funds for fiscal year 1970 for chemical and biological warfare.

While Congress has not yet succeeded

in reducing the military budget and bringing the military under strict control, the new attitude of critical evaluation of Pentagon programs evident in Congress is an encouraging sign. For I believe that, when Congress takes a thorough and hard look at the military budget, it will discover numerous areas in which large reductions can be made.

Beyond the examination of individual military programs which must go on, however, Congress must also examine the foundations upon which our present national security system is built. In the last decade we have spent billions on new weapons systems. And yet today, we are seemingly no more secure than we were in 1960. Will we spend billions more in the next decade on still more weapons systems and hardware in the notion that more arms will lead to more security? Or will we instead concentrate our energies on seeking out ways of deescalating the arms race and diminishing the international tensions and conflicts that might lead one country to make use of its nuclear arsenal?

As has been pointed out forcefully by several observers, national security involves more than the assurance that our weapons and arms technology are constantly proliferating. It involves also the strength of our society here at home, the ability of government at the local, State and Federal level to cope with pressing social and economic problems, and the morale of our people. In short, all the weapons systems in the world will not increase our security if the state of our society here at home is not secure.

The dilemma of growing military power and steadily decreasing national security has been discussed with especial perception in a recent article by Herbert F. York, the former director of defense research and engineering in the office of the Secretary of Defense, which appeared in the August 1969, issue of *Scientific American*. The perspective Dr. York's article treats such proposals as the Safeguard anti-ballistic-missile system, including his analysis of the efforts of the Pentagon to impose technical solutions on political problems, should be given careful attention by those concerned with evaluating our present national security system.

The article follows:

MILITARY TECHNOLOGY AND NATIONAL SECURITY

(By Herbert F. York)

The recent public hearings in the Senate and the House of Representatives on anti-ballistic-missile (ABM) systems have provided an unprecedented opportunity to expose to the people of this country and the world the inner workings of one of the dominant features of our time: the strategic arms race. Testimony has been given by a wide range of witnesses concerning the development and deployment of all kinds of offensive and defensive nuclear weapons; particular attention has been paid to the interaction between decisions in these matters and the dynamics of the arms race as a whole.

In my view the ABM issue is only a detail in a much larger problem: the feasibility of a purely technological approach to national security. What makes the ABM debate so important is that for the first time it has been possible to discuss a major aspect of this larger problem entirely in public. The reason for this is that nearly all the rele-

vant facts about the proposed ABM systems either are already declassified or can easily be deduced from logical concepts that have never been classified. Thus it has been possible to consider in a particular case such questions as the following:

1. To what extent is the increasing complexity of modern weapons systems and the need for instant response causing strategic decision-making authority to pass from high political levels to low military-command levels, and from human beings to machines?

2. To what extent is the factor of secrecy combined with complexity leading to a steadily increasing dominance of military-oriented technicians in some vital areas of decision-making?

3. To what extent do increasing numbers of weapons and increasing complexity—in and of themselves—complicate and accelerate the arms race?

My own conclusion is that the ABM issue constitutes a particularly clear example of the futility of searching for technical solutions to what is essentially a political problem, namely the problem of national security. In support of this conclusion I propose in this article to review the recent history of the strategic arms race, to evaluate what the recent hearings and other public discussions have revealed about its present status and future prospects, and then to suggest what might be done now to deal with the problem of national security in a more rational manner.

The strategic arms race in its present form is a comparatively recent phenomenon. It began in the early 1950's, when it became evident that the state of the art in nuclear weaponry, rocket propulsion and missile guidance and control had reached the point in the U.S. where a strategically useful intercontinental ballistic missile (ICBM) could be built. At about the same time the fact that a major long-range-missile development program was in progress in the U.S.S.R. was confirmed. As a result of the confluence of these two events the tremendous U.S. long-range-missile program, which dominated the technological scene for more than a decade, was undertaken. The Air Force's Thor, Atlas and Titan programs and the Army's Jupiter program were started almost simultaneously; the Navy's Polaris program and the Air Force's Minuteman program were phased in just a few years later.

More or less at the same time the Army, which had had the responsibility for ground-based air defense (including the Nike Ajax and Nike Hercules surface-to-air missiles, or SAM's), began to study the problem of how to intercept ICBM's, and soon afterward initiated the Nike Zeus program. This program was a straightforward attempt to use existing technology in the design of a nuclear-armed rocket for the purpose of intercepting an uncomplicated incoming warhead. The Air Force proposed more exotic solutions to the missile-defense problem, but these were subsequently absorbed into the Defender Program of the Department of Defense's Advanced Research Projects Agency (ARPA). The Defender Program included the study of designs more advanced than Nike Zeus, and it also incorporated a program of down-range measurements designed to find out what did in fact go on during the terminal phases of missile flight.

By 1960 indications that the Russians were taking the ABM prospect seriously, in addition to progress in our own Nike Zeus program, stimulated our offensive-missile designers into seriously studying the problem of how to penetrate missile defenses. Very quickly a host of "penetration aid" concepts came to light: light and heavy decoys, including balloons, tank fragments and objects resembling children's jacks; electronic countermeasures, including radar-reflecting clouds of the small wires called chaff; radar blackout by means of high-altitude nuclear explosions; tactics such as barrage, local ex-

haustion and "rollback" of the defense, and, most important insofar as the then unforeseen consequences were concerned, the notion of putting more than one warhead on one launch vehicle. At first this notion simply involved a "shotgun" technique, good only against large-area targets (cities), but it soon developed into what we now call MIRV's (multiple independently targeted reentry vehicles), which can in principle (and soon in practice) be used against smaller, harder targets such as missile silos, radars and command centers.

This avalanche of concepts forced the ABM designers to go back to the drawing board, and as a result the Nike-X concept was born in 1962. The Nike-X designers attempted to make use of more sophisticated and up-to-date technology in the design of a system that they hoped might be able to cope with a large, sophisticated attack. All through the mid-1960's a vigorous battle of defensive concepts and designs versus offensive concepts and designs took place. This battle was waged partly on the Pacific Missile Range but mostly on paper and in committee meetings. It took place generally in secret, although parts of it have been discussed in earlier articles in this magazine [see "National Security and the Nuclear-Test Ban," by Jerome B. Wiesner and Herbert F. York, October, 1964; "Anti-Ballistic-Missile Systems," by Richard L. Garwin and Hans A. Bethe, March, 1968; "The Dynamics of the Arms Race," by George W. Rathjens, April, 1969].

This intellectual battle culminated in a meeting that took place in the White House in January, 1967. In addition to President Johnson, Secretary of Defense Robert S. McNamara and the Joint Chiefs of Staff there were present all past and current Special Assistants to the President for Science and Technology (James R. Killian, Jr., George B. Kistakowsky, Jerome B. Wiesner and Donald F. Hornig) and all past and current Directors of Defense Research and Engineering (Harold Brown, John S. Foster, Jr., and myself). We were asked that simple kind of question which must be answered after all the complicated ifs, ands and buts have been discussed: "Will it work?" The answer was no, and there was no dissent from that answer. The context, of course, was the Russian threat as it was then interpreted and forecast, and the current and projected state of our own ABM technology.

Later that year Secretary McNamara gave his famous San Francisco speech in which he reiterated his belief that we could not build an ABM system capable of protecting us from destruction in the event of a Russian attack. For the first time, however, he stated that he did believe we could build an ABM system able to cope with a hypothetical Chinese missile attack, which by definition would be "light" and uncomplicated. In recommending that we go ahead with a program to build what came to be known as the Sentinel system, he said that "there are marginal grounds for concluding that a light deployment of U.S. ABM's against this possibility is prudent." A few sentences later, however, he warned: "The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system." The record makes it clear that he was quite right in this prediction.

Meanwhile the U.S.S.R. was going ahead with its own ABM program. The Russian program proceeded by fits and starts, and our understanding of it was, as might be supposed in such a situation, even more erratic. It is now generally agreed that the only ABM system the Russians have deployed is an area defense around Moscow much like our old Nike Zeus system. It appears to have virtually no capability against our offense, and it has been, as we shall see below, extremely counter-productive insofar as its goal of defending Moscow is concerned.

Development and deployment of offensive-weapons systems on both sides progressed rapidly during the 1960's, but rather than discuss these historically I shall go directly to the picture that the Administration has given of the present status and future projection of such forces.

Data recently presented by the Department of Defense show that the U.S. and the U.S.S.R. are about even in numbers of intercontinental missiles, and that the U.S. is ahead in both long-range aircraft and submarines of the Polaris type [see illustration on this page]. The small Russian missiles are mostly what we call SS-11's, which were described in the hearings as being roughly the equivalent of our Minutemen. The large Russian missile is what we call the SS-9. Deputy Secretary of Defense David Packard characterized its capability as one 20-megaton warhead or three five-megaton warheads. Our own missiles are almost entirely the smaller Minutemen. There currently remain only 54 of the larger Titans in our strategic forces. Not covered in the table are "extras" such as the U.S.S.R.'s FOBS (fractional orbital bombardment system) and IRBM's (intermediate-range ballistic missiles), nor the U.S.'s bombardment aircraft deployed on carriers and overseas bases in Europe and elsewhere. There are of course, many important details that do not come out clearly in such a simple tabular presentation; these include payload capacity, warhead yield, number of warheads per missile and, often the most important, warhead accuracy.

In the area of defensive systems designed to cope with the offensive systems outlined above, both the U.S. and the U.S.S.R. have defenses against bombers that would probably be adequate against a prolonged attack using chemical explosives (where 10 percent attrition is enough) and almost certainly inadequate against a nuclear attack (where 10 percent penetration is enough). In addition the U.S.S.R. has its ineffective ABM deployment around Moscow, usually estimated as consisting of fewer than 100 antimissile missiles.

What all these complicated details add up to can be expressed in a single word: parity. This is clearly not numerical equality in the number of warheads or in the number of megatons or in the total "throw weight"; in fact, given different design approaches on the two sides, simultaneous equality in these three figures is entirely impossible. It is, rather, parity with respect to strategic objectives; that is, in each case these forces are easily sufficient for deterrence and entirely insufficient for a successful preemptive strike. In the jargon of strategic studies either side would retain, after a massive "first strike" by the other, a sufficiently large "assured destruction capability" against the other in order to deter such a first strike being made.

There is much argument about exactly what it takes in the way of "assured destruction capability" in order to deter, but even the most conservative strategic planners conclude that the threat of only a few hundred warheads exploding over population and industrial centers would be sufficient for the purpose. The large growing disparity between the number of warheads needed for the purpose and the number actually possessed by each side is what leads to the concept of "overkill." If present trends continue, in the future all or most missiles will be MIRVed, and so this overkill will be increased by perhaps another order of magnitude.

Here let me note that it is sometimes argued that there is a disparity in the present situation because Russian missile warheads are said to be bigger than U.S. warheads, both in weight and megatonnage; similarly, it is argued that MIRVing does not increase overkill because total yield is reduced in going from single to multiple warheads. This argument is based on the false notion that the individual MIRV warheads of the future will

be "small" when measured against the purpose assigned to them. Against large, "soft" targets such as cities bombs very much smaller than those that could be used as components of MIRV's are (and in the case of Hiroshima were proved to be) entirely adequate for destroying the heart of a city and killing hundreds of thousands of people. Furthermore, in the case of small, "hard" targets such as missile silos, command posts and other military installations, having explosions bigger than those for which the "kill," or crater, radius slightly exceeds "circular error probable" (CEP) adds little to the probability of destroying such targets. Crater radius depends roughly on the cube root of the explosive power; consequently, if during the period when technology allows us to go from one to 10 warheads per missile it also allows us to improve accuracy by a little more than twofold, the "kill" per warhead will remain nearly the same in most cases, whereas the number of warheads increases tenfold.

In any case, it is fair to say that in spite of a number of such arguments about details, nearly everyone who testified at the ABM hearings agreed that the present situation is one in which each side possesses forces adequate to deter the other. In short, we now have parity in the only sense that ultimately counts.

