

EXTENSIONS OF REMARKS

PROPOSED REVISIONS OF RULES GOVERNING INTERSTATE COMMERCIAL VEHICLE DRIVER QUALIFICATIONS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. ASHBROOK. Mr. Speaker, on June 2, 1969, the Department of Transportation, through its Federal Highway Administration Department, proposed a complete revision of part 391 of the motor carrier safety regulations pertaining to qualifications of drivers of commercial motor vehicles engaged in interstate or foreign commerce.

I believe the Department of Transportation would be well advised in implementing these rules to proceed carefully as many are far-reaching and arbitrary and would work hardships on drivers with good records and qualifications.

Because of their importance to the commercial motor vehicle area of the transportation field, I insert at this point in the RECORD the proposed revisions and other pertinent pronouncements as they appeared in the Federal Register of June 7 and August 23, 1969:

[49 CFR Part 391]

[Docket No. MC-7; Notice No. 69-13]

MOTOR CARRIER SAFETY REGULATIONS QUALIFICATIONS OF DRIVERS; NOTICE OF EXTENSION OF TIME TO FILE COMMENTS

On June 2, 1969, the Federal Highway Administrator issued a notice of proposed rule making which proposed a complete revision of Part 391 of the Motor Carrier Safety Regulations pertaining to qualifications of drivers of commercial motor vehicles engaged in interstate or foreign commerce (34 F.R. 9080). The notice specified that interested persons should submit their comments on the proposed rule within 90 days of its publication in the FEDERAL REGISTER.

The Administrator has received a petition for extension of time for filing comments. Upon consideration thereof, he has extended the time to file timely comments for 32 days, to the close of business on October 6, 1969. Issued on August 19, 1969.

F. C. TURNER,

Federal Highway Administrator.

[F.R. Doc. 69-10100; Filed, Aug. 22, 1969; 8:50 a.m.]

[49 CFR Part 391]

[Docket No. MC-7; Notice 69-9]

QUALIFICATIONS OF DRIVERS NOTICE OF PROPOSED RULE MAKING

The Federal Highway Administrator is considering a complete revision of Part 391 of the Motor Carrier Safety Regulations, relating to qualifications of drivers of commercial motor vehicles engaged in interstate or foreign commerce.

Accident experience in recent years has demonstrated that reduction of the effects of organic and physical disorders, emotional impairments, and other limitations of the good health of drivers are increasingly important factors in accident prevention. Technological advances in equipment and highway engineering, together with increased

knowledge in the areas of highway safety and the various skills that today's commercial motor vehicle drivers must possess, make it necessary that criteria for determining whether individuals are qualified to drive commercial motor vehicles be upgraded. The mobility of the modern labor force requires access to more information by which a potential driver's ability, training, mental attitude, and experience in the operation of commercial motor vehicles can be determined. Medical advances, improved diagnostic techniques, and modern man's increased exposure to the regulations' physical qualifications for driving commercial motor vehicles. These factors have impelled the Administrator to consider revising Part 391.

The proposed changes to Part 391 fall into five broad, general areas:

The first area relates to the record and history of professional drivers. The driver qualifications under consideration would require every prospective driver to submit information concerning his driving record, his prior employers, his accident experience, and the status of his driver's license to the motor carrier for which he seeks to drive. He must also furnish information concerning his experience in driving motor vehicles. The carrier would be required to test the skill of prospective drivers by giving an adequate road test under controlled conditions, and a written examination to test the applicant's knowledge of the applicable motor carrier safety regulations.

The second general area relates to the minimum physical qualifications for drivers. The proposed revision would substantially tighten the existing regulations by including guidelines for the evaluation of persons in high-risk medical categories and would provide for giving the examining physician full information about the responsibilities of and the exacting demands made on present-day commercial drivers.

The third general area relates to the in-service record of each driver and continued surveillance of his performance while he is on the job. In order to assure continued attention to these factors, the proposal would require an annual review of each driver's record, investigation of the accidents in which he is involved, if any, and more frequent physical reexaminations under the same criteria as apply to the preemployment examination. In addition, the proposal provides a means for resolution of disagreements between medical examiners in special cases.

The fourth area relates to a difficult problem facing both the Administration and the motor carrier industry. That problem is when, and under what circumstances, permitting a driver to continue to drive involves too great a risk to the interests of public safety. Therefore, the proposed revision would establish rules requiring removal from service of any driver who is convicted of serious offenses involving a motor vehicle or alcohol or drugs, or whose license to operate a motor vehicle has been suspended or revoked. The rules would also require motor carriers to consider, on an annual basis, whether the driving record of each driver in their employ indicates that the driver has exhibited a disregard for public safety. These rules are intended not only to promote safety in the public's interest, but also to protect the lives of drivers who are subject to them.

The fifth area relates to revisions of an editorial nature. A large number of changes have been proposed for the purpose of increasing the clarity of Part 391. In addition, the proposal would transfer two provisions which relate to the driving of motor vehicles from Part 391 to Part 392.

During the past year, particularly while revision of Part 391 was under consideration, the Administrator received a number of suggestions that the minimum age for drivers (now set at 21) be lowered. The Administrator realizes that the present age limit applies only to drivers of commercial motor vehicles engaged in interstate or foreign commerce. He recognizes the complex mechanical characteristics and the demanding operational requirements of modern commercial vehicles. Most of such vehicles in intercity service are articulated trucks which have sophisticated air, electrical, and mechanical systems, such as complex transmissions. Operating these vehicles safely requires both experience and an unusual degree of judgment. These vehicles frequently operate under all conditions including wet and otherwise slippery pavements, adding to the need for experience and judgment on the part of those who drive them to avoid serious and costly accidents. However, in order to give the fullest possible consideration to the views of those who favor reducing the existing minimum age, the Administrator particularly invites interested persons to comment on this issue.

Interested persons are invited to submit written data, views, or arguments, pertaining to the proposed rule. Comments must identify the docket (No. MC-7) and must be submitted in three copies to the Federal Highway Administration, Sixth and D Streets SW., Washington, D.C. 20591, Attention: Bureau of Motor Carrier Safety, Room 302A. All comments received before the close of business 90 days after this notice is published in the FEDERAL REGISTER will be considered by the Administrator. All comments will be available for examination in the docket at the above address before and after the closing date for comments.

In consideration of the foregoing, the Administrator proposes to revise Part 391 of Title 49, CFR to read as set forth below and to amend Part 392 of Title 49, CFR as set forth below.

This notice of proposed rule making is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegation of authority by the Secretary of Transportation in 49 CFR 1.4(c).

Issued: June 2, 1969.

F. C. TURNER,

Federal Highway Administrator.

I. Part 391 of Title 49, CFR is revised to read as follows:

PART 391—QUALIFICATIONS OF DRIVERS
Subpart A—General

- Sec.
391.1 Scope of rules in this part; additional qualifications.
391.3 Definitions.
391.5 Familiarity with rules.
391.7 Aiding or abetting violations.

Subpart B—Qualification and Disqualification of Drivers

- 391.11 General qualifications for all drivers.
391.13 Special qualifications for drivers hired after December 31, 1969.
391.15 Disqualification of drivers.

Subpart C—Background and Character

- 391.21 Application for employment.
391.23 Investigations and inquiries.
391.25 Annual review of driving record.
391.27 Record of violations.

Subpart D—Examination and Tests

- 391.31 Road test.
391.33 Equivalent of road test.
391.35 Written examination.
391.37 Equivalent of written examination.

Subpart E—Physical Qualifications and Examinations

- 391.41 Physical qualifications for driving.
 391.43 Medical examination; certificate of physical qualification.
 391.45 Persons who must be medically examined and certified.
 391.47 Conflict of medical evaluations.
 391.49 Waiver of certain physical defects.

Subpart F—Files and Records

- 391.51 Personnel files.

Subpart G—Exemptions

- 391.61 Single trip drivers.
 391.63 Drivers furnished by other motor carriers.

AUTHORITY: The provisions of this Part 391 issued under sec. 204, Interstate Commerce Act, as amended (49 U.S.C. 304); sec. 6, Department of Transportation Act (49 U.S.C. 1655); delegation of authority by the Secretary of Transportation in 49 CFR 1.4(c).

Subpart A—General

- § 391.1 Scope of rules in this part; additional qualifications.

(a) The rules in this part establish minimum qualifications for persons who drive motor vehicles as, for, or on behalf of motor carriers. The rules in this part also establish minimum duties of motor carriers with respect to the qualifications of their drivers.

(b) The rules in this part, and in other parts of this subchapter, do not prevent a motor carrier from imposing more stringent or additional qualifications, requirements, examinations, or certificates than the qualifications, requirements, examinations, or certificates that are imposed by those rules.

§ 391.3 Definitions.

As used in this part—

(a) The term "motor carrier" includes a motor carrier and the agents, officers, representatives, and employees of a motor carrier who are responsible for or concerned with the driving of a motor vehicle or the hiring, supervision, training, assignment, or dispatching of drivers.

(b) The term "Director" means the Director of the Bureau of Motor Carrier Safety.

§ 391.5 Familiarity with rules.

Each motor carrier shall know, and be familiar with, the rules in this part.

§ 391.7 Aiding or abetting violations.

No person shall aid, abet, encourage, or require a motor carrier or a driver to violate any provision of this part.

Subpart B—Qualification and disqualification of drivers

§ 391.11 General qualifications for all drivers.

(a) A person shall not drive a motor vehicle unless he is qualified to drive a motor vehicle. A motor carrier shall not require or permit a person to drive a motor vehicle unless that person is qualified to drive a motor vehicle.

(b) A person is qualified to drive a motor vehicle if he—

- (1) Is at least 21 years old;
- (2) Can read, write, and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to understand oral and written directions in the English language, to respond to official inquiries, and to make entries in the English language on reports and records;
- (3) Can, by reason of experience, training, or both, safely drive the type of motor vehicle he drives;
- (4) Can, by reason of experience, training, or both, insure that the cargo he transports (including baggage in a passenger-carrying motor vehicle) has been properly located and distributed in or on the motor vehicle he drives;
- (5) Is familiar with blocking, bracing, chains, cables, boomers, dogs, and other methods of securing cargo in or on the motor vehicle he drives;

(6) Is physically qualified to drive a motor vehicle in accordance with § 391.41;

(7) Has in his possession a medical examiner's certificate issued pursuant to § 391.43;

(8) Knows the current rules and regulations of the Federal Highway Administration pertaining to safe operation of motor vehicles and the statutory provisions pertaining to safe operation of motor vehicles which are administered by the Federal Highway Administration (including the Transportation of Explosives and Other Dangerous Articles Act, if he is, or may be, assigned to handle or transport explosives or other dangerous articles as defined in that Act);

(9) Has prepared and furnished the motor carrier that employs him with the list of violations or the certificate required by § 391.27; and

(10) Is not disqualified to drive a motor vehicle pursuant to § 391.15.

§ 391.13 Special qualifications for drivers hired after December 31, 1969.

(a) A person who has not been continuously employed by a motor carrier as a driver for a period which began before January 1, 1970, shall not drive a motor vehicle unless he is specially qualified to drive a motor vehicle. After December 31, 1969, a motor carrier shall not require or permit such a person to drive a motor vehicle unless that person is specially qualified to drive a motor vehicle.

(b) A person is specially qualified to drive a motor vehicle if he—

(1) Is qualified to drive a motor vehicle pursuant to § 391.11;

(2) Has successfully completed a driver's road test and has been issued a certificate of driver's road test in accordance with § 391.31, or has presented an operator's license or certificate of driver's road test which the motor carrier that employs him has accepted as equivalent to a road test in accordance with § 391.33;

(3) Has successfully completed a written examination and has been issued a certificate of written examination in accordance with § 391.35, or has presented a certificate of written examination which the motor carrier that employs him has accepted as equivalent to a written examination in accordance with § 391.37; and

(4) Has completed and furnished the motor carrier that employs him with an application for employment in accordance with § 391.21.

§ 391.15 Disqualification of drivers.

(a) A driver who is disqualified shall not drive a motor vehicle. After December 31, 1969, a motor carrier shall not require or permit a driver to drive a motor vehicle if that driver is disqualified.

(b) After December 31, 1969, a driver is disqualified if—

(1) He has, within the preceding 3 years, been convicted of or forfeited bond or collateral upon any of the following charges:

- (i) A felony, the commission of which involved the use of a motor vehicle;
- (ii) A crime involving the manufacturing, knowing transportation, knowing possession, sale, or habitual use of amphetamines, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug;
- (iii) Operating a motor vehicle under the influence of alcohol, amphetamine, a narcotic drug, a formulation of an amphetamine or a derivative of a narcotic drug;
- (iv) Leaving the scene of an accident which resulted in personal injury or death; or

(v) Three or more moving traffic violations.

(2) Any license, permit, or privilege to operate a motor vehicle which he has held has been suspended, revoked, withdrawn, or denied and has not been reinstated or reissued by the authority that suspended, revoked, withdrew, or denied it; or

(3) He fails to comply with the Motor Carrier Safety Regulations or Hazardous Materials Regulations of the Federal Highway Administration.

Subpart C—Background and character

§ 391.21 Application for employment.

(a) No person, other than a person who has been continuously employed by a motor carrier as a driver for a period which began before January 1, 1970, may drive a motor vehicle unless he has completed and furnished the motor carrier with an application for employment that meets the requirements of paragraph (b) of this section.