Several forecasts have been made of what the strategic-weapons situation will be in the mid-1970's. In most respects here again there is quite general agreement. Part of the presentation by Deputy Secretary Packard to the Senate Foreign Relations Committee on March 26 were two graphs showing the trends in numbers of deployed offensive missiles beginning in 1965 and extending to 1975 [see illustrations on page 19]. There is no serious debate about the basic features of these graphs. It is agreed by all that in the recent past the U.S. has been far ahead of the U.S.S.R. in all areas, and that the Russians began a rapid deployment program a few years ago that will bring them even with us in ICBM's quite soon and that, if extended ahead without any slowdown, would bring them even in submarine-launched ballistic missiles (SLBM's) sometime between 1971 and 1977.

One important factor that the Department omitted from its graphs is MIRV. Deployment plans for MIRV's have not been released by either the U.S. or the U.S.S.R., although various rough projections were made at the hearings about numbers of warheads per vehicle (three to 10), about accuracies (figures around half a mile were often mentioned, and it was implied that U.S. accuracies were better than Russian ones) and about development status (the U.S. was said to be ahead in developments in this field). A pair of charts emphasizing the impact of MIRV was prepared by the staff of the Senate Foreign Relations Committee.

One could argue with both of these sets of charts. For example, one might wonder why the Senate charts show so few warheads on the Russian Polaris-type submarine and why they show only three MIRV's on U.S. Minutemen; on the other hand, one might wonder whether the Department of Defense's projected buildup of the Russian Polaris fleet could be that fast, or whether one should count the older Russian missile submarines. Nonetheless, the general picture presented cannot be far wrong. Moreover, the central arguments pursued throughout the ABM hearings (in both the Senate Foreign Relations Committee hearings in March and the Senate Armed Services Committee hearings in April) were not primarily concerned with these numerical matters. Rather, they were concerned with (1) Secretary of Defense Melvin R. Laird's interpretation of these numbers insofar as Russian initiatives were concerned, (2) the validity of the Safeguard ABM system as a response to the purported strategic problems of the 1970's and (3) the arms-race implications of Safeguard.

As for the matter of intentions, those favoring the ABM concept generally held that the only "rational" explanation of the Russians' recent SS-9 buildup, coupled with their multiple-warhead development program and the Moscow ABM system, was that they were aiming for a first-strike capability. One must admit that almost anything is conceivable as far as intentions are concerned, but there certainly are simpler, and it seems to me much more likely, explanations. The simplest of all is contained in Deputy Secretary Packard's chart. The most surprising feature of this chart is the fact that the Russians were evidently satisfied with being such a poor second for such a long time. This is made more puzzling by the fact that all during this period U.S. defense officials found it necessary to boast about how far ahead we were in order to be able to resist internal pressures for still greater expansion of our offensive forces.

Another possible reason, and one that I believe added to the other in the minds of the Russian planners, was that their strategists concluded in the mid-1960's that, whatever the top officials here might say, certain elements would eventually succeed in getting a large-scale ABM system built, and that penetration-aid devices, including multiple warheads, would be needed to meet the challenge. Whether or not they were correct in this latter hypothetical analysis is still uncertain at this writing. Let us, however, pass on from this question of someone else's intentions and consider whether or not the proposed Safeguard ABM system is a valid, rational and necessary response to the Russian deployments and developments outlined above.

To many of those who have recently written favorably about ABM defenses or who have testified in their favor before the Congressional committees, Safeguard is supported mainly as a prototype of something else: a "thick" defense of the U.S. against a massive Russian missile attack. This is clearly not at all the rationale for the Safeguard decision as presented by President Nixon in his press conference of March 14, nor is it implied as more than a dividend in the defense secretaries' testimony. The President said that he wanted a system that would protect a part of our Minuteman force in order to increase the credibility of our deterrent, and that he had overruled moving in the direction of a massive city defense because "even starting with a thin system and then going to a heavy system tends to be more provocative in terms of making credible a first-strike capability against the Soviet Union. I want no provocation which might deter arms talks." The top civilian defense officials give this same rationale, although they put a little more emphasis on the "prototype" and "growth potential" aspects of the system. For simplicity and clarity I shall focus on the Administration's proposal, as stated in open session by responsible officials.

From a technical point of view and as far as components are concerned, President Nixon's Safeguard system of today is very little different from President Johnson's Sentinel system. There are only minor changes in the location of certain components (away from cities), and elements have been added to some of the radars so that they can now observe submarine-launched missiles coming from directions other than directly from the U.S.S.R. and China. As before, the system consists of a long-range interceptor carrying a large nuclear weapon (Spartan), a fast short-range interceptor carrying a small nuclear weapon (Sprint), two types of radar (perimeter acquisition radar, or PAR, and missile-site radar, or MSR), a computer for directing the battle, and a command and control system for integrating Safeguard with the national command. I shall not describe the equipment in detail at this point but pass on directly to what I believe can be concluded from the hearings and other public sources about each of the following four

major questions: (1) Assuming that Safeguard could protect Minuteman, is it needed to protect our deterrent? (2) Assuming that Safeguard "works," can it in fact safeguard Minuteman? (3) Will it work? (4) Anyway, what harm can it do?

First: Assuming that Safeguard could protect Minuteman, is it needed to protect our deterrent?

Perhaps the clearest explanation of why the answer to this first question is "no" was given by Wolfgang K. H. Panofsky before the Senate Armed Services Committee on April 22. He described how the deterrent consists of three main components: Polaris submarines, bombers and land-based ICBM's. Each of these components alone is capable of delivering far more warheads than is actually needed for deterrence, and each is currently defended against surprise destruction in a quite different way. ICBM's are in hard silos and are numerous. Polaris are hidden in the seas. Bombers can be placed on various levels of alert and can be dispersed.

Since the warning time in the case of an ICBM attack is generally taken as being about 30 minutes, the people who believe the deterrent may be in serious danger usually imagine that the bombers are attacked by missile submarines, and therefore have only a 15-minute warning. This is important because a 30-minute warning gives the bombers ample time to get off the ground. In that case, however, an attack on all three components cannot be made simultaneously; that is, if the attacking weapons are launched simultaneously, they cannot arrive simultaneously, and vice versa.

Thus it is incredible that all three of our deterrent systems could become vulnerable in the same time period, and it is doubly incredible that we could not know this would happen without sufficient notice so that we could do something about it. There is, therefore, no basis for a frantic reaction to the hypothetical Russian threat to Minuteman. Still, it is sensible and prudent to begin thinking about the problem, and so we turn to the other questions. We must consider these questions in the technological framework of the mid-1970's, and we shall do this now in the way of defense officials currently seem to favor: by assuming that this is the best of all possible technological worlds, that everything works as intended and that direct extrapolations of current capabilities are valid.

Second: Assuming that Safeguard "works," can it in fact safeguard Minuteman?

One good approach to this problem is the one used by George W. Rathjens in his testimony before the Senate Armed Services Committee on April 23. His analysis took as a basis of calculation the implication in Secretary Laird's testimony that the Minuteman force may become seriously imperiled in the mid-1970's. Rathjens then estimated how many SS-9's would have to be deployed at that time in order to achieve this result. From this number, and the estimate of the current number of SS-9's deployed, he got a rate of deployment. He also had to make an assumption about how many Sprints and Spartans would be deployed at that time, and his estimates were based on the first phase of Safeguard deployment. These last numbers have not been released, but a range of reasonable values can be guessed from the cost estimates given. Assuming that the SS-9's would have four or five MIRV warheads each by that time, Rathjens found that by prolonging the SS-9 production program by a few months the Russians would be able to cope with Safeguard by simply exhausting it and would still have enough warheads left to imperil Minuteman, if that is indeed her intention.

The length of this short safe period does depend on the numbers used in the calculations, and they of course can be disputed to a degree. Thus if one assumes that it takes fewer Russian warheads to imperil Minuteman (it can't be less than one for one), then

the assumed deployment rate is lower and the safe period is lengthened; on the other hand, if one notes that the missile-site radars in our system are much softer than even today's silos, then the first attacking warheads, fired directly at the radars, can be smaller and less accurate, so that a higher degree of MIRVing can be used for attacking these radars and a shorter safe period results. To go further, it was suggested that the accuracy/yield combination of the more numerous SS-11's might be sufficient for attacking the missile-site radars, and therefore, if the Russians were to elect such an option, there would be no safe period at all. In short, the most that Safeguard can do is either delay somewhat the date when Minuteman would be imperiled or cause the attacker to build up his forces at a somewhat higher rate if indeed imperiling Minuteman by a fixed date is his purpose.

In the more general case this problem is often discussed in budgetary terms, and the "cost-exchange ratio" between offense and defense is computed for a wide variety of specific types of weapon. Such calculations give a wide variety of results, and there is much argument about them. However, even using current offense designs (that is, without MIRV), such calculations usually strongly favor the offense. This exchange ratio varies almost linearly with the degree of MIRVing of the offensive missiles, and therefore it seems to me that in the ideal technological future we have taken as our context this exchange ratio will still more strongly favor the offense.

Third: Will it work? By this question I mean: Will operational units be able to intercept enemy warheads accompanied by enemy penetration aids in an atmosphere of total astonishment and uncertainty? I do not mean: Will test equipment and test crews intercept U.S. warheads accompanied by U.S. penetration aids in a contrived atmosphere? A positive answer to the latter question is a necessary condition for obtaining a positive answer to the former, but it is by no stretch of the imagination a sufficient condition.

This basic question has been attacked from two quite different angles: by examining historical analogies and by examining the technical elements of the problem in detail. I shall touch on both here. Design-oriented people who consider this a purely technical question emphasize the second approach. I believe the question is by no means a purely technical question, and I suggest that the historical-analogy approach is more promising, albeit much more difficult to use correctly.

False analogies are common in this argument. We find that some say: "You can't tell me that if we can put a man on the moon we can't build an ABM." Others say: "That's what Oppenheimer told us about the hydrogen bomb." These two statements contain the same basic error. They are examples of successes in a contest between technology and nature, whereas the ABM issue involves a contest between two technologies: offensive weapons and penetration aids versus defensive weapons and discrimination techniques. These analogies would be more pertinent if, in the first case, someone were to jerk the moon away just before the astronauts landed, or if, in the second case, nature were to keep changing the nuclear-reaction probabilities all during the development of the hydrogen bomb and once again after it was deployed.

Proper historical analogies should involve modern high-technology defense systems that have actually been installed and used in combat. If one examines the record of such systems, one finds that they do often produce some attrition of the offense, but not nearly enough to be of use against a nuclear attack. The most up-to-date example is provided by the Russian SAM's and other air-defense equipment deployed in North Vietnam. This

system "works" after a fashion because both the equipment designers and the operating crews have had plenty of opportunities to practice against real U.S. targets equipped with real U.S. countermeasures and employing real U.S. tactics.

The best example of a U.S. system is somewhat older, but I believe it is still relevant. It is the SAGE system, a complex air-defense system designed in the early 1950's. All the components worked on the test range, but by 1960 we came to realize, even without combat testing, that SAGE could not really cope with the offense that was then coming into being. We thereupon greatly curtailed and modified our plans, although we did continue with some parts of the system. To quote from the recent report on the ABM decision prepared by Wiesner, Abram Chayes and others: "Still, after fifteen years, and the expenditure of more than \$20 billion, it is generally conceded that we do not have a significant capability to defend ourselves against a well-planned air attack. The Soviet Union, after even greater effort, has probably not done much better."

So much for analogies; let us turn to the Safeguard system itself. Doubts about its being able to work were raised during the public hearings on a variety of grounds, some of which are as follows:

First, and perhaps foremost, there is the remarkable fact that the new Safeguard system and the old Sentinel system use virtually the same hardware deployed in a very similar manner, and yet they have entirely different primary purposes. Sentinel had as its purpose defending large soft targets against the so-called Chinese threat. The Chinese threat by definition involved virtually no sophisticated penetration aids and no possibilities of exhausting the defense; thus were "solved" two of the most difficult problems that had eliminated Nike Zeus and Nike-X.

Safeguard has as its primary purpose defending a part of the Minuteman force against a Russian attack. It is not credible that a Russian attack against the part of the Minuteman force so defended would be other than massive and sophisticated, so that we are virtually right back to trying to do what in 1967 we said we could not do, and we are trying to do it with no real change in the missiles or the radars. It is true that defending hard points is to a degree easier than defending cities because interception can be accomplished later and at lower altitudes, thus giving discrimination techniques more time to work. Moreover, only those objects headed for specific small areas must be intercepted. These factors do make the problem somewhat easier, but they do not ensure its solution, and plenty of room for doubt remains.

Second, there is the contest between penetration aids and discrimination techniques. This was discussed at length by Garwin and Bethe in their March 1968 article in *Scientific American* and mentioned also in varying degrees of detail by many of those who testified recently concerning the ABM issue. The Russian physicist Andrei D. Sakharov, in his essay "Thoughts on Progress, Coexistence and Intellectual Freedom," put the issue this way: "Improvements in the resistance of warheads to shock waves and the radiation effects of neutron and X-ray exposure, the possibility of mass use of relatively light and inexpensive decoys that are virtually indistinguishable from warheads and exhaust the capabilities of an antimissile defense system, a perfection of tactics of massed and concentrated attacks, in time and space, that overstrain the defense detection centers, the use of orbital and fractional-orbital attacks, the use of active and passive jamming and other methods not disclosed in the press—all of this has created technical and economic obstacles to an effective missile defense that, at the present time, are virtually insurmountable."

I would add only MIRV to Sakharov's list. Pitted against this plethora of penetration aids are various observational methods designed to discriminate the real warheads. Some of the penetration devices obviously work only at high altitudes, but even these make it necessary for the final "sorting" to be delayed, and thus they still contribute to making the defense problem harder. Other devices can continue to confuse the defense even down to low altitudes. Some of the problems the offense presents to the defense can no doubt be solved (and have been solved) when considered separately and in isolation. That is, they can be solved for a time, until the offense designers react. One must have serious reservations, however, whether these problems can ever be solved for any long period in the complex combinations that even a modestly sophisticated attacker can present. Further, such a contest could result in a catastrophic failure of the system in which all or nearly all interceptions fail.

Third, there is the unquantifiable difference between the test range and the real world. The extraordinary efforts of the Air Force to test operationally deployed Minutemen show that it too regards this as an important problem. Moreover, the tests to date do seem to have revealed important weaknesses in the deployed forces. The problem has many aspects: the possible differences between test equipment and deployed equipment; the certain differences between the offensive warheads and penetration aids supplied by us as test targets and the corresponding equipment and tactics the defense must ultimately be prepared to face; the differences between the installation crews at a test site and at a deployment site; the differences in attitudes and motivation between a test crew and an operational crew (even if it is composed of the same men); the differences between men and equipment that have recently been made ready and whom everyone is watching and men and equipment that have been standing ready for years during which nothing happened; the differences between the emotional atmosphere where everyone knows it is not "for real" and the emotional atmosphere where no one can believe what he has just been told. It may be that all that enormously complex equipment will be ready to work the very first time it must "for real," and it may be that all those thousands of human beings have performed all their interlocking assignments correctly, but I have very substantial doubts about it.

Fourth, there is the closely related "hair-trigger/stiff-trigger" contradiction. Any active defense system such as Safeguard must sit in readiness for two or four or eight years and then fire at precisely the correct second following a warning time of only minutes. Furthermore, the precision needed for the firing time is so fine that machines must be used to choose the exact instant of firing no matter how the decision to fire is made. In the case of offensive missiles the situation is different in an essential way: Although maintaining readiness throughout a long, indefinite period is necessary, the moment of firing is not so precisely controlled in general and hence human decision-makers, including even those at high levels, may readily be permitted to play a part in the decision-making process. Thus if we wish to be certain that the defense will respond under conditions of surprise, the trigger of the ABM system, unlike the triggers of the ICBM's and Polarises, must be continuously sensitive and ready—in short, a hair trigger—for indefinitely long periods of time.

On the other hand, it is obvious that we cannot afford to have an ABM missile fire by mistake or in response to a false alarm. Indeed, the Army went to some pains to assure residents of areas near proposed Sentinel sites that it was imposing requirements to ensure against the accidental launching of

the missile and the subsequent detonation of the nuclear warhead it carries. Moreover, Army officials have assured the public that no ABM missiles would ever be launched without the specific approval of "very high authorities."

These two requirements—a hair trigger so that the system can cope with a surprise attack and a stiff trigger so that it will never go off accidentally or without proper authorization—are, I believe, contradictory requirements. In saying this I am not expressing doubt about the stated intentions of the present Army leaders, and I strongly endorse the restrictions implied in their statements. I am saying, however, that if the system cannot be fired without approval of "the highest authorities," then the probability of its being fired under conditions of surprise is less than it would be otherwise. This probability depends to a degree on the highly classified technical details of the Command and Control System, but in the last analysis it depends more on the fact that "the highest authority" is a human being and therefore subject to all the failures and foibles pertaining thereto.

This brings us to our fourth principal question: Anyway, what harm can it do?

We have just found that the total deterrent is very probably not in peril, that the Safeguard system probably cannot safeguard Minuteman even if it "works," that there is, to say the least, considerable uncertainty whether or not it will "work." Nonetheless, if there were no harm in it, we might be prudent and follow the basic motto of the arms race: "Let us err on the side of military safety." There seem to be many answers to the question of what harm building an ABM system would do. First of all, such a system would cost large sums of money needed for nondefense purposes. Second, it would divert money and attention from what may be better military solutions to the strategic problems posed by the Administration. Third, it would intensify the arms race. All these considerations were discussed at the hearings; I shall comment here only on the third, the arms-race implications of the ABM decision.

It is often said that an ABM system is not an accelerating element in the arms race because it is intrinsically defensive. For example, during the hearings Senator Henry M. Jackson of Washington, surely one of the best-informed senators in this field, said essentially that, and he quoted Premier Kosygin as having said the same thing. I believe such a notion is in error and is based on what we may call "the fallacy of the last move." I believe that in the real world of constant change in both the technology and the deployed numbers of all kinds of strategic-weapons systems, ABM systems are accelerating elements in the arms race. In support of this view let us recall one of the features of the history recited at the start of this article.

At the beginning of this decade we began to hear about a possible Russian ABM system, and we became concerned about its potential effects on our ICBM and Polaris systems. In response the MIRV concept was invented. Today there are additional justifications for MIRV besides penetration, but that is how it started. Now, the possibility of a Russian MIRV is used as one of the main arguments in support of the Safeguard system. Thus we have come one full turn around the arms-race spiral. No one in 1960 and 1961 thought through the potential destabilizing effects of multiple warheads, and certainly no one predicted, or even could have predicted, that the inexorable logic of the arms race would carry us directly from Russian talk in 1960 about defending Moscow against missiles to a requirement for hard-point defense of offensive-missile sites in the U.S. in 1969.

By the same token I am sure the Russians did not foresee the large increase in deployed U.S. warheads that will ultimately

result from their ABM deployment and that made it so counterproductive. Similarly, no one today can describe in detail the chain reaction the Safeguard deployment would lead to, but it is easy to see the seeds of a future acceleration of the arms race in the Nixon Administration's Safeguard proposal. Soon after Safeguard is started (let us assume for now that it will be) Russian offense planners are going to look at it and say something such as: "It may not work, but we must be prudent and assume it will." They may then plan further deployments, or more complex penetration systems, or maybe they will go to more dangerous systems such as bombs in orbit. A little later, when some of our optimistic statements about how "it will do the job it is supposed to do" have become part of history, our strategic planners are going to look at Safeguard and say something such as: "Maybe it will work as they said, but we must be prudent and assume it will not and besides, now look at what the Russians are doing."

This approach to strategic thinking, known in the trade as "worst-case analysis," leads to a completely hopeless situation in which there is no possibility of achieving a state of affairs that both sides would consider as constituting parity. Unless the arms race is stopped by political action outside the two defense establishments, I feel reasonably sure there will be another "crash program" response analogous to what we had in the days of the "missile gap"—a situation some would like to see repeated.

I also mentioned in my own testimony at the ABM hearings that "we may further expect deployment of these ABM systems to lead to the persistent query 'But how do you know it really works?' and thus to increase the pressures against the current limited nuclear-test ban as well as to work against amplifying it." I mentioned this then, and I mention it again now, in the hope that it will become a self-defeating prediction. It is also important to note that the response of our own defense establishment to the Russian ABM deployment, which I have outlined above, was not the result of our being "provoked," and I emphasize this because we hear so much discussion about what is a "provocative" move and what is not. Rather, our response was motivated by a deep-seated belief that the only appropriate response to any new technical development on the other side is further technical complexity of our own. The arms race is not so much a series of political provocations followed by not emotional reactions as it is a series of technical challenges followed by cool, calculated responses in the form of ever more costly, more complex and more fully automatic devices. I believe this endless, seemingly uncontrollable process was one of the principal factors President Eisenhower had in mind when he made his other (usually forgotten) warning: "We must be alert to the . . . danger that public policy could itself become the captive of a scientific-technological elite." He placed this other warning, also from his farewell address, on the same level as the much more familiar comment about the military-industrial complex.

Several alternative approaches to Safeguard for protecting Minuteman have been discussed recently. These include superhardening, proliferation, a "shell game" in which there are more silos than missiles, and land-mobile missiles. Although I was personally hopeful before the hearings that at least one of these approaches would maintain its invulnerability, a review of the recent debates leaves me now with the pessimistic view that none of them holds much promise beyond the next 10 years.

Silo-hardening most probably does work now, in the sense that the combination of SS-11 accuracy and yield and Minuteman silo-hardening works out in such a way that one incoming warhead (and hence one SS-11

missile) has less than a 50-50 chance of destroying a Minuteman. If one considers the technological trends in hardening, yield per unit weight, MIRVing and accuracy, however, it does seem convincing that this is a game in which the offense eventually will win. Albert Wohlstetter, testifying in favor of the Safeguard system before the Senate Armed Services Committee, quoted a paper he wrote with Fred Hoffman in 1954 (long before any ICBM's were actually in place anywhere) predicting that the ability of silo-hardening to protect offensive missiles would run out by the end of the 1960's. That was a remarkably prescient study and is wrong only in numerical detail.

If we take the same rosy view of technology that was taken in almost all the pro-ABM arguments, then hardening will not work for more than another five years. My own view of the technological future is clearly much less rosy, but I do believe that the situation in which hardening is no longer the answer could come by, say, 1980 or, more appropriately, 1984.

Proliferation of Minuteman would have worked in the absence of MIRV. Now, however, it would seem that the ability to MIRV, which no doubt can eventually be carried much further than the fewfold MIRV we see for the immediate future, clearly makes proliferation a losing game as well as the dangerous one it always was.

The "shell game" has not in my view been analyzed in satisfactory detail, but it would appear to have a serious destabilizing effect on the arms race. Schemes have been suggested for verifying that a certain fraction of the missile holes are in fact empty, but one can foresee a growing and persistent belief on each side that the "other missiles" must be hidden somewhere.

Road-mobile and rail-mobile versions of Minuteman have been seriously studied for well over a decade. These ideas have always foundered on two basic difficulties: (1) Such systems are inherently soft and hence can be attacked by large warheads without precise knowledge of where they are, and (2) population centers, and large political and social problems seem unavoidable.

Where does all this leave us insofar as finding a technical solution for protecting Minuteman is concerned? One and only one technically viable solution seems to have emerged for the long run: Launch on warning. Such an idea has been considered seriously by some politicians, some technical men and some military officers. Launch on warning could either be managed entirely by automatic devices, or the command and control system could be such as to require authorization to launch by some very high human authority.