(b) The application for employment shall be made on a form furnished by the motor carrier. Each application form must be completed by the applicant, must be signed by him, and must contain the following information:

(1) The name and address of the motor carrier;

(2) The applicant's name, address, date of birth, and social security number;

(3) The addresses at which the applicant has resided during the 3 years preceding the date on which the application is submitted;

(4) The date on which the application is submitted;

(5) The issued State, number, and expiration date of each unexpired motor vehicle driver's, chauffeur's, or operator's license or permit that has been issued to the applicant;

(6) The issuing State of each expired motor vehicle driver's, chauffeur's, or operator's license or permit that has been issued to the applicant during the 3 years preceding the date the application is submitted;

(7) The nature and extent of the applicant's experience in the operation of motor vehicles including the type of equipment (such as straight trucks, tractors, and semi-trailers, or tractors, and full trailers) which he has operated;

(8) A list, in reverse chronological order, of the date and nature of any motor vehicle accidents specifying fatalities or personal injuries, in which the applicant was involved during the 3 years preceding the date the application is submitted;

(9) A list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted or forfeited bond or collateral during the 3 years preceding the date the application is submitted;

(10) A statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation or suspension has occurred;

(11) A statement certifying that the applicant holds a valid license which entitles him to operate a motor vehicle;

(12) A list, in reverse chronological order, of the names and addresses of the applicant's employers during the 3 years preceding the date the application is submitted, together with the dates he was employed by, and his reason for leaving the employ of, each employer; and

(13) The following certification and signature line, which must appear at the end of the application form and must be signed by the applicant:

This certifies that this application was completed by me and that all entries on it and information in it are true and complete to the best of my knowledge.

----- (Date) (Applicant's signature)

(c) A motor carrier may require an applicant to provide information in addition to the information required by paragraph (b) of this section on the application form.

(d) Before an application form is submitted the motor carrier shall inform the applicant that the information he provides in accordance with subparagraph (12) of

paragraph (b) of this section may be used, and the applicant's prior employers may be contacted, for the purpose of investigating the applicant's background as required by § 391.23.

§ 391.23 Investigations and inquiries.

(a) Each motor carrier shall make the following investigations and inquiries with respect to each driver it employs, other than a driver who has been continuously employed as a driver by the motor carrier for a period which began before January 1, 1970, at the time it employs him:

(1) An inquiry into the driver's driving record during the preceding 3 years, including an inquiry to the appropriate agency of every State in which the driver held a motor vehicle operator's license or permit during those 3 years; and

(2) An investigation of the driver's employment record during the preceding 3 years.

(b) The inquiry to State agencies required by subparagraph (1) of paragraph (a) of this section shall be made in the form and manner those agencies prescribe. A copy of the response by each State agency, showing the driver's driving record or certifying that no driving record exists for that driver, shall be retained in the carrier's files as part of the driver's personnel file.

(c) The investigation of the driver's employment record required by subparagraph (2) of paragraph (a) of this section must be made within 30 days of the date the driver is employed. The investigation may consist of personal interviews, telephone interviews, letters, or any other methods of obtaining information that the motor carrier deems appropriate. Each motor carrier must make a written record with respect to each past employer who was contacted. The record must include the past employer's name and address, the date he was contacted, the method by which he was contacted, and his comments with respect to the driver. The record shall be retained in the motor carrier's files as part of the driver's personnel file.

(d) The motor carrier's findings resulting from its investigation of every recordable accident, as defined in § 394.2(a) of this subchapter, in which the driver was involved shall be retained in the motor carrier's files as part of the driver's personnel file.

§ 391.25 Annual review of driving record.

At least once in each year, each motor carrier must review the driving record of each driver it employs to determine whether that driver meets minimum requirements for safe driving or is disqualified to drive a motor vehicle pursuant to § 391.15. In reviewing a driving record, the motor carrier must consider any evidence that the driver has violated applicable provisions of the Motor Carrier Safety Regulations. The motor carrier must also consider any evidence that the driver has violated laws governing the operation of motor vehicles, and must give great weight to violations, such as speeding, reckless driving, and operating while under the influence of alcohol or drugs, that indicate that the driver has exhibited a disregard for the safety of the public.

§ 391.27 Record of violations.

(a) After December 31, 1969, each motor carrier shall require each driver it employs annually to prepare and furnish it with a list of all violations of motor vehicles laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he forfeited bond or collateral during the preceding year.

(b) If a motor carrier accepts a certificate the list required in accordance with paragraph (a) of this section. If the driver has not been convicted of or forfeited bond or collateral on account of any violations which must be listed, he shall so certify.

(c) The form of the driver's list or certificate shall be prescribed by the motor carrier. The following form may be used to comply with this section:

Motor vehicle driver's certification

I certify that the following is a true and complete list of traffic violations (other than parking charges) for which I have knowingly been convicted or forfeited bond or collateral during the last 12 months.

Date	Offense
-----	-----
-----	-----
-----	-----
-----	-----
-----	-----
Location	Type of vehicle operated
-----	-----
-----	-----
-----	-----
-----	-----

If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violations required to be listed during the last 12 months.

-----	-----
(Date of certification)	(Driver's signature)
-----	-----
(Motor carrier's name)	(Motor carrier's address)
-----	-----
(Checked by: signature)	(Title)
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(d) Each motor carrier shall retain the list or certificate required by this section in its files as part of the driver's personnel file.

Subpart D—Examinations and tests

§ 391.31 Road test.

(a) Except as provided in §§ 391.33 and 391.61, no person, other than a person who has been continuously employed by a motor carrier as a driver for a period which began before January 1, 1970, may drive a motor vehicle unless he has completed a road test and has been issued a certificate of driver's road test in accordance with this section.

(b) The road test shall be given by the motor carrier, or a person designated by it. The test shall be conducted by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he is capable of safely operating the motor vehicle, and associated equipment, which the motor carrier intends to assign to him.

(c) The road test must be of sufficient duration to enable the person who conducts it to evaluate the skill of the person who takes the test at handling the motor vehicle and associated equipment which the motor carrier intends to assign to him. At a minimum, the person who takes the test must be tested while driving the type of motor vehicle the motor carrier intends to assign to him on his skill at performing each of the following operations:

(1) The pretrip inspection required by § 392.7 of this subchapter;

(2) Coupling and uncoupling of combination units;

(3) Placing the vehicle in operation;

(4) Use of the vehicle's controls;

(5) Operating the vehicle in traffic and while passing other vehicles;

(6) Turning the vehicle;

(7) Braking, and slowing the vehicle by means other than braking; and

(8) Backing and parking the vehicle.

(d) The motor carrier shall provide a road test form on which the person who conducts the test shall rate the performance of the person who takes the test at each operation or activity which is a part of the test. After he completes the form, the person who conducted the test shall sign it. The

original of the signed form shall be retained in the carrier's files as part of the personnel file of the person who took the test.

(e) After the road test is completed, the person who conducted it shall complete a certificate of driver's road test in substantially the form prescribed in paragraph (f) of this section. The original of the certificate shall be retained in the motor carrier's files as part of the personnel file of the person who took the test. One copy of the certificate shall be given to the person who took the test.

(f) The form for the certificate of driver's road test is substantially as follows:

Driver's name-----
 Social Security No.-----
 Operator's or chauffeur's license No.-----
 State-----
 Examining motor carrier-----
 Date tested-----
 Type of power unit-----
 Type of trailer(s)-----
 If passenger carrier, type of bus-----

This is to certify that the above-named driver was given a road test under my supervision on ----- 19-- consisting of approximately ----- miles of driving.

It is my considered opinion that this driver Does (), Does Not (), possess sufficient driving skill necessary to operate safely the type of motor vehicle listed above.

Signature of examiner-----
 Title-----
 Address of examiner-----

§ 391.33 Equivalent of road test.

(a) In place of, and as equivalent to, the road test required by § 391.31, a person who seeks to drive a motor vehicle may present, and a motor carrier may accept—

(1) A valid operator's license which has been issued to him by a State that licenses drivers to operate specific categories of motor vehicles and which, under the laws of that State, licenses him to drive motor vehicles of the type that the motor carrier intends to permit him to drive; or

(2) A copy of a valid certificate of driver's road test issued pursuant to § 391.31 within the preceding 3 years.

(b) If a driver presents and a motor carrier accepts a license or certificate as equivalent to the road test, the motor carrier shall retain a legible copy of the license or certificate in its files as part of the driver's personnel file.

(c) A motor carrier may require any person who presents a license or certificate as equivalent to the road test to take a road test or any other test as a condition to his employment as a driver.

§ 391.35 Written examination.

(a) Except as provided in §§ 391.37 and 391.61, no person, other than a person who has been continuously employed by a motor carrier as a driver for a period which began, before January 1, 1970, may drive a motor vehicle unless he has successfully completed a written examination and has been issued a certificate of written examination in accordance with this section.

(b) The written examination shall be given by the motor carrier or a person designated by it on a form prescribed by the motor carrier. The examination shall be administered by a competent person.

(c) The examination shall consist of questions designed to test the examinee's knowledge of Parts 390-397 of this subchapter. At least 30 questions, which can be answered in either multiple-choice or true-or-false form, shall be asked. A person who correctly answers at least 70 percent of the questions has successfully completed the examination.

(d) If the examinee successfully completes the examination, the person who administered it shall advise the examinee of the correct answers to any questions he failed to answer correctly and shall complete a cer-

tificate of written examination in substantially the following form:

This is to certify that the driver whose signature appears below, has successfully completed the written examination under my supervision in accordance with the provisions of section 391.35 of the Motor Carrier Safety Regulations.

(Signature of driver (Date of examination)
taking examination)

(Location of examination)

(Signature of (Title)
examiner)

(Address of examiner)

(e) A copy of the certificate required by paragraph (d) of this section shall be given to the person who was examined. The motor carrier shall retain in the personnel file of the person who was examined—

(1) The original of the certificate required by paragraph (d) of this section;

(2) The questions asked on the examination; and

(3) The person's answers to those questions.

§ 391.37 Equivalent of written examination.

(a) In place of, and as equivalent to, the written examination required by § 391.35, a person who seeks to drive a motor vehicle may present, and a motor carrier may accept a valid certificate of written examination issued pursuant to paragraph (d) of that section within the preceding 3 years.

(b) If a motor carrier accepts a certificate as equivalent to the written examination, it shall retain a legible copy of the certificate in its files as part of the driver's personnel file.

Subpart E—Physical qualifications and examinations

§ 391.41 Physical qualifications for driving.

(a) No person may drive a motor vehicle unless he is physically qualified to do so and has on his person a medical examiner's certificate, issued pursuant to § 391.43, that he is physically qualified to drive a motor vehicle.

(b) A person is physically qualified to drive a motor vehicle if he—

(1) Has no loss of a foot, a leg, a hand, a finger, or an arm, or has been granted a waiver pursuant to § 391.49;

(2) Has no impairment of the use of a foot, a leg, a hand, a finger, or an arm and no other structural defect or limitation which is likely to interfere with his ability to control and safely drive a motor vehicle, or has been granted a waiver pursuant to § 391.49;

(3) Has no established medical history or clinical diagnosis of diabetes mellitus that requires insulin for control, or has required insulin treatment within the preceding 12-month period;

(4) Has no clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by a syncope, dyspepsia, collapse, or congestive cardiac failure;

(5) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and safely drive a motor vehicle;

(6) Has blood pressure no higher than 160/90 mm. Hg.;

(7) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle;

(8) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, or muscular disease which interferes with his ability to control and safely operate a motor vehicle;

(9) Has no mental, nervous, organic, or functional disease or psychoneurotic dis-

order likely to interfere with his ability to drive safely;

(10) Has visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, form a field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber;

(11) Has hearing not less than 10/20 in his better ear at whispered voice tones without a hearing aid, or a similar level as shown by an audiometric testing device (25–30 decibel loss at 500, 1,000, and 2,000 c.p.m.);

(12) Does not use an amphetamine or a narcotic or other habit-forming drug; and

(13) Does not consume alcoholic beverages to excess.

§ 391.43 Medical examination; certificate of physical qualification.

(a) Except as provided in paragraph (b) of this section, the medical examination shall be performed by a licensed doctor of medicine or osteopathy.

(b) A licensed optometrist may perform so much of the medical examination as pertains to visual acuity, form field of vision, and the ability to recognize colors as specified in subparagraph (1) of § 391.41(b).

(c) The medical examination shall be performed, and its results shall be recorded, substantially in accordance with the following instructions and examination form:

Instructions for Performing and Recording Physical Examination

The examining physician should review these instructions before performing the physical examination. Answer each question yes or no where appropriate.

The examining physician should be aware of the rigorous physical demands and mental and emotional responsibilities placed on the driver of a commercial motor vehicle. In the interest of public safety the examining physician is required to certify that the driver does not have any physical, mental, or organic defect of such a nature as to affect the driver's ability to operate safely a commercial motor vehicle.

Medical history. The purpose of this physical examination is to detect the presence of physical, mental, or organic defects of such a character and extent as to affect the applicant's ability to operate a motor vehicle safely. The examination should be made carefully and at least as complete as indicated by the attached forms. Careful and detailed inquiry regarding past illness may reveal the cause of defects found upon physical examination. Knowledge concerning the etiology of certain defects may result in the rejection for employment or continued employment of a driver. Such data may also indicate the need for making certain laboratory tests or a further, and more stringent, examination. Defects may be recorded which do not, because of their character or degree, indicate that certification of physical fitness should be denied. However, these defects should be discussed with the applicant and he should be advised to take the necessary steps to insure correction, particularly of those which, if neglected, might lead to a condition likely to affect his ability to drive safely.

If, in the opinion of the examining physician, the defects are of such nature as to require additional physical examination, it shall be specified on the certification.

General appearance and development. Note marked overweight, or obesity. Note any posture defects, perceptible limp, anemia, tremor, or other form of nervousness, such as might be caused by chronic or excessive alcoholism, thyroid intoxication, or other illnesses. The Motor Carrier Safety Regulations provide that no driver shall use a narcotic or

other habit-forming drug or consume alcoholic beverages to excess.

Head-eyes. When other than the Snellen chart is used, the results of such test must be expressed in values comparable to the standard Snellen test. If the applicant wears corrective lenses, these should be worn while applicant's visual acuity is being tested. If appropriate, indicate on the Doctor's Certificate by checking the box, "Qualified only when wearing corrective lenses." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos or strabismus, uncorrected by corrective lenses. Monocular or aphacic drivers are not qualified to operate commercial motor vehicles under existing Motor Carrier Safety Regulations.

Ears. Note evidence of mastoid or middle ear disease, discharge, symptoms of aural vertigo or Meniere's Syndrome. In recording hearing, record 20 feet as normal distance for conversational voice and record deviation from normal as fraction with 20 feet as denominator and actual distance as numerator.

Mouth. Note evidence of any disease or infection.

Throat. Note evidence of disease, irremediable deformities of the throat likely to interfere with eating or breathing, or any laryngological condition which could interfere with the safe operation of a motor vehicle.

Thorax-heart. Stethoscopic examination is required. Note murmurs and arrhythmias, and any past or present history of cardiovascular disease, attacks, or seizure of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failures.

Electrocardiogram is required when findings so indicate.

Blood pressure. Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg, fixed hypertension must be considered to be present and the driver would not be qualified to operate a motor vehicle.

Lungs. If any lung disease is detected, state whether active or arrested; if arrested, your opinion as to how long it has been quiescent.

Gastrointestinal system. Note any diseases of the gastrointestinal system.

Abdomen. Wounds, injuries, scars, or weakness of muscles of abdominal walls sufficient to interfere with normal function. Any hernia should be noted; if present, state how long and whether it is retained by an adequate truss.

Abnormal masses. If present, note location, if tender, and whether or not applicant knows how long they have been present. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Tenderness. When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Genito-urinary. Urinalysis is required. Acute infections of the genito-urinary tract, as defined by local and State public health laws, indications from urinalysis of uncontrolled diabetes, symptomatic albumen in the urine, or other findings indicative of health conditions likely to interfere with the control and safe operation of a motor vehicle, will disqualify an applicant from operating a motor vehicle.

Reflexes. If positive Romberg is reported indicate degrees. Pupillary reflexes should be

reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella; otherwise as normal.

Extremities. Carefully examine upper and lower extremities. Record the loss or impairment of a leg, a foot, a toe, an arm, a hand, or a finger. Note any and all deformities, the presence of atrophy, semiparalysis or paralysis, or varicose veins. If a hand deformity exists, determine whether sufficient grasp is present to enable the driver to secure and maintain a grip on the steering wheel. If a leg deformity exists, determine whether sufficient mobility and strength exists to enable the driver to operate properly the various pedals. Pay particular attention to and record any impairment or structural defects which may impair the driver's ability to operate a motor vehicle safely.

Spine. Note deformities, limitation of motion, or any history of pain, injuries, or disease, past or presently experienced in the spine and the lumbar region of the spine. If findings so dictate, X-ray examination should be used to diagnose such conditions as herniated lumbar discs, spondylolisthesis, scoliosis.

Hemorrhoids and back trouble. Hemorrhoids, back trouble, or other conditions causing discomfort should be evaluated carefully to determine the extent to which the condition might be handicapping while lifting, pulling or during periods of prolonged driving that might be necessary as part of the driver's duties.

Laboratory findings. Urinalysis is required, as well as such other tests as the medical history or findings upon physical examination may indicate are necessary. A seriological test must always be made if the applicant has a history of luetic infection or present physical findings indicate the possibility of latent syphilis.

Diabetes. If insulin is necessary to control a diabetic condition, the driver is not qualified to operate a motor vehicle. If mild diabetes is noted at the time of examination and it is stabilized by use of a hypoglycemia drug, and a diet that can be obtained while the driver is on duty, it should not be considered disqualifying. However, the driver must remain under adequate medical supervision.

The physician must date and sign his findings upon completion of the examination.

Examination to Determine Physical Condition of Drivers

Driver's name _____
 Address _____
 Social Security No. _____
 Date of birth _____ Age _____

- New certification.
- Recertification.
- Interim certification.

Health history

- | | | |
|--------------------------|--------------------------|--|
| Yes | No | |
| <input type="checkbox"/> | <input type="checkbox"/> | Head or spinal injuries. |
| <input type="checkbox"/> | <input type="checkbox"/> | Seizures, fits, or convulsions. |
| <input type="checkbox"/> | <input type="checkbox"/> | Extensive confinement by illness or injury. |
| <input type="checkbox"/> | <input type="checkbox"/> | Cardiovascular disease. |
| <input type="checkbox"/> | <input type="checkbox"/> | Tuberculosis. |
| <input type="checkbox"/> | <input type="checkbox"/> | Syphilis. |
| <input type="checkbox"/> | <input type="checkbox"/> | Gonorrhoea. |
| <input type="checkbox"/> | <input type="checkbox"/> | Diabetes. |
| <input type="checkbox"/> | <input type="checkbox"/> | Gastrointestinal ulcer. |
| <input type="checkbox"/> | <input type="checkbox"/> | Nervous stomach. |
| <input type="checkbox"/> | <input type="checkbox"/> | Rheumatic fever. |
| <input type="checkbox"/> | <input type="checkbox"/> | Asthma. |
| <input type="checkbox"/> | <input type="checkbox"/> | Kidney disease. |
| <input type="checkbox"/> | <input type="checkbox"/> | Muscular disease. |
| <input type="checkbox"/> | <input type="checkbox"/> | Suffering from any other disease. |
| <input type="checkbox"/> | <input type="checkbox"/> | Permanent defect from illness, disease, or injury. |
| <input type="checkbox"/> | <input type="checkbox"/> | Psychoneurotic disorder. |
| <input type="checkbox"/> | <input type="checkbox"/> | Any other nervous disorder. |

If answer to any of the above is yes, explain:

Physical examination

General appearance and development:
 Good _____ Fair _____ Poor _____

Vision: For distance: Right 20/ _____
 Left 20/ _____

Without corrective lenses.
 With corrective lenses if worn

Evidence of disease or injury: Right _____
 Left _____

Color Test _____ Horizontal field of vision:
 Right _____ Left _____

Hearing:
 Right ear at 20 ft. _____ Left ear at 20 ft. _____

Disease or injury _____

Audiometric Test (complete only if audiometer is used to test hearing):
 _____ decibel loss at 500 c.p.m. _____ at 1,000 c.p.m. _____ et 2,000 c.p.m.

Mouth: _____
 Throat: _____
 Thorax:
 Heart _____
 If organic disease is present, is it full compensated? _____
 Blood pressure:
 Systolic _____ Diastolic _____

Pulse:
 Before exercise _____
 Two minutes rest after exercise _____

Lungs: _____

Abdomen:
 Scars _____ Abnormal masses _____
 Tenderness _____
 Hernia: Yes _____ No _____
 If so, where? _____
 Is truss worn? _____

Gastrointestinal:
 Ulceration or other disease: Yes _____
 No _____

Genito-Urinary:
 Scars _____ Urethral discharge _____

Reflexes:
 Rhombberg _____
 Pupillary _____ Light R _____ L _____
 Accommodation R _____ L _____

Knee Jerks:
 Right: Normal _____ Increased _____
 Absent _____
 Left: Normal _____ Increased _____
 Absent _____

Extremities:
 Upper _____
 Lower _____
 Spine _____

Laboratory findings:
 Urine: Spec. Gr. _____ Alb. _____ Sugar _____
 Blood serology _____
 Chest X-ray _____
 Electrocardiograph _____

(Date of examination) _____ (Address of examining doctor) _____
 (Name of examining doctor (Print)) _____ (Signature of examining doctor) _____

NOTE: This section to be completed only when visual test is conducted by a licensed optometrist.

(Date of examination) _____ (Address of optometrist) _____
 (Name of optometrist (Print)) _____ (Signature of optometrist) _____

(d) If the medical examiner finds that the person he examined is physically qualified to drive a motor vehicle in accordance with § 391.41(b), he shall complete a certificate in the form prescribed in paragraph (e) of this section and furnish one copy to the person who was examined and one copy to the motor carrier that employs him.

(e) The medical examiner's certificate shall be substantially in accordance with the following form:

Doctor's Certificate

I certify that I have personally examined _____ in accordance with the Motor Carrier Safety Regulations

(49 CFR §§ 391.41-391.49) and with knowledge of his duties, I find him qualified under the regulations.

Qualified only when wearing corrective lenses.

A completed examination form for this person is on file in my office at _____

(Address) _____
 (Date of examination) _____ (Name of examining doctor (Print)) _____
 (Signature of examining doctor) _____
 (Signature of driver) _____ (Address of driver) _____

NOTE: The following section of the form is to be completed only when visual examination is conducted by a licensed optometrist.

(Name of optometrist (Print)) _____ (Date) _____
 (Signature of optometrist) _____ (Address of optometrist) _____

NOTE: Stocks of doctor's certificates in the possession of carriers or their suppliers as of the effective date of this order may be used until Jan. 1, 1972, provided the information required by § 391.48 is entered thereon.

§ 391.45 Persons who must be medically examined and certified.

The following persons must be medically examined and certified in accordance with § 391.43 as physically qualified to drive a motor vehicle:

- (a) Any person who has not been medically examined and certified as physically qualified to drive a motor vehicle;
- (b) Any driver who has not been medically examined and certified as physically qualified to drive a motor vehicle during the preceding 12 months; and
- (c) Any driver who incurs a physical or mental injury or impairment which affects his ability to perform his normal duties.

§ 391.47 Conflict of medical evaluations.

(a) If, having performed medical examinations of a person pursuant to § 391.43, two or more medical examiners disagree as to whether that person is physically qualified to drive a motor vehicle, the Director, on application of that person or a motor carrier, may determine whether that person is physically qualified to drive a motor vehicle.

(b) An application under this section must be supported by a finding that the person is physically qualified to drive made by—

- (1) A medical officer of the U.S. Government;
- (2) The medical advisory committee to the motor vehicle administrator of the State in which the person is licensed to drive; or
- (3) An advisory committee established by the medical association of the State in which the person is licensed to drive.

(c) An application under this section must demonstrate to the Director's satisfaction that, before the finding required by paragraph (b) of this section was made, the medical officer or committee was fully aware of the person's complete medical history and of the nature of the work the person would perform if he were found physically and otherwise qualified to drive a motor vehicle. At a minimum, the medical officer or committee must have been informed of the type, size, and weight of the vehicles the person would drive, the distances he would traverse, the number of hours he would spend in an on-duty status, and the related duties (such as loading, unloading, climbing onto and descending from vehicles, and making repairs enroute, if he would be required to do so) that the person would perform.

(d) If the Director determines that the person is physically qualified to drive a motor

vehicle, a medical examiner's certificate may be issued to that person pursuant to § 391.43.

§ 391.49 Waiver of certain physical defects.

(a) A person who is physically qualified to drive under § 391.41(b) (1) or (2) only if a waiver of a defect specified in those paragraphs is granted, and who is otherwise qualified to drive a motor vehicle, may drive a motor vehicle, other than a motor vehicle which transports passengers or must be placarded or marked in accordance with § 177.823 of this title (relating to placards or markings upon vehicles which transport explosives or other dangerous articles), if the Director has granted an application for a waiver with respect to that person.

(b) An application for a waiver must be submitted jointly by the person who seeks a waiver of his physical disqualification (the individual applicant) and by the motor carrier that will employ him if the application is granted. The application must be addressed to the Director, Bureau of Motor Carrier Safety, Sixth and D Streets SW., Washington, D.C. 20591.

(c) An application for a waiver must contain—

(1) A description of the type, size, and special equipment (if any) of the vehicles the individual applicant intends to drive, the general area and type of roads he intends to traverse while driving, the distances over which he intends to drive, the periods of time he will be on duty while driving, the nature of the commodities or cargo he intends to transport, the methods he will use to load and secure those commodities or cargo, and the nature and extent of his experience at operating motor vehicles of the type he intends to drive;

(2) An agreement by both applicants that the motor carrier will promptly file with the Director such reports as he may require, including reports about the driving activities, accidents, arrests, license suspensions, revocations, or withdrawals, and convictions which involve the individual applicant; and

(3) An agreement that, if a waiver is granted, it authorizes the individual applicant to drive in interstate commerce only when employed by the motor carrier that joined in his application.

(d) An application for a waiver must be accompanied by—

(1) At least two reports of medical examinations made pursuant to § 391.43, at least one of which was conducted by a medical examiner selected and compensated by the motor carrier, each of which includes the medical examiner's opinion concerning the individual applicant's ability to operate safely a motor vehicle of the type he intends to drive;

(2) A copy of the certificate of driver's road test that was issued to the individual applicant pursuant to § 391.31;

(3) A copy of the certificate of written examination that was issued to the individual applicant pursuant to § 391.35; and

(4) A copy of any certificate of a medical examiner that was issued to the individual applicant pursuant to § 391.43.

(e) Each application for a waiver shall be signed by both the individual applicant and the motor carrier. If the motor carrier is a corporation, the application shall be signed by an officer of the corporation. If the motor carrier is a partnership, the application shall be signed by a partner. If the motor carrier is an individual proprietorship, the application shall be signed by the proprietor.

(f) The Director may deny the application or he may grant it in whole or in part and issue a waiver subject to such terms, conditions, and limitations as he deems consistent with safety and the public interest. A waiver is valid for a period not in excess of 2 years, and it may be renewed upon submission of an application pursuant to this section.

(g) If the Director grants a waiver, he

will notify each applicant by a letter which sets forth the terms, conditions, and limitations of the waiver. The motor carrier shall retain the letter (or a legible photographic copy of it) in its files as long as the individual applicant is employed by that motor carrier and for 3 years thereafter. The individual applicant shall have the letter (or a legible photographic copy of it) in his possession whenever he drives a motor vehicle or is otherwise on duty.

(h) The Director may suspend a waiver at any time. The Director may revoke a waiver after the persons to whom it was issued are given notice of the proposed revocation and a reasonable opportunity to be heard.

Subpart F—Files and records

§ 391.51 Personnel files.

(a) Each motor carrier shall keep a complete personnel file for each driver it employs.

(b) The personnel file for each driver must include—

(1) The medical examiner's certificate of his physical qualification to drive or a legible photographic copy of the certificate;

(2) The Director's letter granting a waiver of his physical disqualification to drive, if a letter was issued under § 391.49(g);

(3) The motor carrier's findings resulting from each recordable accident in which he was involved, as required by § 391.23(d); and

(4) The list or certificate relating to violations of motor vehicle laws and ordinances required by § 391.27.