In the case of the first alternative, people who think about such things envision a system consisting of probably two types of detection device that could, in principle, determine that a massive launch had been made and then somewhat later determine that such a launch consisted of multiple warheads aimed at our missile-silo fields. This information would be processed by a computer, which would then launch the Minutemen so that the incoming missiles would find only empty holes; consequently the Minutemen would be able to carry out their mission of revenge. Thus the steady advance of arms technology may not be leading us to the ultimate weapon but rather to the ultimate absurdity; a completely automatic system for deciding whether or not doomsday has arrived.

To me such an approach to the problem is politically and morally unacceptable, and if it really is the only approach, then clearly we have been considering the wrong problem. Instead of asking how Minuteman can be protected, we should be asking what the alternatives to Minuteman are. Evidently most other people also find such an idea unacceptable. As I mentioned above, the Army has found it necessary to reassure people re-

peatedly that ABM missiles would not be launched without approval by "the highest authorities," even though this is clearly a far less serious matter in the case of the ABM missiles than in the case of Minuteman.

The alternative is to require that a human decision-maker, at the level of "the highest authorities," be introduced into the decision-making loop. But is this really satisfactory? We would be asking that a human being make, in just a few minutes, a decision to utterly destroy another country. (After all, there would be no point in firing at their empty silos.) If, for any reason whatever, he was responding to a false alarm, or to some kind of smaller, perhaps "accidental," attacks, he would be ensuring that a massive deliberate attack on us would take place months later. Considering the shortness of the time, the complexity of the information and the awesomeness of the moment, the President would himself have to be properly preprogrammed in order to make such a decision.

Those who argue that the Command and Control System is perfect or perfectable forget that human beings are not. If forced to choose, I would prefer a preprogrammed President to a computer when it came to deciding whether or not doomsday had arrived, but again I feel that this solution too is really unacceptable, and that once again in attempting to defend Minuteman, we are simply dealing with the wrong problem. For the present it would seem the Polaris and the bombers are not, as systems, subject to the same objections, since there are now enough other approaches to the problem of ensuring their invulnerability to sudden massive destruction.

In my view, all the above once again confirms the utter futility of attempting to achieve national security through military technology alone. We must look elsewhere. Fortunately an opportunity does seem to be in the offing. There appears to be real promise that serious strategic-arms-limitation talks will begin soon. The time is propitious. There is in the land a fairly widespread doubt about the strictly military approach to security problems, and even military-minded politicians are genuinely interested in exploring other possibilities. The essay by Academician Sakharov, as well as the statements of Russian officials, indicate genuine interest on the other side. The time is propitious in another sense: both sides will be discussing the matter from a position of parity. Moreover, this parity seems reasonably stable and likely to endure for several years.

Later, however, major deployments of sophisticated ABM systems and, even more important, widespread conversion of present single-warhead systems to MIRV will be strongly destabilizing and will at least give the impression that parity is about to be upset. If so, the motto of the arms race, "Let us err on the side of military safety," will come to dominate the scene on both sides and the present opportunity will be lost. Therefore in the short run we must do everything possible to ensure that the talks not only start but also succeed. Although the ABM decision may not forestall the talks, it would seem that success will be more likely if we avoid starting things that history has shown are difficult to stop once they are started.

Such things surely include deployment of ABM missiles and MIRV's. There have been successes in stopping programs while they were in the development phase, but seldom has anything been stopped after deployment had started. The idea of a freeze on deployment of new weapons systems at this time and for these reasons is fairly widespread already, but achieving it will require concerted action by those believing strongly in the validity and necessity of arms limitations as a means of increasing national security. Thus

the principal result of the recent national debate over the ABM issue has been to make it clear that Safeguard will safeguard nothing, and that the right step for the immediate future is doing whatever is necessary (such as freezing present deployments and developments) to ensure the success of the coming strategic-arms-limitation talks.

In addition, the ABM debate has served to highlight more serious issues (for example the implications of MIRV for the arms race) and to raise serious questions about other weapons systems. For instance, I suggest that we have also found that silo-based missiles will become obsolete. The only sure method for defense of Minuteman beyond, say, the mid-1970's seems to be the unacceptable launch on warning. As long as we must have a strategic deterrent, we must find one that does not force us to turn the final decision over to either a computer or a preprogrammed President. Minuteman was conceived in the 1950's and served its purpose as a deterrent through the 1960's, but it appears that in the 1970's its threat to us will exceed its value, and that it and other silo-based missiles will have to go. The deterrent must have alternatives other than "go/no-go," and for the 1970's at least it would now appear that other strategic weapons (Polaris/Poseidon and bombers) could provide them. I expect, however, that as the continuing national debate subjects the whole matter of strategic arms to further public scrutiny we shall learn that these other alternatives also have dangerous flaws, and we shall see confirmed the idea that there is no technical solution to the dilemma of the steady decrease in our national security that has for more than 20 years accompanied the steady increase in our military power.

REVIVAL OF SPAIN'S TERRORISM DECREE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. BINGHAM. Mr. Speaker, the inappropriate character of our continuing military relationship with the Government of Spain is underlined by the following article from the June 1969 issue of the distinguished International Commission of Jurists' periodical known as "The Review":

REVIVAL OF SPAIN'S TERRORISM DECREE

The state of emergency ended in Spain on 25th March of this year. It had originally been declared for three months but was lifted after two. This is certainly encouraging¹ but any more favourable comment would unfortunately be premature. First, the state of emergency still remains in the Basque provinces. And second, the decision to end the general emergency could be made at no great cost. The Spanish authorities still have an arsenal of laws which deprive the individual of fundamental rights and elementary safeguards against arbitrary treatment. One of these laws—the "Decree on Banditry and Terrorism"—is the main subject of this article.

The Decree on Banditry and Terrorism of 21st September 1960² had to a large extent been repealed by a Law of December 1963. It

¹ See the ICJ's criticism of the Declaration of Emergency contained in its Press Release of 19th February 1969.

² No. 1794/1960. See also *Spain and the Rule of Law*, published by the International Commission of Jurists in 1962.

was brought fully into force again by a Legislative Decree of August 1968.³

Apart from its Sections 2 and 8 (to be dealt with later), the Decree of 1960 is a fairly acceptable and, one will assume, necessary piece of legislation. Section 2 however extends the crime of "military rebellion" to cover a series of acts which have little to do with either military rebellion, banditry or terrorism.

Section 2, which is an almost word-for-word revival of a law of 1943 (passed in the wake of the Civil War), reads:

"The following shall be considered guilty of military rebellion within the meaning of Section 286 (5) of the Military Code of Justice, and liable to the sentences provided for in that Code: ⁴

"1. Anyone who spreads false or tendentious news for the purpose of disturbing internal law and order, causing international conflicts or bringing into disrepute the State, its Institutions, Government, army or authorities.

"2. Anyone who in any way meets, conspires, or takes part in meetings, conferences or demonstrations having as their object those cited in the preceding paragraph. The following may also be considered acts of military rebellion: Walk-outs, strikes, sabotage and other similar acts, when they are carried out for political purposes or seriously disturb law and order."

Persons accused of the offences under the Decree are, by Section 8, liable to summary trial by court-martial:

"The Military Court shall be competent to try the crimes mentioned in this Decree, which shall be judged by summary procedure.

"If the particular circumstances are such that the acts committed lack the gravity or nature to make them subject to this Decree but subject only to ordinary law, the military courts may waive their jurisdiction in favour of the ordinary courts."⁵

The accused is not represented by a lawyer in the summary proceedings provided for, and at no time has he access to one. He is defended by an army officer (who probably will have had no legal training). The officer is allowed 'four hours' after a compulsory interview with the accused⁶ to draw up his written defence (s. 927 of the Military Code of Justice). Whether the military courts will waive their jurisdiction under section 8 depends upon their subjective appreciation of the case; and the exercise of their absolute discretion in this respect cannot be challenged in the ordinary courts. Moreover there is no appeal against an erroneous decision.⁷

On account of the two provisions set out above, the Decree is objectionable from a procedural point of view, objectionable in its substance, and as a whole objectionable in principle.

PROCEDURAL OBJECTION TO THE DECREE

The objection here is that the Decree causes a confusion of laws and jurisdictions. The same political and social offences are defined and punished differently under (1) the Criminal Code, (2) the Military Code of Justice and (3) the Act on Law and Order, 1959. One of the reasons for the Decree's

³ Decreto-Ley No. 9/68 (Official Gazette No. 17).

⁴ Which can in certain circumstances entail the death penalty.

⁵ The 'Ordinary Courts' are in fact the Courts of Law and Order applying the Criminal Code and the 'Act on Law and Order' of 1959.

⁶ The preparation of the prosecution's case is also limited to four hours.

⁷ The Military Code provides however (S. 954) for the revision of a decision if, for instance, fresh facts come to light or if the prosecution evidence is held in a later case to have been perjured or a confession obtained under duress.

amendment in December 1963 was that a person accused, for instance, of distributing a pamphlet criticising the Spanish regime or labour conditions would be subject to trial in three different courts applying three different laws. The courts were (1) the ordinary criminal courts, (2) the court for the suppression of freemasonry and communism and (3) a court-martial on the basis of the 1960 Decree. The Law of 1963 created a 'Court of Law and Order', which took over the jurisdictions of the three courts. With the re-entry into force of the 1960 Decree, this confusion is creeping back. The position could be made much worse if a state of emergency of war were declared, in which case a host of special courts could be set up under Chapter V of the Act on Law and Order, 1959.

THE SUBSTANCE OF THE DECREE

The Decree is objectionable in substance in that it violates the elementary principle of law recognised in Article 11 (2) of the Universal Declaration of Human Rights, which is expressed by the maxim, *nullum crimen sine lege*; for Section 2 classifies as acts of military rebellion "walk-outs, strikes, sabotage and other similar acts, when they are carried out for political purposes . . ."

Such an application of the criminal law by analogy is also incompatible with Spanish law. The Supreme Court has ruled that "in criminal matters, the scope of criminal provisions may be extended to cases not provided for in the legislation itself" (Decisions of 3rd May 1922 and 14th December 1960) and that "the criminal law does not permit interpretation by analogy" (Decision of 22nd June 1934).

Article 2(1) of the Criminal Code moreover provides:

"When a court has cognisance of an act that it considers ought to be made criminal but is not punishable by law, it shall not take any action in the matter but shall inform the Government of the reasons why it believes that such an act should be sanctioned."

Incidentally, the 1960 Decree is not the first example of the creation of an offence by analogy, Section 2 of the Act of Law and Order 1959 extends the acts it proscribes to "those that in any other way not provide for in the Act on Law and Order infringe its provisions".

Not only are offences determined by analogy but also offenders. A Legislative Decree of 22nd March 1957, adding section 268 bis to the criminal code, provides:

"When in the commission of collective offences . . . no persons responsible for instigating, organizing or directing them are identifiable and there is no special rule for establishing responsibility, the most representative among the accused shall in each case be regarded as responsible and, other conditions being equal, the oldest. The most representative shall be those who act as leaders or representatives or, in the absence thereof, those whose conduct and records, in the opinion of the court, bear the closest relation to the nature and circumstances of the act committed."

THE DECREE AS A WHOLE

The Decree as a whole is offensive. It treats political offenders as ordinary bandits and makes them guilty of the irrelevant crime of military rebellion. Its drafting is so loose as to demand the narrowest construction. This cannot be expected from a military court, where persons accused of political offences are—necessarily—summarily defended in summary proceedings in which only army officers take part.

If the court-martial chooses to waive its jurisdiction, the accused will at least benefit from a trial in the Court of Law and Order before civilian judges, where he will have legal representation. But even here there are disturbing aspects. Section 9 of the 1963 Act setting up the Court of Law and Order provides that in certain circumstances the accused may, before trial, be held on remand

for the entire duration of the sentence applicable to the crime of which he is accused, (and of which he may later be acquitted). The least that can be said is that the presumption of innocence recognised in Article 11(1) of the Universal Declaration seems to have gone astray.