(c) In addition to the matters referred to in paragraph (b) of this section, the personnel file for each driver who has not been continuously employed by the motor carrier for a period that began before January 1, 1970, must include—

(1) The form on which his performance on the driver's road test was evaluated, as required by § 391.31(d), if he took a road test;

(2) The certificate of driver's road test, issued to him pursuant to § 391.31(e), if a certificate was issued to him;

(3) The license or certificate which the motor carrier accepted as equivalent to the driver's road test, if a license or certificate was so accepted pursuant to § 391.33;

(4) The questions asked and the answers he gave upon the written examination required by § 391.35, if he took a written examination required by § 391.35;

(5) The certificate of written examination, issued pursuant to § 391.35(e), if he took a written examination;

(6) The certificate accepted as equivalent to a written examination, if a certificate was so accepted pursuant to § 391.37;

(7) His application for employment completed in accordance with § 391.21;

(8) The responses of State agencies to the motor carrier's inquiries concerning his driving record pursuant to § 391.23(b);

(9) The record of the motor carrier's investigation of his employment record pursuant to § 391.23(c); and

(10) Any other matter which relates to his qualifications or ability to drive a motor vehicle safely.

(d) Except as provided in paragraph (e) of this section, each driver's personnel file shall be kept at the motor carrier's principal place of business for as long as the driver is employed by that motor carrier and for 3 years thereafter.

(e) Upon a request in writing to, and with the approval of, the Director, a motor carrier may keep one or more of its drivers' personnel files or parts of files at a regional or terminal office that the Director approves.

Subpart G—Exemptions

§ 391.61 Single trip drivers.

(a) A motor carrier may employ a person to drive a motor vehicle for one round trip having a duration of 7 days or less

without complying with the rules in this part if, with respect to that person, the carrier has in its files—

(1) A copy of his driver's medical examiner's certificate issued pursuant to § 391.43;

(2) A copy of his certificate of driver's road test issued pursuant to § 391.31 or a license that, pursuant to § 391.33, may be accepted as equivalent to the road test; and

(3) A copy of his certificate of written examination issued pursuant to § 391.35 within the preceding 3 years.

(b) A motor carrier that employs a driver referred to in paragraph (a) of this section need not comply with Subpart C of this part with respect to that driver. Before it permits that driver to drive a motor vehicle, the motor carrier must obtain his name, his social security number, and the identification number, type, and issuing State of his motor vehicle operator's license. The motor carrier must retain that information and the copies of certificates specified in paragraph (a) of this section in its files for 3 years.

§ 391.63 Drivers furnished by other motor carriers.

(a) A motor carrier may use a driver without complying with the rules in this part with respect to that driver if—

(1) The driver is regularly employed by another motor carrier who is subject to the rules in this part; and

(2) The motor carrier who employs the driver furnishes a certificate that the driver is fully qualified to drive a motor vehicle under the rules in this part.

(b) A motor carrier that obtains a certificate in accordance with subparagraph (2) of paragraph (a) of this section shall retain that certificate in its files for 3 years.

II. Part 392 of Title 49, CFR is amended—

1. By adding the following new section to Subpart A:

§ 392.9 Eyeglasses to be worn.

A driver whose visual acuity meets any of the minimum requirements of § 391.41 of this subchapter only when he wears corrective lenses shall wear properly prescribed eyeglasses at all times while he is driving.

2. By amending the title of Subpart E to read: "Subpart E—Accidents and License Revocations; Duties of Driver"; and

3. By adding the following new section to Subpart E:

§ 392.42 Notification of license revocation.

A driver who receives a notice that his license, permit, or privilege to operate a motor vehicle has been revoked, suspended, or withdrawn shall notify the motor carrier that employs him of the contents of the notice before the end of the business day following the day he received it.

[F.R. Doc. 69-4874; Filed, June 6, 1969; 9:45 a.m.]

[49 CFR Part 392]

[Docket No. MC-7; Notice 69-10]

DRIVING OF MOTOR VEHICLES

NOTICE OF PROPOSED RULE MAKING

The Federal Highway Administrator is considering a revision of §§ 392.1-392.5 and 392.10(a) Part 392 of the Motor Carrier Safety Regulations in Title 49, CFR relating to the rules for operating commercial motor vehicles in interstate or foreign commerce.

Only minor changes have been proposed in §§ 392.1, 392.2, and 392.3.

A proposed amendment to § 392.4 deals with amphetamine, narcotics, and other dangerous drugs. These substances can affect a user's behavior and his ability to operate a motor vehicle safely. Therefore, their use presents a hazard to the public. Recent information indicates that the use of these dangerous drugs has increased sharply and may be a factor in a number of motor vehicle accidents. These considerations prompted

the Administrator to propose this amendment.

Recent experimental work indicates that alcohol impairs certain skills and aspects of behavior which are considered relevant to the safe operation of a motor vehicle. This conclusion is substantiated by investigations which show that immoderate use of alcohol is a major cause of highway crashes. These considerations lead the Administrator to propose that § 392.5 be amended to regulate consumption of alcoholic beverages more explicitly by prohibiting frequent or habitual users from operating motor vehicles and by prohibiting a driver from going on duty or operating a motor vehicle if he has consumed an alcoholic beverage within the preceding 8 hours. Further, possession of alcohol would be regulated by prohibiting a driver from having an alcoholic beverage in his possession while he is on duty or operating a motor vehicle.

A proposed amendment to § 392.10(a) deals with railroad grade crossings and drivers' actions after coming to a stop.

Interested persons are invited to submit written data, views, or arguments pertaining to the proposed rule. Comments must identify the docket (No. MC-7) and Notice No. 69-10 and must be submitted in three copies to the Federal Highway Administration, Sixth and D Streets SW., Washington, D.C. 20591, Attention: Bureau of Motor Carrier Safety, Room 302A. All comments received before the close of business 90 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator. All comments will be available for examination in the docket at the above address before and after the closing date for comments.

In consideration of the foregoing, the Administrator proposes to revise §§ 392.1-392.5 and to amend § 392.10(a) of Part 392 of Title 49, CFR as set forth below.

This notice of proposed rule making is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 1655, and the delegation of authority by the Secretary of Transportation in 49 CFR 1.4(c).

Issued on June 2, 1969.

F. C. TURNER,
Federal Highway Administrator.

§ 392.1 Compliance required.

(a) Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation, or driving of motor vehicles or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in, comply with, and know the rules in this part and any Acts, rules, or regulations which this part incorporates.

(b) Nothing contained in Parts 390-397 of this subchapter prohibits a motor carrier from requiring and enforcing more stringent rules and regulations relating to safety of operation.

§ 392.2 Applicable operating rules.

Every motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Highway Administration imposes a higher standard of care than that law, ordinance, or regulation the Federal Highway Administration regulation must be complied with.

§ 392.3 Ill or fatigued operator.

No driver shall operate a motor vehicle, and a motor carrier shall not require or permit a driver to operate a motor vehicle while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him to begin or continue to operate the motor vehicle. However, in a case of grave

emergency where the hazard to occupants of the vehicle or other users of the highways would be increased by compliance with this section, the driver may continue to operate the motor vehicle to the nearest place at which that hazard is removed.

§ 392.4 Narcotics, amphetamine, and other dangerous substances.

(a) No person shall operate, or be in physical control of, a motor vehicle if he possesses, is under the influence of, or is a habitual user of, any of the following substances:

(1) A narcotic drug or any derivative thereof;

(2) An amphetamine or any formulation thereof (including, but not limited to, "pep pills" and "bennies");

(3) Any other substance, to a degree which renders him incapable of safely operating a motor vehicle.

(b) No motor carrier shall knowingly require or permit a driver to violate paragraph (a) of this section.

(c) A person may not violate paragraph (a) of this section even though he is or has been entitled by law to use any substance specified in that paragraph unless that substance was administered to him by or under the instruction of a physician who has advised him that the substance will not affect his ability to operate a motor vehicle.

(d) As used in this section, "possession" does not include possession of a drug which is manifested and transported as part of an intransit shipment.

§ 392.5 Intoxicating liquor.

(a) No person shall—

(1) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor within 8 hours before going on duty, or operating, or having physical control of a motor vehicle; or

(2) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor while on duty, or operating, or in physical control of a motor vehicle; or

(3) Operate a motor vehicle, if he frequently or habitually consumes intoxicating liquor in amounts that render him under the influence of an intoxicating liquor; or

(4) Be on duty or operate a motor vehicle while he possesses an intoxicating liquor regardless of its alcoholic content. However, this subparagraph does not apply to possession of an intoxicating liquor which is manifested and transported as part of an intransit shipment.

(b) No motor carrier shall require or permit a driver to—

(1) Violate any provision of paragraph (a) of this section; or

(2) Be on duty or operate a motor vehicle if, by his general appearance or by his conduct or by other substantiating evidence, he appears to have consumed an alcoholic beverage within the preceding 8 hours.

§ 392.10 Railroad grade crossings; stopping required.

(a) Except as provided in paragraph (b) of this section, the driver of a motor vehicle specified in subparagraphs (1) through (6) of this paragraph, shall not cross a railroad track or tracks at grade unless he first: Stops the vehicle at least 50 feet from and not closer than 15 feet to the tracks; thereafter listens, and looks in each direction along the tracks for an approaching train; and ascertains that no train is approaching. When it is safe to do so, the driver may drive the vehicle across the tracks in a gear that permits the vehicle to complete the crossing without a change of gears. The driver must not shift gears while crossing the tracks.

[F.R. Doc. 69-6675; Filed, June 6, 1969; 8:45 a.m.]

WOMEN VERSUS BIG TRUCKS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. SCHWENGEL. Mr. Speaker, during our recent hearings on the big truck bill, we had the pleasure of hearing the testimony of Mrs. Walter Varney Magee, president of the General Federation of Women's Clubs. Mrs. Magee's organization represents over 11 million members, and thus, her testimony is representative of the views of a sizable number of women in this country.

At the time of our hearings, Mrs. Magee made an eloquent statement in opposition to the big truck bill. Mrs. Magee recently addressed a meeting of the national board of her association on this subject. As can be seen from her remarks on that occasion, the members of her Association have clearly vindicated the position which she took before the Roads Subcommittee, and indicate the extent of the opposition throughout the country to this legislation.

Her remarks follow:

REMARKS BY MRS. WALTER VARNEY MAGEE
BEFORE THE FEDERATION OF WOMEN'S CLUBS

I wish all of you could have shared with me the day-by-day evidence that has crossed my desk showing your support—and public approval—of the General Federation of Women's Clubs opposition to bigger trucks on our highways as proposed in House Bill 11870. It's been tremendous.

In July, your President testified in opposition to the bill at a hearing before the Subcommittee on Roads of the House Public Works Committee. That testimony was treated generously in Associated Press and United Press wire stories. As a result I've received hundreds of clippings reporting the Federation's opposition to increasing the size of trucks on our highways as hazardous to highway safety.

These stories in turn have generated dozens of letters of commendation and support from the general public—letters from men, if you please, as well as from women. Then there has been a continuing flood of letters from you, your state legislative chairman and from individual club members reporting your activities to let your Congressmen know that our members are backing the resolution opposing bigger trucks which was adopted at our convention in Cleveland.

In addition, there's been a very flattering evaluation of our influence by an official of the American Automobile Association. Speaking in opposition to the big truck bill during AAA convention in Chicago last week, he expressed the belief that the 12,000,000 members of the automobile association agreed that an increase in the size of trucks would make them seriously incompatible with other highway uses.

Now listen to this further quote from him in a Chicago paper: "Probably more effective, he said, will be the reactions of the members of the General Federation of Women's Clubs. He said the Congressman listened respectfully as a federation officer opposed the bill at the hearing."

We're campaigning for highway safety when we oppose bigger trucks and we intend to keep the momentum going until we defeat the proposal now before Congress. Mrs. Northrup, chairman of our legislative committee, will have suggestions later for our continuing campaign.

Now, let no one take us lightly as did one trucking executive. He was quoted in an article in the National Observer as saying:

"I suppose all of these women want their new hats delivered by balloon or something. I'm afraid that if the gals want a wide selection of hats this fall, and want them on time, they'll just have to live with trucks."

Well—let him have his joke about our hats. That's a worn-out old saw. But, this is to let him know we can't live with bigger trucks!

We're already concerned for safety reasons with the size of present-day trucks. I testified before the Public Works Committee of the House of Representatives that no statistics can allay our concern that our fears would be intensified if even larger vehicles up to 70 feet in length, and particularly double-bottomed ones, were permitted on our highways and streets.

The Director of the Federal Highway Administration, in testimony on the big-truck bill before the same committee had this to say, and I quote: "There can be no denying that many drivers on the highways, including myself, are apprehensive about passing or approaching trucks. Caution is certainly appropriate in all such circumstances, as indeed it is in every case of highway driving."

This same Federal Highway Administrator recommended to the Public Works Committee that if the bill is passed, its effective date should be delayed for three years to enable the Highway Administration to develop and promulgate appropriate safety standards.

He admitted that they do not have, quote, "sufficiently reliable evidence to determine whether longer or heavier vehicles would pose additional safety hazards to American drivers."

I say to the department: let them put first things first, and that's safety on our highways, before they make recommendations on bigger trucks. I'm sure you all agree with me.

Finally, we don't need trucks 70 feet long carrying 80,000 pounds to get our hats—as the trucking executive suggested. It's not impossible to get them by balloon.

MALTESE INDEPENDENCE: A TRIBUTE

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. POWELL. Mr. Speaker, I rise to direct the attention of this body to an occasion which is too important for us to allow it to go by without notice. I refer to September 21, a date which marked the end of the fifth year of independence for the island of Malta. And it is with all due respect and regard, that I extend my belated greetings to Prime Minister Borg Olivier and Ambassador Arvid Pardo.

As an independent member of the Commonwealth, Malta was able to look upon the ending of 150 years of British protection not as a step toward revolution and fumbling recovery, but as one of evolution and forward development. Accompanying political independence in 1964 was the challenge of attaining economic independence, an effort which required and still requires continuing perseverance and planning. Of special significance in this endeavor was a move in late 1966, when a proposed 50-percent cut in British defense expenditures on Malta threatened to cut off the island from a vital source of revenue. But far-

seeing negotiators of both nations sought to devise a plan to compensate for the resulting unemployment caused by the cut and to divert Maltese energies toward development of their own resources; thus it was hoped that Malta could expect to assume a more autonomous economic outlook. And the planners met their task well.