A dangerous toy in any hands, the Decree on Banditry and Terrorism can be effectively used by the military courts to ensure that any who exercise their fundamental right of freedom of opinion and expression are treated like common criminals.

AMERICA'S MOON TRIUMPH

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. RANDALL. Mr. Speaker, the U.S. Moon triumph came at the moment Neil A. Armstrong became the first man to set foot on the lunar surface. It has quite rightly been heralded as one of the world's biggest stories. It has been called the spectacular opening of a new day. Others have described it as a feat for the ages.

Who among us now living will ever forget the words we heard on Sunday night, July 20, when Neil Armstrong said:

One small step for man; one giant leap for mankind.

That we won the race to the Moon and an American became the first man to set foot on the lunar surface is important. Equally important is the way we won that victory. Our country has always announced in advance the time of our space probes and, most significantly, in each instance has made it possible for all the world to see. Think of the contrast between our manned lunar module carrying our courageous astronauts, and the unmanned Luna 15, the fate of which even now has not been announced to the world.

In 1957, sputnik made us realize we must commence in earnest our space research and make an intensive effort to catch up with the Soviets. That we have equaled and surpassed their efforts and are now poised as the space leaders of the world, there is no doubt.

Throughout the length and breadth of an exalted nation, prayers and plaudits expressed the pride and joy of all America. One of the greatest odysseys of the ages came to a successful conclusion on Thursday, July 24, when our heroes returned to Earth.

Mr. Speaker, it was my great privilege to serve as a member of the House Space Committee during the 87th and 88th Congresses. During those 4 years, America experienced its first manned space triumphs. I shall always recall with pleasant memories how our committee accepted the challenge announced by the late John F. Kennedy, that America should put a man on the Moon during the decade of the sixties.

It is a heartwarming experience that we have lived to see the day that all the space efforts of America have been culminated with such complete success.

The extra edition of the Kansas City Times on July 21, 1969, and the commemorative edition of the Kansas City

Star of July 26, 1969, contain several striking and most impressive feature stories. These papers circulate widely in the congressional district I am privileged to represent in Congress. I am proud of these journalistic efforts and I congratulate the Star and the Times for their extra edition and the commemorative edition.

Among the best feature stories is that written by James J. Fisher, the Star's aviation editor, who wrote under the headline of "Biggest Show Ever on Earth," and another member of the Star staff, Michael J. Satchell, who wrote under the heading of "Walk Marks an Era."

I have asked unanimous consent that these two feature stories be preserved in the permanent edition of the RECORD. These feature stories follow:

[From the Kansas City (Mo.) Times, July 21, 1969]

BIGGEST SHOW EVER ON EARTH

(By James J. Fisher)

America and the world got a television spectacular from the moon last night.

The 2½ hour show—if you count the time Neil A. Armstrong needed to get down the ladder and activate the small television camera on one of the lunar module's legs—cost 24 billion dollars.

That was the cost of the Apollo program to get Armstrong and Edwin E. Aldrin, Jr., on the surface of the Sea of Tranquility. Not many Americans, when the first pictures flashed across the screen, would have said the show wasn't worth every single penny.

Shortly before 10 o'clock (Kansas City time) Armstrong opened the modular equipment stowage assembly (MESA) dropping the camera into position. Aldrin activated the camera from inside the lunar module.

"That's one small step for man; one giant leap for mankind," Armstrong said as he stepped on the surface of the moon.

Aldrin came down about 20 minute later.

"It's beautiful," he said.

After that there was the movement of the television camera to a site so it could view the lunar module, code named Eagle; a telephone call from President Nixon; erection of the American flag, and just plain hard work as the astronauts set up scientific experiments.

The quality of the pictures beamed from the moon to Australia, then to satellite over the Pacific for transmission to Houston, was almost unbelievable. The pictures were sharp, clearly defining the lunar landscape.

During the first part of the activity outside the Eagle, Aldrin and Armstrong, like any good pilots, went around and checked the landing gear.

From then until the show ended the pictures from the moon were of a bleak, airless planet and two men from earth working on it.

One person who didn't see the show was Michael Collins, the third member of the Apollo 11 crew. He had no television set aboard the Columbia as he orbited the moon at an altitude of 69 miles. Armstrong and Aldrin will blast off from the moon this afternoon to join him and return home to earth.

Collins said:

"I couldn't be happier for them."

He doesn't have to worry about missing the show. There will be plenty of reruns.

[From the Kansas City (Mo.) Times, July 21, 1969]

CREW'S WALK MARKS AN ERA

(By Michael Satchell)

HOUSTON.—Two footprints were firmly planted in the powder-fine surface of Tranquility base on the moon last night. They

marked man's most significant steps since the ape heaved himself erect.

It was hard to assess the event's true impact, watching Neil Armstrong and Edwin Aldrin frolicking on the gray pitted surface that Aldrin noted was speckled with purple rocks.

They were expensive footprints—that much was certain. For at the moment Armstrong's heavily booted feet touched the lunar surface, the price tag putting them there stood at 24 billion dollars.

With them, man took his first halting steps onto the threshold of a universe of which he is an infinitesimally small and insignificant part.

But, they were not actually steps. They were more like kangaroo jumps, and people at the Manned Spacecraft center, and probably around the world, laughed at the sight of the astronauts' Chaplinesque antics.

It was a laugh of elation, coming from the throats of the 3,000 newsmen and hundreds of NASA officials here. This had been a day as momentous as it was long, and the sight of the moonmen cavorting, and their humorous quips as they revelled in their incredible environment, were easy to share.

From the early, anxious moments when Eagle was preparing to land, to the time when the moon walk was over and the astronauts prepared to bed down, this United Nations of the world's press had shared the experience and passed every facet on to countless millions of persons world-wide.

For the first four days of the mission, the crew of Apollo 11 had been quiet, business-like, speaking when spoken to and, frankly and frustratingly, rather colorless.

Are these men automatons, the correspondents wondered? Are there no smuggled corned beef sandwiches, rollicking television shows, wisecracking spaceship commentators such as have characterized previous missions?

The men were not colorless and it became quickly obvious as the day progressed. Probably stifled by the self-imposed, but necessary restraint of the journey there, the crew of Columbia and Eagle cut loose yesterday and, at times, became positively eloquent. There were numerous highlights.

There was the bowstring taut tension as Eagle left the comforting security of its mother ship Columbia and started the long arc down to the lunar surface.

As Eagle settled gently and safely onto the surprisingly rough surface, a sigh of relief rolled across the Manned Spacecraft center like a soothing and audible breeze.

Excitement built early as the time approached for the lunar walk that would be televised. And by the time the two spacemen were walking around in Buzz Aldrin's "magnificent desolation," the Manned Spacecraft center auditorium was the scene of joyful near-hysteria. Persons laughed, cheered and applauded the spectacular taking place before their eyes from a quarter million miles away.

And so it went, everything seemingly perfect on a textbook mission. History unfolding in orderly, programmed fashion as the astronauts settled down for a peaceful night's rest at Tranquillity base.

COURAGEOUS SOLDIERS KILLED

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. LONG of Maryland. Mr. Speaker, Sfc. Ronnie E. Hogbin and Pfc. Stephen E. Sroka, two fine young men from Maryland, were recently killed in action in Vietnam. I wish to commend the courage of these young men and to honor their

memory by including the following article in the RECORD:

GREEN BERET, ARMY PRIVATE ARE KILLED IN VIETNAM WAR

A Hyattsville (Md.) Green Beret, missing in action since May 25, and a 24-year-old Frederick man have died in Vietnam, Pentagon officials announced yesterday.

SFC Ronnie E. Hogbin, 29, a Green Beret in Vietnam for more than three years, was killed near Ben Het, South Vietnam, while serving as radio operator with a combat patrol that encountered a large enemy ground force.

WEST VIRGINIA NATIVE

PFC Stephen E. Sroka, of the Army, son of Mrs. Ellen L. Stotliemyer, of 103 South Market street, Frederick, died of wounds received July 25 while traveling as a passenger in a military vehicle in Vietnam.

Sergeant Hogbin, whose body was not recovered and identified until last week, was a native of Martinsburg, W. Va., and attended schools there until he enlisted in the Army as a paratrooper at the age of 17. He served in that capacity for two years in Germany.

Upon his discharge, Sergeant Hogbin returned to the Washington area, where he worked as a transmitter for the Western Union Telegraph Company, and as a serviceman for the Potomac Edison Power Company.

APPLIED FOR VIET DUTY

Five years ago, he went to Miami to look for work and enlisted in the Army there. He served for one year as a Special Forces trooper in Panama.

Because "all his friends were there," Sergeant Hogbin applied for Vietnam duty, according to his mother, Mrs. John M. Moore, of 7000 High View terrace in Hyattsville.

Survivors include his wife, the former Georgia Kirby, of Martinsburg; his mother; his father, Brooke W. Hogbin, of New York city; a sister, Mrs. Sandra Greco, of Hartford, Conn.; and a brother, James D. Hogbin, of Los Angeles.

Services are pending.

Private Sroka was assigned to Company B, 2d Battalion, 8th Infantry Regiment, 4th Infantry Division, on June 11. He had joined the service this January 17.

ONLY CHILD

Private Sroka was an only child. A graduate of Glenelg High School, he was a member of the Frederick Democratic Club.

Before entering the Army, he was employed at the Corning Glass Works, and the Edward Winpiger Construction Company.

Services will be conducted at a date to be announced at the H. R. Etchison funeral establishment in Frederick.

THE FULL OPPORTUNITY ACT

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. PEPPER. Mr. Speaker, I had the opportunity on July 18 to testify before Senator MONDALE's Special Subcommittee on the Evaluation and Planning of Social Programs on behalf of S. 5, the Full Opportunity Act, which I have introduced into this House as H.R. 9483.

This bill calls for the establishment in the Executive Office of the President of a Council of Social Advisers to develop meaningful indices of our social progress, to analyze long-range social programs and to publish an annual social report. There would also be established a joint committee of the Congress to

review the Council's work and to initiate legislative proposals to solve our social problems.

Mr. Speaker, just as the Council of Economic Advisers has contributed to our economic prosperity, a Council of Social Advisers can advance our progress in the field of social affairs.

I commend this legislative proposal to my colleagues and submit for their consideration my statement to Senator MONDALE's committee, a copy of the bill, H.R. 9483, and the transcript of my testimony before the Senator's committee:

STATEMENT OF THE HONORABLE CLAUDE PEPPER OF FLORIDA BEFORE THE SPECIAL SUBCOMMITTEE ON EVALUATION AND PLANNING OF SOCIAL PROGRAMS OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. Chairman, I want to thank you for affording me the opportunity of appearing this morning to urge favorable action by your Committee on S. 5, the Full Opportunity Act, which I have introduced in the House of Representatives as H.R. 9483.

We meet today in the face of one of the greatest challenges to our national goals in this century; in the light of man's greatest achievement and in the shadow of our greatest failing. At this moment, three of the best trained, best educated humans travel through space in some of the most technically sophisticated equipment man has yet devised. And at this moment 7 to 10 million Americans continue to subsist, ill-clad, ill-housed, and ill-fed.

The impending landing of two men on the surface of the moon demonstrates that this nation has the power, the resources, and the skill to make safe man's stay in the moon's hostile environment. Can there be any doubt that this nation also has the power, the resources, and the skills to make safe and fruitful the lives of our citizens in this country?

And so, at the time of mankind's greatest technical achievement, this Committee meets to consider a significant step forward in the social progress of our Nation.

Twenty three years ago, we emerged from the dislocation of a wartime economy and the Great Depression. At that time, as Senator from Florida, I advocated passage of the Full Employment Act of 1946. That Act called for the creation of a Council of Economic Advisers charged with the centralized compilation of statistics and the development of economic indicators so that the President, the Congress and the public would have the information necessary to understand economic fluctuations, and anticipate and counter adverse changes in the business cycle.