By late summer of 1967, an agreement had been reached for an active plan for gradual reduction of British forces, with attendant plans to offset the monetary setback. Incentives for foreign investment were devised, as well as schemes to promote tourism, in an effort to create new jobs for those lost with the British forces, and to further enhance the domestic economy. Benefits such as 10 years of exemption from income tax and duty-free raw materials and machinery are but two of several successfully enticing provisions. Add to these incentives a stable political climate, an abundant and willing supply of labor, and Malta's strategic location within easy reach of the markets of southern Europe, north Africa, and the Middle East—and it is no wonder that substantial inroads have been made by foreign investment—including the United States—with profitable results for our Mediterranean friend as well. Active government programs are striving to increase tourist facilities; and to enrich the appealing surroundings, as well as to combat the problem of soil erosion, a vigorous reforestation program accounts for the planting of some 50,000 trees last year.

And taking a glance at another asset, the natural beauty of this picturesque isle, not to mention the myriad sights which are vestiges of Malta's multifaceted origins, one can easily explain the promising role tourism will play in bolstering the economy. It is interesting to note that this tiny archipelago of the Mediterranean has been occupied and thus influenced by a wide variety of peoples—to name a few, by the founding Phoenicians, through the Romans and Greeks, the French, Spanish, and finally the British—and the resulting fabric from these interwoven cultural influences is bound to be fascinating, yet it is distinctively Maltese. The capital city of Valetta offers the view of the limestone structures which the Knights of Malta built in the 16th century; or if the Hilton is more to your liking, you may visit Spinola Point overlooking Balluta Bay. There is the swinging spot of Sliema for those who work at having a good time, or the northern rural bays for those who want to get away from it all—and one town of the area is aptly named: Paradise.

But being an island has not left Malta isolated by any means. Entering the United Nations just 2 months after attaining independence, Malta has made her voice heard within that body, offering new ideas and proving herself a power not to be taken lightly within the forum of the world community. Moreover, her role within the network of NATO, carried over no doubt from her gallantry in World War II, provides further evidence of her strategic importance on an international scale.

The road to independence is never an

easy one—but if the efforts thus far are any indication of the diligence, ingenuity, and skill which can be found in this thriving young nation—the future cannot help but look bright. To the Government and the citizens of Malta, I salute you on this, your fifth anniversary of independence.

WISCONSIN ATTORNEY GENERAL VERSUS ORGANIZED CRIME

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, I would like to include as part of my remarks an editorial by the Wisconsin State Journal of September 25, 1969. The editorial speaks highly of the efforts of Wisconsin's attorney general to combat organized crime.

Wisconsin is extremely fortunate to have Bob Warren as its attorney general. He concentrates on getting results; on not only identifying problems but, most importantly, on solving them. Congress is still deliberating on President Nixon's proposals for fighting organized crime, but Attorney General Warren has fashioned a comprehensive legislative program to improve Wisconsin's ability to halt organized crime and he is working with the tools at hand and taking those important first steps which have been needed for so long.

At this point I would like to include the State Journal editorial for the benefit of my colleagues:

WARREN VS. ORGANIZED CRIME

Organized crime can be described like the weather: everybody talks about it, but no one does anything.

Various politicians have warned about the influence of the Mafia in Milwaukee and elsewhere in the state. FBI reports and other sources have been cited, but no action has been taken.

Now it appears that someone is doing something. Atty. Gen. Robert W. Warren has been quietly moving against the corporate holdings of Frank Balistreri, Milwaukee.

One outfit known as Alfie's, Inc., has already been shut down after action by the attorney general's office. Actions are pending against two others.

The efforts of Warren and his staff have been carefully coordinated with those of the district attorney in Milwaukee County. The legal efforts can hardly be considered major assaults on organized crime.

But Atty. Gen. Warren deserves respect for beginning to do something. First, the legal actions are the first of their kind in the state.

Second, Warren has been extremely careful not to issue a multitude of press releases. Only the briefest of statements on the pending actions have been made—a sharp contrast to some other recent officeholders who were generous with their press releases but delivered nothing in terms of action on suspicious organized crime operations.

It would be premature to suggest that organized crime is being licked.

But Atty. Gen. Warren's efforts and the national crime effort being undertaken by the Nixon Administration could be the worst news in a long, long time for the underworld here and elsewhere.

CUTBACKS IN FEDERAL SUPPORT FOR MEDICAL RESEARCH

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. DADDARIO. Mr. Speaker, a thoughtful letter by Dr. T. Stewart Hamilton, executive director of the Hartford Hospital, in response to an editorial appearing in the September 22, Hartford Times deserves the attention of the Members of Congress. I commend this letter and the editorial to your attention because it so very well illustrates the great harm that can come through underfunded medical research:

HARTFORD HOSPITAL,

Hartford, Conn., September 23, 1969.

THE EDITOR,
Hartford Times,
Hartford, Conn.

DEAR SIR: Your editorial of September 22, 1969, deploring cutbacks in Federal support for medical research sounded a much needed warning. Deliberately slowing the momentum of research directed at human betterment will have adverse effects both short and long range.

While we can't guarantee that every research effort will result in a discovery such as polio vaccine, we can be sure that without research and investigation there will be no discovery and little progress. If we as a nation are truly interested in the improved health and welfare of our citizens we must support worthy programs to that end. I sincerely hope our representatives in Congress will continue to do all in their power to assure adequate financing for the nation's ongoing programs in medical research.

Sincerely,

T. STEWART HAMILTON, M.D.,

First Vice President and Executive Director.

AS NIXON SAID (10-5-68) WE'RE "CUTTING MUSCLE"

The federal government seems glad enough to spend more billions on the development of big bombers and the construction of more aircraft carriers.

But the ax has come down hard on the National Institutes of Health—through which Uncle Sam backs medical research in the nation's great hospitals, universities, and laboratories.

The Nixon administration budget planners are standing firm on their plan to knock \$290 million off the allowance for medical research. That will mean a reduction of 15 per cent, and—one by one—the directors of the big long-range projects are announcing plans to fold up their operations.

Medical research costs, like the costs of everything else, are going up. If there is less money for them, instead of more, the undertakings will simply have to halt. In many cases, of course, it will mean that millions already spent will be wasted because an almost-finished research project is usually of very little value.

Last October 5, speaking as a presidential candidate in New York, Richard Nixon put the case very well, indeed:

"Scientific activity simply cannot be turned on and off like a faucet. The withdrawal of support disperses highly trained research teams, closes vital facilities, loses spinoff benefits, and disrupts development momentum. . . ."

The Johnson administration, Mr. Nixon said, had "struck at the lifeline of our future progress . . . the National Science Foundation budget was decreased by one-fifth; the National Institutes of Health funds were reduced by an estimated 25 per cent

. . . fund reductions are idling masses of equipment purchased at great cost in previous years.

"In the name of economy, the current (Johnson) administration has cut into muscle. The United States must end this depreciation of research and development in its order of national priorities."

Would that the Nixon of 1969 might remember the words of the Nixon of 1968.

HOLD OUT FOR CLEAN WATER

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. OBEY. Mr. Speaker, the action last week by the House Committee on Public Works in recommending an appropriation of \$600 million to aid local units of Government in construction of sewage treatment projects is a significant step in the right direction. But \$600 million is not nearly enough to cover our need. The more than 200 Members of Congress, including myself, who have joined with various citizens groups in an effort to secure full funding of \$1 billion for sewage treatment construction have been cheered in recent weeks by expressions of support by the Nation's press. A great many newspapers have offered editorials demanding that the full \$1 billion be made available by the Congress and the administration.

An example of this concern for the preservation of our environment appeared in the September 29 issue of the Appleton, Wis., Post-Crescent. I commend it to my colleagues:

HOLD OUT FOR CLEAN WATER

In the past several years an alarmed America has been making a lot of noise about its dirty air, water and land—all of which are getting dirtier. But this country has not done nearly enough to clean itself up.

As we mess up our world with the waste products of our living, we talk, talk, talk. But we will not get anywhere until we put up the money.

Look back to 1965 when Congress set clean water as a national goal, and decided that it would cost money to reach that goal. Ever since the federal bureaucracy has been blowing its horn about clean water, and stirring up the populace.

Yet Congress and the administration have repeatedly failed to budget the amounts authorized. If President Nixon's proposed allocation for 1970 goes through, less than one-third of the \$2.1 billion authorized over the past three years will have been approved.

That is a very poor performance, especially when you look at the volume of our waste problem. Right now municipal ties are waiting for \$2.2 billion in federal funds so that they can construct improvements to their sewage treatment plants. The \$214 million Nixon has asked is less than one-tenth of the amount needed.

Finally a great deal of pressure is being applied to budget \$1 billion for 1970, the full authorized amount. A coalition of interested groups is waging a war for clean water in Washington. More than 200 congressmen now have signed up to support the full \$1 billion figure. Meanwhile there are indications that Nixon will again try to take the middle road, suggesting that the budgeted amount be raised to about \$600 million.

That kind of compromise just isn't enough now. It is already too late to compromise, for pollution, peace and population are the chief

problems facing this world. Even the full \$1 billion is only a fraction of what is needed. We urge the clean water crusaders to hold out.

A MORATORIUM ON DISSENT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. BOB WILSON. Mr. Speaker, I would like to take this opportunity to share the attached October 5 editorial from the Los Angeles Times with my House colleagues:

A MORATORIUM ON DISSENT

It is never easy to ask for, or to achieve, a moratorium on dissent from government policies. In a democracy the freedom to criticize is possibly the most important of all rights, the essential and accepted method for promoting peaceful change. It is a right not to be treated lightly, either by those who use it or those who ask forbearance on its use.

President Nixon and the Republican congressional leadership no doubt are fully aware of the difficulties and even the dangers involved in requesting a temporary suspension on criticism of the Administration's Vietnam policies. They have done so nonetheless, both directly and implicitly. Almost certainly their effort will come to nothing. But it is worth examining the reasons for that effort.

Basically what they are seeking is an appearance of unity—or, more properly, a major reduction in visible disunity—in regard to what the Administration is trying to achieve in the Paris talks. If this could be done, it is hoped that it would be easier to convince North Vietnam to negotiate seriously on a political settlement of the war.

Up to now there have been no such negotiations. Instead Hanoi has given every appearance of believing that time is on its side and that stalemate works in its favor. It feels that political pressures within the United States will force this country either to quit the war entirely or, at the least, to make the major concessions the Communists have been insistently demanding. Chief among these is abandonment of the Thieu government, a step that would probably have the effect of opening the way to a full and early Communist takeover of South Vietnam.

The Nixon Administration has been trying to make clear to the Communists that it will not walk away from the war or compromise its minimum demand that the people of South Vietnam have the right freely to determine their own political future. Its main problem is making its announced determination to persevere credible to the Communists.

Credibility, however, is undercut by strong and vocal anti-war sentiment at home. This is not just the view of the U.S. government, it is also the view of Hanoi. The Vietnamese Communists have always placed major emphasis on the political side of their wars, and they are doing so now. What happens in the United States is a primary influence on what happens in Paris.

Hence the painful dilemma facing the Nixon Administration. So long as there is no progress in Paris, opposition to the President's Vietnam policies is likely not only to continue but to grow. But so long as that opposition continues, the Communists have reason to believe they are following the right course in refusing to compromise their harsh demands. Why should they make any meaningful concessions at the conference table to an enemy who, they believe, will sooner or later be forced by domestic pressures to accept Communist terms?

For that matter, why should opponents of the Vietnam war in the United States suspend their criticisms now?

They can and do claim that it was only because of the vigor of their protests that the United States ended the bombing of North Vietnam and began withdrawing troops from South Vietnam. (The often heard assurances from many of these critics that Hanoi would negotiate seriously or begin its own pullout of troops once these actions were taken, are now conveniently forgotten.) With these victories behind them, why should the critics let up?

The Republican leader in the Senate, Hugh Scott, says that the protestors should be talking to Hanoi, for it is Hanoi that is chiefly responsible for prolonging the conflict. He's right, of course, but that doesn't make any difference. Among the critics there are those who don't want North Vietnam to change its position, and those who think it is futile even to try to get such a change. The U.S. government in any case is the logical target for their pressures.

Some Americans, a rather small minority, still think the war should be prosecuted with all the strength at our command. But most are eager for peace, weary with the conflict and with our allies. The issue that divides this majority is how quickly can the United States quit the war.

There are many who feel that a greatly accelerated withdrawal of U.S. forces is vitally necessary, both to avoid prolonging the mistake of involvement and to prevent even deeper divisions within this country. The thrust of their criticism is that the President is not doing enough to reduce the U.S. role in the war.

There are many others, including Administration policy-makers who believe that the pace of withdrawal must be guided by a healthy concern for the political consequences that will follow. These include not only the consequences in Asia that might result from too hasty a pullout, but also those at home that might emerge in the reflective morning that is sure to come once the nightmare of the war has passed.

It may be maladroit to ask for or expect a moratorium on war dissent. But it is proper to ask for responsibility in dissent, in the form of due concern for the implications of what the dissenters are demanding. The future must be considered along with the present. We cannot ignore the one to satisfy the other.

DR. THEOPHILUS S. PAINTER

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PICKLE. Mr. Speaker, Dr. Theophilus S. Painter, 80, former president of the University of Texas and one of America's foremost geneticists, died last Sunday in Texas. He had been on an antelope hunting expedition with his two sons.

Dr. Painter, a member of the National Academy of Sciences, had spent almost his entire professional career at the University of Texas. He joined the faculty in 1916 as an adjunct professor of zoology and rose to become a widely recognized professor, known particularly for his pioneering investigations of chromosomes in the salivary glands of fruit flies. In addition to his role as teacher-researcher, Dr. Painter served as acting president of the University of Texas from 1944 to 1946 and as president from 1946 to 1952. Al-

though he retired from the faculty in 1966 with the title of professor emeritus of zoology, Dr. Painter continued to come to his laboratory where he participated in graduate seminars and pursued various plant chromosomal studies.