During debate on that bill some disputed whether the indices could be designed, whether more knowledge might cause recessions rather than help to alleviate them. We know now that these fears were unfounded. The Council of Economic Advisers has accomplished its objectives well. The Annual Economic Report is respected and relied on by the Executive, by the Congress and by the public. Establishment of the Council not only centralized compilation of economic statistics, but stimulated the development and refinement of several new measures of economic performance. The work of the Council is in part responsible for our prosperity of the last eight years—the longest sustained period of business expansion in this nation's history.

The bill which we discuss today, and which was introduced into the Senate by the distinguished Chairman of this Committee, established a Council of Social Advisers charged with the responsibility to do for our social programs what the Council of Economic Advisers has done in the field of economics.

This bill, the Full Opportunity Act, S. 5, which I have introduced in the House of Representatives as H.R. 9483, gives the Council of Social Advisors responsibility for collection of statistics and development of indicators of our social progress. It further directs the Council to prepare such studies as the President may request on specific aspects of social programs, the impact of legislative programs, and on long range policies designed to achieve the goal of full opportunity for all Americans.

There is pressing need for such a report. Currently, data gathering facilities are scattered throughout the Federal Government. We should establish a single body to compile and rationalize the inputs from the thousands of sources.

At present we consider only the raw data of dollars spent on programs such as health care, slum clearance, and job training. While these figures indicate the amount of goods and services at our disposal, what we need are indicators of the effects of our spending on the learning of our children, on the pollution of our environment, and on the health of our citizens.

And this Congress should create a joint Committee to analyze and make recommendations on the Annual Social Report as the Joint Economic Committee now does for the President's Economic report.

The establishment of the Council for Urban Affairs by President Nixon is a step toward the coordination of our efforts at a high level of government. But it is limited to the Executive Branch and is focused on urban affairs. It will not be enough. We must create a body to consider urban and rural problems as inter-related and interdependent; a body whose responsibility is to report to the Congress, as well as to the President on the ways in which we can implement the goal of full opportunity.

Mr. Chairman, just as uncertainty surrounded the creation of the Council of Economic Advisors, it surrounds the establishment of a Council of Social Advisors. But just as the Council of Economic Advisors has successfully aided the achievement of economic growth, the Council of Social Advisors can advance our progress in the field of Social Affairs.

H.R. 9483

A bill to promote the public welfare

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Full Opportunity Act."

DECLARATION OF POLICY

SEC. 2. In order to promote the general welfare, the Congress declares that it is the continuing policy and responsibility of the Federal Government, consistent with the primary responsibilities of State and local governments and the private sector, to promote and encourage such conditions as will give every American the opportunity to live in decency and dignity, and to provide a clear and precise picture of whether such conditions are promoted and encouraged in such areas as health, education, and training, rehabilitation, housing, vocational opportunities, the arts and humanities, and special assistance for the mentally ill and retarded, the deprived, the abandoned, and the criminal, and by measuring progress in meeting such needs.

SOCIAL REPORT OF THE PRESIDENT

SEC. 3. (a) The President shall transmit to the Congress not later than March 20 of each year a report to be known as the social report, setting forth (1) the overall progress and effectiveness of Federal efforts designed to carry out the policy declared in section 2 with particular emphasis upon the manner in which such efforts serve to meet national social needs in such areas as health, educa-

tion and training, rehabilitation, housing, vocational opportunities, the arts and humanities, and special assistance for the mentally ill and retarded, the deprived, the abandoned, and the criminal; (2) a review of State, local, and private efforts designed to create the conditions specified in section 2; (3) current and foreseeable needs in the areas served by such efforts and the progress of development of plans to meet such needs; and (4) programs and policies for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports and supplementary to the social report, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

(c) The social report, and all supplementary reports transmitted under subsection (b) of this section, shall, when transmitted to Congress, be referred to the joint committee created by section 5.

COUNCIL OF SOCIAL ADVISERS TO THE PRESIDENT

SEC. 4. (a) There is created in the Executive Office of the President a Council of Social Advisors (hereinafter called the Council). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend programs to carry out such policy. Each member of the Council, other than the Chairman, shall receive compensation at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5 of the United States Code. The President shall designate one of the members of the Council as Chairman who shall receive compensation at the rate prescribed for level II of such Schedule.

(b) The Chairman of the Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and is authorized, subject to such provisions, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the provisions of such chapter 51 and subchapter III of chapter 53.

(c) It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the social report;

(2) to gather timely and authoritative information and statistical data concerning developments and programs designed to carry out the policy declared in section 2, both current and prospective, and to develop a series of social indicators to analyze and interpret such information and data in the light of the policy declared in section 2 and to compile and submit to the President studies relating to such developments and programs;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 of this Act for the purpose of determining the extent to which such programs and activities contribute to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop priorities for programs designed to carry out the policy declared in sec-

tion 2 and recommend to the President the most efficient way to allocate Federal resources and the level of government—Federal, State, or local—best suited to carry out such programs;

(5) to make and furnish such studies, reports thereon, and recommendations with respect to programs, activities, and legislation to carry out the policy declared in section 2 as the President may request.

(6) to make and furnish such studies, reports thereon, and recommendations with respect to programs, activities and legislation as the President may request in appraising long-range aspects of social policy and programming consistent with the policy declared in section 2.

(d) Recognizing the predominance of State and local governments in the social area, the President shall, when appropriate, provide for the dissemination to such States and localities information or data developed by the Council pursuant to subsection (c) of this section.

(e) The Council shall make an annual report to the President in February of each year.

(f) In exercising its powers, functions, and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, State and local governments, and other groups, organizations, and individuals as it deems advisable to insure the direct participation in the Council's planning of such interested parties;

(2) the Council shall, to the fullest extent possible, use the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided;

(3) the Council shall, to the fullest extent possible, insure that the individual's right to privacy is not infringed by its activities; and

(4) the Council may enter into essential contractual relationships with educational institutions, private research organizations and others as needed to fulfill its duties and functions enumerated in section 4(c).

(g) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and officers and employees of the Council) such sums as may be necessary. For the salaries of the members and salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding \$900,000 in the aggregate for each fiscal year.

JOINT COMMITTEE ON THE SOCIAL REPORT

SEC. 5. (a) There is established a Joint Committee on the Social Report, to be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by five members and the minority party shall be represented by three members.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of all matters relating to the social report; and

(2) as a guide to the several committees of the Congress dealing with legislation relating to the social report, not later than June 1 of each year to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the social report, and from time to time make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power

of remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and agencies of the Government and private research agencies.

(e) There is hereby authorized to be appropriated for each fiscal year the sum of \$425,000, or so much thereof as may be necessary, to carry out the provisions of this section to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

STATEMENT OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. PEPPER. I thank you very much for the privilege of appearing here this morning and also for the privilege of joining with you in the introduction of a companion to your bill and in the great effort that you are making to put emphasis in this country upon one of the things mentioned in the Constitution—the welfare of the people.

After all, what really matters in this country are the people who make it up, and this legislation is designed to promote the well-being of the people of the country. In order to do that, we have to be informed as to how they are getting along, what the state of their condition is.

So, I particularly, therefore, Mr. Chairman, want to thank you for affording me the opportunity of appearing this morning to urge favorable action by your Committee on S. 5, the Full Opportunity Act, which I have introduced in the House of Representatives as H.R. 9483.

We meet today in the face of one of the greatest challenges to our national goals in this century; in the light of man's greatest achievement and in the shadow of our greatest falling. At this moment, three of the best-trained, best educated humans travel through space in some of the most technically sophisticated equipment man has yet devised. And, at this moment, 7 to 10 million Americans continue to subsist, ill-clad, ill-housed, and ill-fed.

Senator MONDALE. They tell me that just two-and-a-half miles from the site of the Apollo launching you will find as poor migrant workers as you will find anywhere in the country.

Mr. PEPPER. I am well aware of the conditions in that area. I have a brother who is a banker who resides in that area.

Perhaps like the chairman, I was thrilled to be privileged to witness the Apollo launching. I think we also felt we had the privilege perhaps to go back in time and space to the time when Columbus set upon his voyage to a new world. But the main experience I had was one of infinite pride in a country that could do a thing like that—putting the money and the personnel and the techniques and the knowledge and dedication into that launch on the morning when we saw it. I imagine that many of us, at least those of us in the Congress who have the responsibility for our people either articulated or sensed a feeling if we could do that, we could

do immeasurably more things that need to be done in this country for the welfare and betterment of our people.

The impending landing of two men on the surface of the moon demonstrates that this Nation has the power, the resources, and the skill to make safe man's stay in the moon's hostile environment. Can there be any doubt that this Nation also has the power, the resources, and the skills to make safe and fruitful the lives of our citizens in this country?

And, so, at the time of mankind's greatest technical achievement, this Committee meets to consider a significant step forward in the social progress of our Nation.

Twenty-three years ago, we emerged from the dislocation of a wartime economy and the Great Depression. At that time, as Senator from Florida, I advocated and strongly supported the passage of the Full Employment Act of 1946. That Act called for the creation of a Council of Economic Advisors charged with the centralized compilation of statistics and the development of economic indicators so that the President, the Congress and the Public would have the information necessary to understand economic fluctuations, and anticipate and counter adverse changes in the business cycle.

By the way, Mr. Chairman, may I say we of the legislative branch of the Government can take particular pride that the inspiration for that Full Employment Act of 1946 and the design of it came from the Congress of the United States, in this case the Senate, and I am very proud that the same is true in this case that you have initiated this great experiment in trying to set up new standards and new goals for the benefit of the people of the country.

Senator MONDALE. I am glad the Congressman emphasized that point because of the issues that we will face again, that we ought to recommend to the executive an administrative proposal with which they may not fully agree. I suppose the first answer in part is that this is a proposal that is directed not alone at the executive but legislative reorganization as well because it calls for a joint social committee. It calls for, in effect, a legislative commission of a new level of national objectives including full employment, not just full employment; but the Congressman, I think, is very correct when he points out and he himself is involved in this struggle for full employment which was something that was conceived and proposed by the Executive Branch, not by the Legislative Branch, even though it had provisions which dealt with the structure at the White House and created the Council of Economic Advisors.

Mr. PEPPER. Mr. Chairman, the way it seems to me we can clearly evaluate what would have been gained if what has now been known and so long been considered and appreciated as the Full Employment Act had been simply an executive agency in the Office of the President as compared to what it has accomplished in the form in which it was enacted by the Congress and has operated since that time.

For example, the present Administration has proposed, as I am advised, that there be a Presidential Assistant who shall have a staff and it shall be the duty of this Special Assistant and his staff to view the progress we have made toward reaching certain prescribed national goals.

Now, just suppose that back in 1946 the President of the United States had proposed the setting up of a similar institution to deal with the economic factors of our country. Now, let's just evaluate what that would have accomplished in the progress of our country—perhaps in preventing a very serious depression in our country compared to an institution which came out of the Congress where there are Presidential advisors as there would be under our bill, but where the Congress is really the major participant.

You have the Joint Committee on the President's Economic Report consisting of members of the House and Senate, and they are the ones who possess the legislative authority. This committee has had an enormous impact upon the welfare of our country because it has performed both an executive and a legislative function.

What you have so ably led is to do the same thing in the field of social welfare: To set up the mechanism and give the President three social advisors. Let them be advised and consented to by the Senate, but set up eight senators and eight representatives as the Joint Committee on the President's Social Report, analogous to the Joint Committee on the President's Economic Report.

So, the experience we have had in the accomplishment of the institution set up under the 1946 Act, it seems to me, dictates that we should follow an analogy in setting up this institution.

Senator MONDALE. Building on that supposition, suppose they simply established in-house staff to deal with the economic problem. Several things are obvious. They would not have been able to attract the Nation's top economists from top academic institutions as has the Council of Economic Advisors. It would not have the prestige and the viability that I think would encourage that participation.