Dr. Painter achieved national distinction for his work in genetics research in 1934 when he was awarded the Giraud Elliot Medal given by the National Academy of Sciences to the Nation's outstanding scientist.

I remember Dr. Painter as the unifying force that helped nurture the university through the difficult times after World War II. He was a warm man, brimming with progressive ideas that he translated into action. His mark will last forever at the University of Texas.

STOP PORNOGRAPHY NOW

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. PRICE of Texas. Mr. Speaker, I wish to join with the gentleman from Illinois (Mr. ERLBORN) and other Members in sponsoring the Sexually Provocative Mail Regulation Act of 1969. The impetus for this act has grown out of the increasing nationwide concern over the extensive flow of pornographic and obscene materials through the U.S. mails. I have received many telephone calls, letters, and telegrams from citizens in the 18th Congressional District of Texas and from concerned individuals throughout the State on this subject.

In this Congress I have already introduced legislation designed to stop and control pornography; the Sexually Provocative Mail Regulation Act will close the legal door even further.

The U.S. Post Office Department estimates that more than \$500 million worth of obscene material is sold to young people through the mail each year. J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned more than a year ago:

The publication and sale of obscene material is big business in America today . . . It is impossible to estimate the amount of harm to impressionable teenagers and to assess the volume of sex crimes attributable to pornography, but its influence is extensive.

FBI statistics show that sexual violence is increasing at an alarming pace, and Mr. Hoover states that pornography in all forms is a major cause of sex crimes, aberrations, and perversions.

In addition to the irreparable social damage that is caused by pornography, the flood of these materials into the homes of most of our citizens constitutes a clear invasion of our constitutionally guaranteed right of privacy. I feel that it is in this area that the real value of the Sexually Provocative Mail Regulation Act lies.

The act would prohibit the use of the U.S. mails to send sexually provocative materials to any home unless the occupant in writing specifically requested the materials from the sender; in addition,

it would prohibit the mailing under any circumstances to minors in the 36 States and the District of Columbia, which already have laws on the books prohibiting the dissemination of obscene materials to minors.

In my judgment, clear benefits to both our citizens and our Nation would accrue from the prompt enactment of this Sexually Provocative Mail Regulation Act. The flow of unsolicited hard-core pornographic advertisements through the U.S. mails would be immediately and constitutionally halted. In addition, the remaining 14 States which have not enacted legislation would by virtue of this new law be encouraged to pass appropriate laws designed to protect our young from the harmful influences of sexually provocative materials.

I believe that this approach complements our traditional Federal-State relationship. I believe further that through the utilization of this joint effort, the tide of unwanted pornography which is presently flooding homes across the country can be stemmed and controlled. I urge all of my colleagues to support this nonpartisan effort to clear our country of this filth.

SPACE GOALS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the President's Space Task Group report has outlined an orderly and progressive program for space in the decade ahead. An editorial in the Patriot Ledger of September 20, 1969, emphasizes the need to pay adequate attention to the development of space for utilitarian purposes. This excellent editorial points out that one of the prime objectives stated by the task group report is to utilize the Nation's space capabilities to the service of the Nation and all mankind. This editorial succinctly presents the findings of this group and highlights its significance. The editorial follows:

[From the Quincy (Mass.) Patriot Ledger, Sept. 20, 1969]

SPACE GOALS

In the moonglow of the lunar landing, manned planetary expeditions have a spectacular allure. But fortunately, President Nixon's Space Task Group has decided not to mount a crash program for a Mars landing.

The group, headed by Vice President Spiro Agnew, has presented three alternatives to the President—each proposing a Mars landing in the 1980s. But the over-all emphasis is on a more balanced space program directed toward greater mastery of our spatial environment between earth and the moon.

President Kennedy's pledge to go to the moon within the decade of the Sixties provided an important focus to the National Aeronautics and Space Administration's program. There is less glamor in a "balanced" space program. Yet this is what the nation should have now, while keeping an eye on Mars for the future.

The options given the President range from a Mars landing in 1983, to a Mars landing in 1990 or later, depending on the size of the budget allocated to NASA. But dur-

ing this period, NASA's over-all program will have five balanced objectives: application of space technology to the direct benefit of mankind; operation of military space systems; unmanned exploration of the solar system and beyond (including follow-up manned lunar expeditions); development of new capabilities for operating in space; international participation and cooperation.

Too little attention has been given to applications of space technology to the direct benefit of man, and it is good to see a new emphasis in this important area. The report points out: "Programs directed toward the application of the nation's space capabilities to a wide range of services, such as air and ocean traffic control, worldwide navigation systems, environmental monitoring and prediction (weather, pollution) earth resources survey (crops, water resources, oceanography) and communications have great potential for improving the quality of life on this planet earth."

The applications program has direct relevance to the fifth goal of international cooperation. In his address to the United Nations this week, President Nixon pledged that the United States would share with other nations the benefits of such programs.

Moreover, the application of space technology to problems here on earth should make the space program more meaningful to citizens, and should help answer the question, "why go into space when we have so many problems here on earth?"

Also deserving emphasis in the new space objectives is the development of new capabilities for operating in space, including the development of a manned space station and laboratory, and a reusable "space shuttle" vehicle that can "carry passengers, supplies, rocket fuel, other spacecraft, equipment, or additional rocket stages to and from orbit on a routine aircraft-like basis." The development of a launch vehicle that can be returned to earth, refueled and reused will be a great step toward a more economic space program.

MORALITY REVOLUTION—THE CASUALTIES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. RARICK. Mr. Speaker, most parents these days find it difficult to say "No" to the activities and freedoms desired by their children.

As a result of permissiveness, pornography, dope, alcohol, and the early over-exposure to sex not only threatens to destroy the morality of our country, but is rapidly engulfing one generation of our youth.

Parents who see no harm in their children being entertained by uncensored movies, television, or prurient books should check the hospital rosters for the devastating effect on adolescents.

And contrary to what self-styled experts promise as the preventive values of sex education and drug awareness, both morgues and hospitals reveal an increase in youthful casualties resulting from the war against morality—the sexual revolution.

More laws, financial outlays and extended liberal theories of education cannot offset the damage already done.

Any corrective action by this body

must consider that the problem was created by liberal court decisions which have all but abolished the power of local and State officials to protect the youth through strict community controls.

Parents must exert authority over their children to keep them away from unwholesome environment and unsavory associations. Those parents concerned over their children's well-being will not be persuaded by the excuse, "Everybody's doing it."

Mr. Speaker, a moving story of what can happen to unrestrained children written by Alice Widener appeared in a special supplement to the Eagle of Yakima, Wash., on September 4, 1969. I insert it in the RECORD at this point:

SHE WAS ONLY 15

(By Alice Widener)

NEW YORK CITY.—From a nearby private hospital, a friend of mine, a young doctor, telephoned and said, "I saw the lights on and thought perhaps if you were still at work you'd let me come over for a cup of coffee." He sounded so tired and depressed that I said yes. A few moments later, he was at my front door, dressed in crumpled whites, his eyes bloodshot with fatigue, his long-fingered hands shaking.

"I guess I won't make it," he blurted out. "My chief just chewed me up. I doubt he'll recommend me for the appointment I've been longing for."

SHE WAS ONLY 15

"I couldn't help it," he explained slowly. I know a doctor is supposed to keep his emotions under control, but I just couldn't help crying. I tried so hard to save her. She was only 15 and I got emotionally involved when she was brought in two days ago. She looked so defenseless. This afternoon, I thought she'd made it. Then, an hour ago, she expired." He buried his face in hands. In despair he looked at me. "When she went, I just couldn't keep back the tears. I just couldn't."

We sat quietly a while and then I said I don't believe the chief would punish him in any way. "He has to teach you to have best possible control over yourself. I'm sure he felt terrible after he chewed you up. Probably, when he was alone, he cried too. You'll see. You'll get the hospital appointment. He was just helping you fortify yourself with self control for your future great career."

The young doctor is generally considered to be outstanding at the hospital. He's going to be a surgeon.

We talked some more and then, suddenly, he poured out his heart. I wish every parent and teacher and clergyman in America could have heard him.

"IT'S FRIGHTENING"

"Lately, I've been on gynecology and obstetrics. It's absolutely frightening to see what's going on—the wards and private rooms are filled with young girls—from as young as 13 to 16 and 17. Their insides are torn to pieces. It's impossible to describe the repair jobs we have to try to do. These girls suffer from the results of every kind of sexual abuse. It used to be that doctors treated prostitutes in such condition. But now we have to treat young girls from the best families for every kind of harm inflicted on them. Every day, we see girls in their teens with diseases and infections and torn-to-pieces insides due to over-indulgence, or sex abuses by drug-crazed youths. The most expensive private rooms in the hospital—at \$125 a day—are filled with girls from good homes enjoying every advantage in life. If this is the New Morality, then all I can say is that the end result is sheer brutality. How can these girls ever bear healthy children, or be healthy themselves? In their early teens, they're worn out."

There was little I could say, so I turned on the hi-fi and we listened to George Szell's marvelous recording of Richard Strauss' symphonic poem, "Death and Transfiguration."

It was comforting. At two o'clock in the morning, my young doctor friend said good bye. "She wasn't the first patient I lost," he said softly, "but she was the first girl one. She was brought in after a botched abortion. Lying there this afternoon, she looked so pure—such fine features, delicate skin. She rallied and said a little hello. I was so happy. We thought she'd made it."

He smoothed his rumpled white jacket and squared his shoulders. "Thanks," he said. "Thanks a lot. My chief's right, I'm going to tell him so. Next time, I won't cry." A great sigh shook his slender body. "Tell me," he said, "do people know what's going on?"

THE AVERAGE NEGRO

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. LONG of Maryland. Mr. Speaker, in this time of the militant left and the militant right, I found a letter in the Baltimore Sun this morning both refreshing and thought provoking. I should like to share this letter with my colleagues by including it in the CONGRESSIONAL RECORD:

THE AVERAGE NEGRO

SIR: S. Smulian is mistaken. He knows no more now where the average Negro stands than he did before reading the Black Manifesto. As in the past the Smulians are listening to the wrong persons. The average Negro who is moderate does not take the Manifesto stance. I know because I am Negro, or black as it is now fashionable to say. I have many friends and do a lot of talking about things I feel are important. This racial crisis is one.

Very few subscribe to that document. Some who do, do it out of desperation. Without spiritual hope they feel the only activity that matters is acquiring things. Deserted by those in positions to help, they reluctantly go along with Manifesto people in the hope of getting a bit of the glitter that is so highly touted in all places everywhere.

Most of us hoped that Manifesto would be given the short shrift it deserved. None were more surprised and outraged than we, when we saw august bodies of churchmen coming to terms with the holders of it. That money is not going to filter down to the needy masses and change their lives. To think so is to commit one's self to a folly as monstrous as sympathizing with Castro when he was hiding in the mountains and canebrakes of Cuba.

In spite of the dignity-assaulting conditions we have lived under, we, the black moderates, have found life darkly promising and limitedly productive. In the last few years, thanks to the wise restrained leadership of moderates, we have seen a brightening of the promise and an expansion of our productiveness. It has been done without the adoption of any foreign ideology such as this Manifesto seems to be based on.

We should like, God willing, our years to end and the years of our children and grandchildren to develop without that kind of spiteful adoption. We now stand on the doorsill of opportunity. If we could so advance, surrounded by dimness and limitation, surely our posterity can go in and dwell in the midst of brightness and expanded production.

The small powerless group of black mod-

erates do not speak loudly. They are afraid. They do not think the police will protect them from the revenge loud talk would bring. So they look over their shoulders, verbally spar and feel their way, lest they say the right thing to the wrong persons. Then they dare to hope that enough white persons of goodwill will love their country if not their black brothers sufficiently to let democracy work every day.

It was, after all, the white man's failure to keep faith with the moderate leadership when it had sole control that has given the Manifesto people their leverage. The present administration in Washington is already a classic case in point. We feel that balloting will take care of that in time. We are not so hopeful that "Manifestoitis" can be handled so easily if it gets the upper hand.

No, the position of the Black Manifesto is not the stand of the average black.

FRANCES CHARLES.

BALTIMORE.

RESPONSIBILITIES OF THE U.N. TOWARD THE AFRICAN NATIONS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. REID of New York. Mr. Speaker, several Members of the House and Senate on both sides of the aisle recently had the privilege of meeting with the Honorable S. N. Odaka, Minister of Foreign Affairs of the Republic of Uganda, and chairman of his country's delegation to the United Nations General Assembly.

Prior to his brief visit to Washington, Mr. Odaka addressed the U.N. General Assembly about the responsibility of that organization toward the African nations. I think his thoughtful remarks are perceptive and relevant to the review of our African policy now underway at the State Department and the White House. I include Foreign Minister Odaka's speech in the RECORD at this point:

STATEMENT BY THE HONOURABLE S. N. ODAKA, M.P., MINISTER OF FOREIGN AFFAIRS AND CHAIRMAN OF THE DELEGATION, AT THE PLENARY MEETING OF THE 24TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Madam President, allow me to congratulate you most warmly on your election to the high office of President of this Assembly. Your election reflects the important role the women of Africa are determined to play in the international community. We wish you a most successful term of office.

For the first time in several years, the General Assembly is not admitting a new member. The absence this year of the admission of a new member does not reflect work well-done, but rather a regrettable setback for the United Nations in its sacred task of ensuring that colonialism is dead. This Session must therefore, ensure that this setback is a temporary one. We must ensure that the still unfinished task of bringing freedom and human dignity to all people is not forgotten but is carried on and successfully completed.

Indeed Madam President, the urgent problem facing Africa is precisely the issue of colonialism and racial discrimination. The forces of colonialism in Africa are becoming more entrenched. The South African Regime has strengthened its arsenals of war. With this ever increasing strength the South African Regime has gone further to consolidate its abominable rule of tyranny over the territory of Namibia completely ignoring the

overwhelming opinion of mankind as expressed in numerous resolutions of the United Nations. Indeed, the United Nations itself has been brought into ridicule by its failure to implement its decisions over Namibia and save it from the grabbing hand of the Pretoria Clique which wishes to usurp it and permanently enslave its people.