Secondly, it would not issue the economic report which I think has been the key engine for a systematic ongoing mechanism for an ongoing analysis, and it would not have created the Joint Economic Committee which has been a most prestigious group although it has no legislative function, but it has been conceded to have economic impact, with interaction between the two agencies.

They tell me that many of the indicators that are now accepted in economics were developed as a result of the interplay between the Council of Economic Advisors and the Joint Economic Committee.

At the time of the formation of the Joint Economic Committee, the layman on the street was asking, "Does it have to be that technical and difficult?" They were required to come up with statistics and data that could be understood by an intelligent layman, and really the result has been the monthly report on the Joint Economic Committee indicators. That report is now clutched by every economist in the country. You cannot find one who is hardly more than two minutes away from that report because it is the best current document that there is.

This was imposed upon the academic economists as a result of this great pressure by learning institutions, and none of this would have been earned by an in-house group or staff of people.

Of course, the very visibility of the Economic Report and the hearings of the Joint Economic Committee makes the deliberations of the Council of Economic Advisors available to the academic institutions, the business institutions, foundations and trusts and others. There is what you might call the multiplier effect by which the whole Nation becomes involved in discussing economic policy. You would not have that feature in just an in-house committee of the Congress.

Finally, and I place great store on this, the prestige and influence of the Council of Economic Advisors is directly proportional to the prestige and respect of members of the Council. If a President appoints three economists whom everyone knows are second-rate who are going to provide the advice that the President asked him to advise or push-button economists, then no one is going to respect the institution.

So, to the extent that the President picks responsible and highly respected men, those are the men who are going to be concerned about their prestige with their peers, with their fellow economists.

The result has been, to the extent that the President has picked prestigious econ-

omists like Walter Heller, there is a built-in incentive for the Council to tell the truth and to establish high-quality work which you never have or rarely have in an in-house operation of the kind that you mentioned in your supposition.

So, there are many, many factors that are argued for the creation of a Council of Economic Advisors' type institution to deal in the social field which is not remotely met by the kind of institution that has been suggested by the White House.

Mr. PEPPER. Mr. Chairman, you might add to that excellent group of compelling reasons for the enactment of this legislation the fact that the spokesmen for the Administration, in urging upon the Congress the passage of the surtax bill, very proudly quoted the Joint Committee on the Economic Report as recommending it, showing the prestige that they attributed to it.

During debate on that bill some disputed whether the indices could be designed, whether more knowledge might cause recessions rather than help to alleviate them. We know now that the fears were unfounded. The Council of Economic Advisors has accomplished its objectives well. The Annual Economic Report is respected and relied on by the Executive, by the Congress and by the public. Establishment of the Council not only centralized compilation of economic statistics, but stimulated the development and refinement of several new measures of economic performance. The work of the Council is in part responsible for our prosperity of the last eight years—the longest sustained period of business expansion in this Nation's history.

The bill which we discuss today, and which was introduced into the Senate by the distinguished Chairman of this Committee, establishes a Council of Social Advisors charged with the responsibility to do for our social programs what the Council of Economic Advisors has done in the field of economics.

This bill, the Full Opportunity Act, S. 5, which I have introduced in the House of Representatives as H.R. 9483, gives the Council of Social Advisors responsibility for collection of statistics and development of indicators of our social progress. It further directs the Council to prepare such studies as the President may request on specific aspects of social programs, the impact of legislative programs, and on long-range policies designed to achieve the goal of full opportunity for all Americans.

There is pressing need for such a report. Currently, data-gathering facilities are scattered throughout the Federal Government. We should establish a single body to compile and rationalize the inputs from the thousands of sources.

At present we consider only the raw data of dollars spent on programs such as health care, slum clearance, and job training. While these figures indicate the amount of goods and services at our disposal, what we need are indicators of the effects of our spending on the learning of our children, on the pollution of our environment, and on the health of our citizens.

Senator MONDALE. You have been in the Congress a good part of your adult life. Could you help underscore a point that I try to make. The point you just made seems like such a simple point and we should not only know how many schools we have but how well are the children educated? It is a difference between cold facts and hot facts, as one doctor testified. Can you testify how difficult it is in the Congress to get meaningful figures of that kind? People don't realize.

I had a top person in the White House, not the current staff, tell me one day he was talking with the Secretary of HEW and he said, "Mr. Secretary, tell me how many are on welfare and the make-up of the group? How many mothers? How many families? How

many old people? How many children? How many could be said to be reasonably available for work or training?"

He said, "I can't tell you that right now but I will call you tomorrow. I am sure those figures are available."

A year-and-a-half later they finally obtained that data.

The Secretary of HEW wanted the data. He was helpful but it took them a year-and-a-half to get that data. That was something he would have thought and I have heard people in the White House express this incredible frustration in trying to find out the data that would be helpful.

Could you comment on that in terms of your experience.

Mr. PEPPER. I could give you another illustration.

In the Rules Committee, we have chairmen come up from time to time to ask for rules to present their bills to the Floor of the House. I recall just recently the Chairman of the House Education and Labor Committee, Mr. Perkins, was up there. One of the members of the committee said, "Mr. Chairman, why is it you have \$2.5 billion in here for an authorization for this bill but the Appropriations Committee never allows more than about \$1.3 billion or something like that? Why put all of that authorization in there?"

He said, "Simply because that is a minimum of what we need and we are telling the House we ought to do what needs to be done."

The truth of the business is: If you and I tried to get the material up to make a speech about the condition of the people of this country, it would be a very difficult task for the Library of Congress or any source or authority of data to compile for us a really knowledgeable and reliable body of data.

Senator MONDALE. I do not think they could. We had a debate right in this room with the General Accounting Office. The Congress directed them to make a study of the Job Corps. They came back and recommended a little bit of everything.

But the thrust of their recommendations was taken to mean that they supported the Administration in cutting \$100 million out of the Job Corps program, roughly cutting it in half. So, we asked them to submit figures on the percentage of success in the other programs—manpower training, the other programs that relate to finding employment, keeping employment, giving them skills so they go up the economic ladder. They said those figures are available and we will give you the figures for the record.

We did not check again until we were on the Floor with the Cranston resolution and we saw their submission. In the eight programs we asked them to supply this information for, on five of them they had no information at all; i.e., what percentage had been received into the program had graduated? They did not know. What percentage graduated and found jobs? They did not know. How much the income of the person had changed by virtue of the training? They did not know. The truth of the matter is five of the eight manpower programs in this country they have no information about that is helpful at all. I find that fantastic but it is true because there is no one in this Government and never has been who is both interested and powerful enough to insist that the Government concentrate on the issues and facts that count most.

We had a remarkably gifted witness here the other day who drew the difference between tactical and strategic issues in American life. He said there is a principle that we concentrate on the little fellow and hardly at all on the big fellows, and the strategic questions of human strategy are the problems apparently of nobody, and that is why we ask real questions around this place and nobody knows the answers. If you want to know how many tsetse flies bothered some

sociologist 45 years ago somewhere, you could probably get four or five papers on it. If you want to know the condition of American health, you can't find out.

Mr. PEPPER. We can imagine the difficulty of Congress trying to legislate today in respect to our own economy without the knowledge that comes from the President's Council of Economic Advisors and from the hearings and the recommendations of the Joint Committee on the President's Economic Report. We would be moving in an area where there was no light. We would not know the criteria upon which to legislate.

It is a rather shocking thing that only so lately has come such a suggestion as this. I didn't know of any responsible suggestion comparable to your bill when you proposed it. I first saw it in the Congressional Record when you made your statement about it on the Floor.

As I say, it is rather shocking that we have apparently so little concerned about the welfare of millions and millions of our fellow citizens, not just a handful, and we never set up the machinery to find out about their condition, and that is basically what this is designed to do and find out what their problems are.

We all know that our economy and free society—as proud of it as we are—just does not operate in such a way that everybody gets enough to live according to what we call a decent American standard of living. We know that happened in 1930 and 1932 and gave the country the Greatest Depression that it had ever had because the then Government of the United States did not believe that it was the proper function of the Federal Government to concern itself with whether the family of John Smith down in some part of Alabama or Florida had a job, whether they were living in destitution or their farms were being foreclosed or they couldn't get a decent price for their cotton or hogs. It was just a feeling that that was beyond the concern of the Federal Government.

Now, that shocks us because we do recognize in a general way that we are somewhat our brother's keeper in a great democracy whether we literally apply that principle or not.

Senator MONDALE. You can recall when the Council of Economic Advisors persuaded President Kennedy to undertake a conscious policy of a deliberate deficit in the budget. I think that was 1962—a deficit of \$12 billion. That would have been total heresy just a few years before but now in retrospect nobody would argue against that policy. It just took about 50 years or 30 years to get what was accepted economic policy on the American college campus to be accepted by politicians. Now even The American Bankers Association has abandoned their worship of the annually balanced budget and routinely support some of the Keynesian economics which was finally introduced in the economic policy in this Government by the influence of the Council of Economic Advisors.

Now, I see some of the old characters are back again. They are against tax reform and for high interest rates. They don't want to do anything about the oil depletion allowance. They don't want to do anything about capital gains. They want to keep this structure and handle it separately from the surtax. So, they are still around and we need a responsible body of economists but we also need a responsible body of social scientists for the same reason.

Mr. PEPPER. I am chairman of a Select Committee on Crime recently set up by the House. One of my staff gave me a statement taken from one of the President's Commissions on Crime saying in substance that the composite criminal in America today was a white man about 24 years of age from a broken home, a school dropout, unemployed and previously arrested.

We are all very much concerned about crime, and yet you see how the economic background of that composite criminal enters into the picture.

We have figures that there are 3.5 million or 3.5 percent of our people who are unemployed but we don't really have any data, as the able Chairman knows, about really how many unemployed people there are in the country and really how effective the Federal efforts and all other efforts made for providing opportunities for work.

As you will recall, in the statement of the goals of the Full Employment Act, it stated that it was the duty of the United States to provide an economic climate in which all persons in this country ready, willing and able to work should be able to find a decent job. We did not guarantee everybody a job, but we committed ourselves in that bill as a national objective to provide an economic climate where there would be an opportunity for a decent job for everybody ready, willing and able to work.

Now, we really do not know how well we are keeping that commitment that we made to our people back at that time.

As I said, at present we consider only the raw data of dollars spent on programs such as health care, slum clearance, and job training. While these figures indicate the amount of goods and services at our disposal, what we need are indicators of the effects of our spending on the learning of our children, on the pollution of our environment, and on the health of our citizens.

And this Congress should create a Joint Committee to analyze and make recommendations on the Annual Social Report as the Joint Economic Committee now does for the President's Economic Report.

The establishment of the Council for Urban Affairs by President Nixon is a step toward the coordination of our efforts at a high level of government. But it is limited to the Executive Branch and is focused on urban affairs. It will not be enough. We must create a body to consider urban and rural problems as interrelated and interdependent; a body whose responsibility is to report to the Congress as well as to the President on the ways in which we can implement the goal of full opportunity.

Mr. Chairman, just as uncertainty surrounded the creation of the Council of Economic Advisors, it surrounds the establishment of a Council of Social Advisors. But just as the Council of Economic Advisors has successfully aided the achievement of economic growth, the Council of Social Advisors can advance our progress in the field of Social Affairs.

I will conclude only by saying it is interesting to read that we have a gross national product, let us say, of \$900 billion, but what does that mean in terms of adequacy? How is that gross national product distributed? What are the consequences to people of an economy that has that gross national product? Do we need \$15 billion or \$5 billion? What you are talking about is the material of human life which, after all, if we the people of the United States formed this country, not we the economic factors, not the mountains, not the fields or the streams or the forest, not the minerals and the metals but the people of this country, and I think this bill more addresses itself to the welfare of the people than any legislation I have seen in this country, so I am proud to be associated with the able chairman in the sponsorship of it.

Senator MONDALE. We are delighted to have you here this morning, Congressman Pepper. We are disappointed that you would leave this fine house. We are most grateful to you for this testimony this morning which strengthens our case. Thank you so very much.