To the North, in spite of the gallant struggle being waged by the freedom fighters in Mozambique, Angola and Guinea Bissau, Portugal has built up confidence and is now striving to consolidate herself since she sees this as the only way to continue to exploit the riches of Africa and thus save her crumbling economy. Any success she has achieved in fighting the forces of African Nationalism has only been carried out through the massive economic and military assistance she obtains from her allies. It is the same assistance that sustains the economy and military strength of South Africa. It is for this reason that we appeal to all countries who profess to be opposed to the evils of colonialism and racial discrimination to stop giving military and financial assistance to Portugal and South Africa.

The South African Regime has also made a determined and persistent thrust Northwards. On the one hand, it is seeking to strengthen its allies in Rhodesia and the Portuguese controlled territories of Angola and Mozambique and on the other, it is out to establish puppet regimes in Independent African States through deceit and subversion. We do not consider these gestures as genuine, friendly and calculated to achieve the dignity of the black man on our continent. These gestures are calculated to extend the unacceptable philosophy of the superiority of one race. To make matters worse, those who resist this pressure and stand firm on the principles of equality and human dignity are being threatened with increasing subversion and open aggression from South Africa and Portugal.

This year, Portugal has attacked Guinea and has threatened lives and property in that State. This is in addition to the constant attacks that have been made on Zambia and the United Republic of Tanzania. We have no doubt that these acts of aggression will continue unless strong measures are taken by the Security Council to contain the situation. The stage is thus being created for the final confrontation between the minority racist regimes and the Independent African States. The world, however, cannot afford to stand by as passive observers. It is not for the love of war but because of their commitment to the principles of human equality and dignity that Independent African States are opposed to colonialism and racial discrimination which is being practised in South Africa. It is also on the basis of their commitment to these universally accepted principles that Independent African States appeal to other members of the United Nations for support. The dignity of all men is destroyed when a section of humanity is denied its rights. Above all, without an acceptance of, and a commitment to the principles of human equality and self-determination, there can be no basis for peace and justice in the world.

In April this year, the Heads of State and Government of East and Central Africa, desirous to spell out their attitude and purpose in relation to the problems existing in Southern Africa adopted in Lusaka a Manifesto. Earlier this month, this Manifesto was unanimously adopted by the Organization of African Unity Assembly of Heads of State and Government. The Lusaka Manifesto is an affirmation of the principles of justice, equality and human dignity. In it, the African Leaders have stated that they wish to make clear beyond all shadow of doubt, their acceptance of the belief that all men are equal and have the right to human dignity. These are the same senti-

ments to which the United Nations Charter is committed. The Manifesto defines the attitude of Independent African States to the racist regime in South Africa and to the philosophy of apartheid. It explains in very clear terms the alternatives before Independent African States and before the Liberation Movements in Southern Africa. The Manifesto high-lights the serious situation existing in the region and the threat to, and deep concern of the Independent African States. It is for this reason that the Organization of African Unity Assembly of Heads of State and Government charged its current Chairman, the President of Cameroon with the duty of presenting this Manifesto to the United Nations General Assembly. We sincerely hope that this Assembly will fully appreciate the spirit in which this Manifesto was conceived and re-affirm their belief in the principles to be found in the United Nations Charter by adopting this Manifesto. These principles have almost been lost sight of in Rhodesia.

In Rhodesia as we had foreseen and feared, we are now witnessing the final abandonment by the United Kingdom of her responsibility. Another apartheid styled regime is being created in Rhodesia while the United Kingdom is passively sitting with her arms folded in complacency. It is now four years since the Unilateral Declaration of Independence, and all we have heard from the United Kingdom is that force must not be used and that sanctions will soon bring about a change of heart among the racists and eventually lead them to return to legality and accept majority rule. We say the world has waited long enough. Sanctions have failed owing to the support which the South African Regime, Portugal and other countries have given. At the same time Smith and his colleagues have in fact entrenched their positions and they are adopting even more extreme measures to safeguard white supremacy and the enslavement of the Africans who constitute the majority in that country.

While Smith is introducing an apartheid styled constitution all that the United Kingdom Government is prepared to do is to remove her futile representative and suitably honour him for his services. From now, Rhodesia is no different from South Africa and it is only overall action against all the minority regimes in Southern Africa which can hope to be successful. The United Nations should therefore, not listen to, and be deceived by those who preach half-hearted measures. We urge the Security Council to seriously face its responsibilities and take strong measures to halt the fast deteriorating situation. Until this is done, Independent African States have no choice but to support the Liberation Movements in their armed struggle against these regimes. The Security Council as the primary organ of the United Nations charged with the maintenance of international peace and security has a responsibility to perform and should have sufficient courage to take the necessary action. The racists should not be allowed on the one hand to reject the cherished principles of justice and equality and on the other benefit through friendly international relations which are based on these very same principles. Without action by the Security Council, peace in Africa will remain threatened.

The failure of the members of the Security Council, particularly the permanent members who are responsible for peace and security in the world to divorce themselves from siding with those who threaten peace and security is the main reason for the continued worsening of the world situation and the inability of the United Nations to perform its functions effectively. As we approach the twenty-fifth anniversary of the United Nations, the role of the Security Council is a matter that needs examination.

It is most disturbing to find that in all ma-

for conflicts threatening international peace and security, the permanent members of the Security Council who should always be on the side of peace are the ones fanning the flames of war. When those most responsible for peace and security are so committed on the side of war, how can they at the same time effectively play the role of mediator and peace-maker? Is it any wonder that the United Nations has become powerless and is not playing a major role in the preservation of peace and security? We must emphasize that the permanent members of the Security Council must play an impartial role. The taking of sides in any major conflict is bound to aggravate the situation and spread tension rather than to establish conditions for the settlement of disputes. Looking at the major conflicts in the world, what lessons can we learn? The tragic civil war in Nigeria, the Middle East Conflict and the war in Viet Nam, all clearly point to one sad lesson. In Nigeria, as in the Middle East and Viet Nam, the major powers who are the permanent members of the Security Council, and who should be on the side of peace are actively involved with one party or another in all these wars.

The situation in Nigeria is being greatly aggravated by the presence of foreign interests on both sides of the civil war. This fact has been admitted by the two sides in the civil conflict. We believe that a peaceful solution can be achieved through negotiations so long as outside powers are not involved.

The situation in the Middle East could also be quickly solved if all the Big Powers were firmly committed to finding a peaceful and just solution. Again, it is most regrettable that some of the members of the Security Council are not devoid of self-interest in this matter and are for selfish reasons actively arming the warring parties. How then can these powers help to find peace? We patiently wait to hear of any success that may be achieved through the talks of the Big Powers now taking place.

Similarly, in the case of the Viet Nam war, we find that the failure of the permanent members of the Security Council to have a common approach to peace is largely responsible for the continuation of this most tragic and costly war. Mankind has waited most patiently to hear the results of the Paris Peace Talks. We, therefore, cannot emphasize enough the urgency and the necessity of reaching an agreement and establishing lasting peace in Viet Nam.

Madam President, the problems of achieving peace and security in the world require realism on the part of the permanent members of the Security Council. It is an inescapable fact that no permanent solution to the problems of disarmament, just as those of world peace can be found while a large section of mankind is excluded from this world body. This year when mankind salutes the great scientific achievement of setting the first man on the moon, it is high time that a sense of realism was adopted towards the major problems facing mankind here on earth. It is unfortunate to pretend that a government which controls and represents the largest nation in the world does not exist. Most important of all this same nation now possesses means of mass destruction. We must again state that it is in the interest of peace and security that the Peoples Republic of China be admitted and become a member of the United Nations.

Madam President, the problems of peace are also the problems of human development. His Holiness, The Pope, on his arrival in Uganda for his historic visit, appropriately stated that, "Development is the new name for peace." As we approach the Second Development Decade, we should bear in mind these wise words. It is impossible to have any lasting peace when the world is divided into the rich and the poor. Poverty cannot be eradicated by the poor alone. While it is

imperative that the developing countries play their role, a great responsibility rests with the economically advanced regions. That is why, we have persistently called upon these countries to eliminate the discriminatory obstacles which impede the development of the poor regions.

Permanent Members of the Security Council who are primarily responsible for peace and security are also members of ECOSOC, the principal organ of the United Nations for economic and social development. It is, therefore, imperative, that these countries should be on the side of both peace and development. It is a fact that poverty still remains the most noticeable and regrettable characteristic of this world in this modern age. Next year, we shall not only be celebrating the Silver Jubilee of the formation of this Organisation, but perhaps what is most significant and vital to Africa is that we shall be entering the Second Development Decade. It is therefore fitting that we examine the role of the United Nations and see how we can eliminate areas of weakness and make the United Nations and its agencies more effective. The developing countries are making great attempts to help themselves and to up-lift their standard of living. In our continent, the Organisation of African Unity and regional bodies such as the East African Community have attempted to increase trade among member countries and promote regional cooperation in economic and social spheres. The practical meaning that the United Nations can give to this activity is to realise that Africa wants to play her full role in eradicating social and economic evils. We wish to see the United Nations playing a bigger role and working closely with the Organisation of African Unity in meeting Africa's aspirations in economic spheres.

This year, the Organisation of African Unity has played an increasingly effective role in economic and social development. The Organisation of African Unity, however, should be helped by the United Nations and its agencies. This help can be channeled through growing participation in the Organisation of African Unity's institutions such as the African Development Bank and greater cooperation from E.C.A. We in Uganda look at the United Nations and its agencies for active assistance in building our infra-structure. The United Nations and its agencies should not be merely contented with producing Feasibility Studies which yield no productive results. We expect them to cooperate in the provision of development finance. It is in this way that we shall appreciate the role of multilateral agencies. It is by determined efforts to understand Africa's development needs that the United Nations economic role will be measured in the coming development decade.

It is imperative to educate world opinion on the growing problems created by a continuing divided world of the poor and rich. In order to do this, the United Nations and particularly its Secretariat and officials should themselves fully appreciate the problems they are required to tackle. The Senior officials of the United Nations and its agencies should make it a point to familiarise themselves with the problems of development, by physically visiting us in our environment, discussing development priorities and examining how best they can assist in meeting our goals.

It is paradoxical that while policy-makers find it necessary to come here every year and discuss these issues, very few visits are made by top officials of the United Nations Secretariat and the United Nations Agencies to developing countries where these problems could be examined on the spot.

In the Second Development Decade we expect the United Nations and its agencies to move away from pre-occupation with theory and instead, actively deal with prac-

tical problems to be found in the field. The top officials of the United Nations, the World Bank, the United Nations Development Programme and all the major agencies of the United Nations should make it a point of visiting all the developing countries regularly for this purpose.

Uganda welcomed the initiative taken by the President of the World Bank to send the Pearson Commission on International Development to discuss the role of the World Bank in meeting the challenge of economic development. We want to see other organisations such as the United Nations Industrial Development Organisation following this example. We in Uganda are confident that industrialisation is essential to our development. We are, therefore, most anxious to see UNIDO effectively on its feet and familiar with our programmes and actively assisting us to meet the challenge of development.

We consider that here is a lot of potential in Africa for the good of mankind. In order to fully utilize this potential, the world must take Africa seriously. In the case of the problems that face us in Southern Africa, we expect cooperation and understanding. In the Nigeria conflict we expect permanent members of the Security Council to be on the side of peace. In the case of economic development, we expect the developed countries not to build obstacles and apply restrictive measures but to be the vanguard for increased trade and cooperation between developed and developing countries. The future of mankind is interdependent and no section can be left behind and ignored without seriously affecting the well-being and prosperity of the rest. This is the only way we can make the Second Development Decade meaningful.

THE APPROPRIATIONS BUSINESS OF THE SESSION

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MAHON. Mr. Speaker, the House yesterday passed the eighth of the annual appropriation bills for the current fiscal year 1970.

One bill has been signed into law—the Treasury-Post Office bill.

Two bills are awaiting conference action.

Five bills are pending in the other body.

There are five regular bills for 1970 remaining to be reported. They depend significantly on related authorization legislation that has not been finalized by Congress. Thus the delays.

For the general information of Members and others, I include a summary picture of the appropriation and spending actions of the session thus far:

THE APPROPRIATIONS BUSINESS OF THE SESSION

Recommendations on the spending side of the budget are handled mostly in appropriation bills, dealing—in this session—with supplements to fiscal 1969 and with the main budget for the current fiscal year 1970. A handful of items relate to fiscal 1971. And a number of actions with impact on the pending budget have been taken in bills out of the legislative committees—the details of which are reported on in the latest (October 8) budget scorekeeping report of the Joint Committee on Reduction of Federal Expenditures.

THE APPROPRIATION BILLS

House actions on budget authority

The House has acted on 8 of the 13 fiscal 1970 regular appropriation bills. The 8 bills involved consideration of about \$49.5 billion of the President's budget requests for new appropriations and other budget (obligational) authority. Against this total, the Committee on Appropriations recommended about \$49.3 billion—a net reduction, overall, of \$203 million in round figures.

But the House, through floor actions in the 8 bills, made net additions of \$725 million to the committee recommendations, with the result that the 8 bills—as finally voted in the House—are above the related budget requests by some \$522 million in new spending authority. The principal floor additions occurred on the Labor-HEW bill, increased \$922 million above the committee total.

HOUSE ACTION ON BUDGET EXPENDITURES

In terms of expenditures—or more precisely, budget outlays—it is tentatively estimated that House actions to date in the 8 appropriation bills voted on would result in increasing budget expenditures for 1970 by roughly \$337 million.

The late passage of the Second Supplemental Bill for fiscal 1969, in which reductions were made, resulted in some spill-over effect of the reductions in relation to expenditures for fiscal 1970 which began July 1, in consequence of which it is tentatively estimated that the \$337 million increase is diminished, on the basis of final passage of the Second Supplemental, to about \$262 million above the budget projections.

FISCAL 1969 SUPPLEMENTALS

In respect to fiscal 1969 supplementals at this session, budget requests for new budget spending authority totaled nearly \$5.9 billion. Amounts approved by Congress totaled \$5.4 billion, a reduction of nearly a half billion dollars—\$461.9 million—from the budget requests.