CAN NIXON EASE RUMANIA'S PAIN?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. DERWINSKI. Mr. Speaker, the immediate excitement and intensive coverage of President Nixon's visit to Rumania has now died down and should properly be replaced by an objective view of the situation in Rumania.

In an article written prior to the President's arrival in Bucharest, Mr. Dumitru Danielopol, the distinguished international correspondent of the Copley News Service, who was a banker-diplomat in prewar Rumania, produced an article inspired by his depth of knowledge of the country. The article contained a clear analysis of the possible effects of the visit and in view of the reception accorded the President, the final paragraph of Danielopol's article is prophetic. The article follows:

[From the San Diego (Calif.) Union, July 27, 1969]

CAN NIXON EASE RUMANIA'S PAIN?

(NOTE.—The writer was a banker and diplomat in prewar Rumania)

(By Dumitru Danielopol)

WASHINGTON.—The people of Rumania always loved America. Even today, after 25 years of relentless Communist propaganda and hate campaigns, America remains their goal and their hope.

Romanians still remember that it was President Wilson's 14 points that helped forge "greater Rumania" after World War I and it was the American Red Cross and Herbert Hoover's relief program that healed the ravaged country in 1919 with doctors, food, medicines and clothes.

As a young man, I recall the letters from emigrants to America that arrived in our villages. They were full of praise of their new country where people lived in freedom and where everyone had the opportunity to make good. The money and packages they sent home proved their point.

Though I did not come to America until 1946, I learned to love this country early in life. My father was the first Rumanian minister to Washington, a representative of King Ferdinand. He stayed in Washington for a year in the World War I era, and was so impressed with the American way of life, the freedoms and liberties that he went home to return to politics in the hope that he could help Rumania achieve the same type of democracy.

He died soon after his return, during the election campaign that was going to give him back his seat in Parliament.

I reminisce about all this as President Nixon prepares to visit Rumania.

I believe Mr. Nixon is right to go to Bucharest, but I cannot help feeling a little sad and bitter about this visit.

He is, after all, the first President of the United States ever to visit my homeland.

It hurts that he will be welcomed not by a freely elected government but by a Communist boss like Nicolae Ceausescu, a man who has denounced the United States for its position in Vietnam, who has called us "imperialists" and "aggressors," who is the heir of some of the most reprehensible tyrants Rumania has ever known in more than a thousand years of history.

It hurts that the President will be negotiating with Communists who have violated every accord, agreement and treaty they have

entered into with free nations—including several in which the United States was a co-signatory.

They have sent many of my friends and relatives to jail, to work under beastly conditions in the Danube delta or at the Danube-Black Sea canal, where they died like flies.

"But what has been has been," as the Romanians used to say.

What is to come is now important.

I welcome President Nixon's visit because it shows a change of attitude, and a new initiative in American foreign affairs. Call it "power politics" if you will, but it shows that America does not consider Eastern Europe as a Russian fief. Mr. Nixon is willing to challenge the Brezhnev doctrine.

I also welcome this visit because it will bring some satisfaction to the Romanian people who still suffer one of the most totalitarian regimes in Europe. At least they know they have not been forgotten.

They've waited a long time.

After World War II the promises of freedom and self-determination made by Britain, the United States and the Soviet Union in return for Romania quitting the Axis never materialized.

The Romanians knew at the time that they could not trust the Russians, that Britain was exhausted. Their trust was placed in the mighty United States. It crumbled in 1946 when the Communists—an infinitesimal minority, but backed by occupying Russian bayonets—stole the elections and America did not intervene.

A land of small land-owners, Rumania suffered the worst of Communist expropriations, coupled with savage war reparations.

Christians since the 1st Century and deeply religious, the Romanians also suffered the indignity of Communist atheism.

There were other disappointments, too. The failure of the Hungarian freedom fighters in 1956; the ugly implications of Russia's invasion of Czechoslovakia in 1968.

Somehow, some way, Mr. Nixon may be able to wipe away some of Rumania's pain.

To Comrade Ceausescu, the presidential visit is undoubtedly a personal, political and diplomatic success.

But I'm interested in what the Romanian people get out of it. They don't deserve to be disappointed again.

After all the President is the leader of the free world, he favors "self-determination" for all peoples including the people of South Vietnam. That is why so many Americans have died in that far corner of the world.

This is a great opportunity for the United States. Mr. Nixon will certainly receive a tumultuous welcome in Bucharest. We can't afford to let those cheers turn to tears.

GUN CONFISCATION—THREE OPINIONS

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. SAYLOR. Mr. Speaker, the report of the National Commission on the Causes and Prevention of Violence recently recommended that all handguns be confiscated by the U.S. Government. The recommendations are patently silly and would be as impossible to carry out as the 1968 Gun Control Act is impossible to enforce. With the report of the Commission, gun control advocates have finally shown that their intent throughout all the years of highly emotional debate has been the confiscation of all guns in America. I have spoken and voted in

opposition to gun control and gun confiscation on numerous occasions so my position is well known. Today, I would like to present what I feel is the majority opinion of the citizens in my congressional district by placing in the RECORD three excellent letters to the editors of the Johnstown Tribune-Democrat and the Oil City Derrick. The letters follow:

[From the Johnstown (Pa.) Tribune-Democrat, Aug. 7, 1969]

FIREARMS

NEW FLORENCE, July 31.—On page one of the Tribune-Democrat July 29, there was an article titled "Domestic Arms Race" that brings out the truth on the antifirearms faction's goals. The hunter and other sportsmen have been told time and again that antigun legislation would not be against them. This item spells out the whole truth just as the public has been warned many times. This truth is the total abolishment of handguns, except for a very few cases such as police, some guards and some small businesses. The American public has been told that this has been the aim ever since this thing started.

This committee is trying to tell you that firearms in the home is something new. This is not the case in many homes, in fact the majority of them, have had guns of many types in them for many years. The committee cites the increase in sales and calls this a dangerous situation and says that we are turning our homes into arsenals. This is not so. The increase is due to the new hunters, sportsmen and target shooters.

The committee says that the government would earmark dollars to pay for confiscated handguns. They mention \$20 each. I think they had better check some prices on these guns. Many thousands of handguns are worth between \$100 and \$200, and some are worth much more.

This committee states that "gunfire accounted for 63 per cent of 12,100 homicides in 1968." I assume they are talking about handguns, as this seems to be the topic of the item. They state there are 24 million handguns in private hands in the U.S. This shows that there were 7,623 homicides with handguns. What about the other 23,992,377 handguns that were not used in homicides?

The American public has shown it does not favor further firearms laws. Past experience has shown these laws do not work out. Of the 7,623 guns used in the said crimes, how many were registered, how many were obtained against the law, how many were owned by criminals, who are not allowed to own any weapon? According to the figures the committee gave us, just a little over one-fourth of one per cent of the estimated handguns were used in these homicides. Why penalize the total amount? If the thousands of gun laws on the books now cannot be enforced, how are they going to enforce new ones? Restrictive gun laws have been enacted in the city of Philadelphia and the crime rate has gone up, just as it has everywhere that has made similar laws.

I see in the July 30 paper, an item about changes in "the gun control act of 1968." These changes will have to do with sporting ammunition. It was not the intent of the lawmakers to regulate this item, but the Internal Revenue Service enforces the act and interpreted it differently. A great many sen-

ators and congressmen have changed their minds about this act, and if it was put to a vote today, it would not pass.

ROBERT M. HALL.

[From the Oil City (Pa.) Derrick, Aug. 7, 1969]

HANDGUNS

CLARION, PA.

EDITOR DERRICK: In reply to your editorial "Our Opinions" in The Derrick Monday, August 4. How can you, the free press, endorse something that will take away one more of our freedoms?

You state this recommendation does not include shotguns and rifles. But after all hand guns are confiscated, don't you think they will try to pick up rifles and shotguns too? I do.

I don't believe that the pickup of hand guns as recommended would achieve what the commission thinks it will. The criminal or person on the wrong side of the law will not turn his hand gun in anyway.

Why doesn't the free press come out for endorsement of existing laws on punishment for those who use guns illegally. We have the laws but courts are too lenient when enforcing them.

We need no new regulations, just stricter enforcement of the existing ones.

J. T. RANKIN.

[From the Johnstown (Pa.) Tribune-Democrat, Aug. 7, 1969]

SAYS GUN LAWS WON'T WORK

JOHNSTOWN R.D. 1, July 26.—What is America coming to? Our right to bear arms, guaranteed by the Constitution, is being jeopardized. Congress says that we need stronger gun control laws. We might ask ourselves, will gun control laws work? The answer is no.

On April 16, 1965, Philadelphia passed the Model Gun Control Law. From that date to the present, 760 homicides have been committed in Philadelphia. On the other hand, only 134 homicides have been committed in Pittsburgh, which has no gun control law.

New York has a gun control law (Sullivan Law). Statistics prove that on a percentage basis the number of serious crimes involving firearms is minimal. The crimes which are committed with the aid of a firearm involve unlicensed firearms, which is a violation of the Sullivan Law. (Many of us no doubt have seen the bumper sticker appearing on vehicles recently. When Guns Are Outlawed, Only Outlaws Will Have Guns.)

In 1966, 3,243,370 serious crimes were committed in the United States. According to the FBI, in only 3.4 per cent of the above crimes were firearms involved. (Rifles and shotguns were used in less than one-half of one per cent of these crimes.)

Before we can purchase ammunition, shotguns, rifles etc. today, we have to properly identify ourselves with operator's license or some other form of identification.

This gun control matter has gone too far. Let's stop it before it is too late. Let us write our representative and senator today protesting any more form of gun control.

If anything should be registered or controlled, it should be the Communists. The Supreme Court, in a decision last summer, said that it is unconstitutional to register Communists. They say this is discriminating

against one group. (Register the Communists, not our guns.)

Before I close, I will bring up one more point. Remember Dr. Spock, the child specialist. Last fall he was convicted for advocating the burning of draft cards by students protesting the Vietnam War. Even though he was violating the law, he was released by an appeals court which noted freedom of speech. Give us back our freedom too—the right to bear and purchase firearms without being harassed.

RAYMOND GORMAN,

Secretary, Benschoff Hill Rod-Gun Club.

COST OF LIVING IS AN INCREASING BURDEN

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 11, 1969

Mr. WALDIE. Mr. Speaker, the cost of living for those of our citizens on a fixed income is becoming increasingly burdensome, especially to those whose pride drives them to seek extra income rather than seek additional benefits from Government sources. These retired citizens, however, are feeling the squeeze imposed by stringent and outmoded income ceilings which dig into their wages or their pension benefits.

Mr. Speaker, a resident of my district, Mr. Dante E. Wiskerson of Richmond, Calif., recently wrote to me on this matter. I think his letter is important and compelling and would like to include it in the CONGRESSIONAL RECORD for the benefit of all the Members:

RICHMOND, CALIF., August 3, 1969.

HON. JEROME R. WALDIE,
Washington, D.C.

DEAR CONGRESSMAN: I am retired on a small income and feel compelled to work as a guard to supplement my income. Now I have never been on relief and do not want help of any kind, but I do think that all people over 65 should be allowed to make over \$1,680 annually without being penalized. My social security check in \$76.20 monthly, or a grand (?) total of \$914.40 annually. The first of Oct. this year I shall have earned \$1,680. If I continue to work the next \$1,000 the social security people take half or \$500. Then the next \$414.40 they take all until the entire \$914.40 is recovered. This forces me to work for next to nothing for the next \$1,500. I only get \$1.70 per hour to start with. The only reason I can see for this is to discourage old retirees from working and to save jobs for younger people. However, I wish to point out that younger people refuse to work for this small wage and I consider this reason entirely without foundation.

For heavens sake let we old people work so that we have a livable wage. I'm 66 years old and I'll die before I take relief. After all what I'm asking is an opportunity to supplement a very small income and not charity.

Very truly yours,

DANTE E. WISKERSON.