APPROPRIATIONS UNREPORTED

Some \$83 billion of new budget spending authority requests are pending in connection with the five regular appropriation bills for fiscal 1970 still unreported. These are:

	Millions
District of Columbia (Federal funds)	\$190
Transportation	1,994
Defense	75,278
Military construction	1,917
Foreign assistance	3,679

They depend significantly on related authorization legislation still pending.

Senate actions on budget authority

The Senate has passed three of the regular appropriation bills for fiscal 1970—Treasury-Post Office, Agriculture, and Interior. They involve \$10,673 million of new budget spending authority requests, against which the Senate voted \$11,305 million, a net increase of \$632 million above the budget.

One of the three bills has cleared Congress.

Final action on 1970 appropriation bills

One bill for fiscal 1970, the Treasury-Post Office appropriation bill, has been signed into law. As enacted, it appropriates \$8,783 million of new budget (obligational) authority on a gross basis, a reduction of about \$38.5 million from the related budget requests.

But on the net basis used in the budget, that is, counting estimated postal revenues as offsets to postal appropriations rather than as budget receipts, the net amount enacted is roughly \$2,276 million. But this does not take account of the revised estimate for postal revenues that was projected in the summer review of the 1970 budget, released September 17; that review now assumes enactment of new postal rate legislation effective January 1, 1970, valued at \$315 million, and makes a slight refinement of the estimate otherwise.

THE APPROPRIATION AND LEGISLATIVE BILLS IN RELATION TO THE BUDGET

Folding in the various spending actions in legislative bills that bear on the budget with those in the appropriation bills for fiscal 1970, the latest (October 8) budget "scorekeeping" report of the Joint Committee on Reduction of Federal Expenditures projects a more comprehensive picture of congressional actions or inactions thus far on the budget. These reports are designed to keep tabs, currently, on what is happening in the legislative process to the budget recommendations of the President, both appropriation-wise and expenditure-wise, and on the revenue recommendations, and not only on actions in the revenue and appropriation bills but also in legislative bills that affect budget authority and expenditures (backdoor bills, bills that mandate expenditures, and so on).

In relation to budget authority

On this overall basis, for fiscal year 1970, the October 8 "scorekeeping" report shows a net increase by the House above the budget requests—in terms of budget authority—of \$915 million. For the Senate, the figure above the budget requests is \$895 million.

In relation to budget expenditures

In relation to budget expenditures, for fiscal year 1970, the October 8 "scorekeeping" report shows a net increase by the House above the budget projections of about \$778 million. For the Senate, the figure above the budget projections is about \$786 million.

These increases are in the face of the action of Congress in July in adopting an overall budget expenditure ceiling for 1970 in the Second Supplemental Appropriation Act, directing a cut of at least \$1 billion below the

\$192.9 billion expenditure budget for fiscal 1970 projected in the President's April 15 budget revision—a figure to which the President holds in the summer review of the 1970 budget.

The approximate totality of pending fiscal 1970 new budget (obligational) authority requests

Congress does not annually act upon all of the appropriations or new budget (obligational) authority requests. Something in excess of \$81 billion or so of the grand total currently estimated for fiscal 1970 arises from previous permanent-type legislation that does not require action in bills this session (interest, social security and other trust funds, etc.).

About \$132.6 billion of the 1970 total is presently involved in the form of specific budget requests in connection with the 13 regular annual appropriation bills—\$49.5 billion in the eight bills acted on by the House and \$83.1 billion in the five bills not yet reported.

Another major part of the total would be a \$3-billion allowance in the total for the July 1, 1969, civilian and military pay increase.

The gross total in the April 15 budget revision, relating to fiscal 1970, was \$219.6 billion. The Summer Review of the Budget reflects many changes in details and identifies several of them, but does not include a new grand total. But the total remains in this vicinity. The October 8 "scorekeeping" report—distributed to all Members—supplies more details.

SUMMARY OF APPROPRIATION BILL TOTALS

Here is a summary as to the appropriation bills of the session thus far:

SUMMARY OF APPROPRIATION BILL TOTALS OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, 91ST CONG., 1ST SESS. AS OF OCT. 9, 1969

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,¹ without further or annual action by the Congress]

	New budget (obligational) authority (all figures are slightly rounded)		
	Bills for fiscal 1969	Bills for fiscal 1970	Bills for the session
A. House actions:			
1. Budget requests considered	\$5,400,007,000	\$49,539,081,000	\$54,939,088,000
2. Amounts approved by House	4,819,213,000	50,061,570,000	54,880,783,000
3. Comparison with corresponding budget requests	-580,794,000	+522,489,000	-58,305,000
B. Senate actions:			
1. Budget requests considered	5,850,305,000	10,673,133,000	16,523,438,000
2. Amounts approved by Senate	5,495,669,000	11,305,760,000	16,801,429,000
3. Comparison with corresponding budget requests	-354,636,000	+632,627,000	+277,991,000
4. Compared with House amounts in same bills	+676,457,000	+852,486,000	+1,528,943,000
C. Enacted:			
1. Budget requests considered	5,850,305,000	2,314,714,000	8,165,019,000
2. Amounts enacted	5,388,358,000	2,276,232,000	7,664,590,000
3. Comparison with corresponding budget requests	-461,947,000	-38,482,000	-500,429,000

¹ For fiscal year 1970, in the revised (April) budget, total new budget (obligational) authority was tentatively estimated at \$219,600,000,000 (\$205,900,000,000, net of certain budget presentation adjustments) of which \$138,900,000,000 was for action by Congress and \$80,700,000,000 would become available under permanent law.

Note: House actions to date on appropriation bills for 1970 are tentatively estimated to increase outlays (expenditures and net lending) budgeted for 1970 by approximately \$337,300,000. In addition, it is estimated that outlays budgeted for 1970 will be reduced by about \$75,000,000 based on the enacted amount of the second supplemental, 1969.

Prepared Oct. 9, 1969, in the House Committee on Appropriations.

SUMMARY OF CHANGES REFLECTED IN BOTH APPROPRIATION AND LEGISLATIVE BILLS

Following is a table from the October 8 "scorekeeping" report of the Joint Committee on Reduction of Federal Expenditures. It capsules changes from the budget requests and estimates to that date in both the appropriation bills and various legislative bills:

SUMMARY HIGHLIGHTS

The new administration has made various revisions in the January budget estimates, in

three steps, as shown in the summary table on page 2.

These actions changed the estimated surplus for fiscal 1970 from \$3.4 billion in the January budget to \$1.8 billion as a corrected budget to \$5.8 billion in the updated estimates, and finally to \$5.9 billion in the revised estimates being considered by the Congress. Without the new taxes proposed in the budget this estimated surplus of \$5.9 billion would become a deficit of approximately \$3.9 billion.

House action to date (October 8) reflects a net increase of \$915 million in the 1970

estimates for budget authority and a net increase of \$778 million in the 1970 estimate for outlays.

Senate action to date (October 8) reflects a net increase of \$895 million in the 1970 estimates for budget authority and a net

increase of \$786 million in the 1970 estimate for outlays.

SUPPORTING TABLE NO. 1.—ACTIONS ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF OCT. 8, 1969)

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget) ¹			Congressional actions on budget outlays (changes from the budget) ¹		
	House (1)	Senate (2)	Enacted (3)	House (4)	Senate (5)	Enacted (6)
Fiscal year 1970:						
Appropriation bills (changes from the budget):						
Treasury, Post Office, and Executive Office (H.R. 11582, Public Law 91-74)	-42,382	-34,519	-38,482	-37,000	-30,600	-34,000
Agriculture and related agencies (H.R. 11612)	-160,907	+675,236		+53,000	+556,000	
2d supplemental, 1969 (H.R. 11400)				-110,000		-75,000
Sec. 401 outlay ceiling ²					(-1,900,000)	(-1,000,000)
Independent Offices and Department of Housing and Urban Development (H.R. 12307)	-471,325			-113,000		
Interior and related agencies (H.R. 12781)	-15,810	-8,090		-15,300	-11,800	
State, Justice, Commerce, the judiciary and related agencies (H.R. 12964)	-130,070			-71,000		
Labor and Health, Education, and Welfare and related agencies (H.R. 13111)	+1,078,365			+521,000		
Legislative branch (H.R. 13763)	-26,850			-7,900		
Public works (H.R. 14159)	+301,469			+7,500		
Subtotal, appropriation bills	+532,490	+632,627	-38,482	+227,300	+431,600	-109,000
Legislative bills with spending authorizations (changes from the budget):						
Civil service retirement benefits (H.R. 9825, S. 2754)	N.A.	N.A.	†N.A.	+86,100	+94,700	†+94,700
Defense: overseas mailing privileges (H.R. 8434)	+8,900			+8,900		
Veterans readjustment benefits (Public Law 91-22)	+1,362	+1,362	+1,362	+3,952	+3,952	+3,952
Veterans hospital care for 70-year-olds (H.R. 693)	-3,400			+3,400		
Veterans care in State homes (H.R. 9334)	-2,803			+2,803		
Veterans care in community nursing homes (H.R. 692)	-5,954			+5,954		
Veterans outpatient care (H.R. 3130)	-8,000			+8,000		
Veterans nursing home care (service connected) (H.R. 2768)	-1,500			+1,500		
Veterans non-service-connected benefits (H.R. 372)	-8,538			+8,538		
Additional district judges (S. 952)		+1,473			+1,473	
Additional clerks for House Members (H. Res. 357)	+3,600		+3,600	+3,600		+3,600
J. F. K. Center (H.R. 11249)	+5,000	+5,000	††+5,000	+5,000	+5,000	††+5,000
Appalachian highways (H.R. 4018)	+20,000					
Food for needy children (H.R. 11651)				+100,000		
Veterans education assistance (H.R. 11959)	+206,500			+206,500		
Veterans Vietnam insurance (S. 2003)		+1,700			+1,700	
Veterans additional \$5,000 insurance (S. 1479)		+45,000			+45,000	
Veterans double indemnity insurance (S. 1650)		+100,000			+100,000	
Veterans dismemberment insurance (S. 2186)		+10,000			+10,000	
Veterans increased dependency and indemnity compensation (S. 1741, H.R. 13576)	+61,565	+52,840		+61,565	+52,840	
Navajo Indian road (S. 404)		+5,000			+5,000	
Savings bond interest (H.R. 14020)	†+18,000			†+18,000		
Travel per diem (H.R. 337)	+27,000	+40,000		+27,000	+40,000	
District of Columbia delegate in House (S. 2163)		+145			+145	
Subtotal, legislative bills	+382,122	+262,520	+9,962	+550,812	+354,810	+107,252
Total, fiscal year 1970	+914,612	+895,147	-28,520	+778,112	+786,410	-1,748
Fiscal year 1969:						
Appropriation bills (changes from the budget): 2d supplemental, 1969 (H.R. 11400)	-580,794	-354,636	-461,948	-464,000	-254,600	-325,000

¹ Accurate estimates of the cost impact of congressional actions on mandatory spending legislation are frequently difficult to obtain—especially for outlays. Cost estimates are obtained from various sources, including committee reports, floor debates, Government agencies and informal staff contacts. Sometimes cost estimates on new legislation are not available. What is reflected in this congressional action table is the best that the staff has been able to put together. Occasionally it is necessary to revise an estimate as more current information becomes available.

² Reflects floor action increasing milk funds by \$120,000,000, but does not reflect effect of \$20,000 limitation on subsidy payments adopted by House. The Appropriations Committee assumed a reduction in Public Law 480 spending which if not realized will result in higher spending than estimated.

³ The 2d Supplemental Appropriation Act, 1969, carried an overall expenditure limitation for fiscal 1970 which was different in all 3 versions. The House-passed version set the ceiling at the

Apr. 15 budget figure of \$192,900,000,000 with provision for increases or decreases depending upon actions or inactions of the Congress affecting the budget. The Senate version made a flat reduction of \$1,900,000,000 in the overall ceiling but exempted certain items from the ceiling. The enacted version made a flat reduction of \$1,000,000,000, provided for increases or decreases depending upon action or inaction of Congress affecting the budget, and granted up to \$2,000,000,000 of flexibility in the ceiling to the President for certain uncontrollable items.

⁴ Updated estimate based on revised assumptions of number who might retire under the new law.

† Committee action.
†† Cleared for signature.
N.A.—Not available.

BIG TRUCK BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. SCHWENGEL. Mr. Speaker, my editorials for today are from the Goshen, Ind., News; the Franklin, Ind., Journal; and the Evansville Press, Evansville, Ind., in the State of Indiana. The editorials follow:

[From the Goshen (Ind.) News, July 31, 1969]

HIGHWAY GIANTS

The trucking industry is back before Congress this year with a bill to permit the operation of heavier and bigger trucks on the nation's interstate highway system. Congress, as it did with a similar measure last year, should reject the proposed changes.

Foremost among the opponents of the legislation is the American Automobile Association, whose executives testified recently

before the House Public Works Committee. The AAA's opposition is based on two points. The first is that bigger trucks will constitute a hazard on the highways because their bulk diminishes the visibility of other drivers and their length makes passing more risky.

The second point the AAA stresses is that the increased weight of tractor-trailers and tractor-two trailers will punish pavements and bridges and increase not only the costs of upkeep but also the construction of new roads built to withstand the heavier loads.

Highway costs warrant concern, but the argument Congress should find most persuasive is the likelihood of greater danger on the nation's already unsafe roads. A 70-foot truck, more than eight feet wide and weighing as much as 15 tons, is an intimidating object. To allow such snorting behemoths on the public roads is not in the public interest.

[From the Franklin (Ind.) Journal, July 26, 1969]

BIGGER TRUCKS?

The trucking industry, engaged in a determined campaign for the last year or so to persuade the government to give even

larger trucks the run of the nation's roads, has lately come up with a new argument to bolster its case.

Industry spokesmen asserted in congressional hearings that the size and weight hikes desired would actually contribute to highway safety. Their reasoning is that by abandoning the present weight limit—73,280 pounds—for trucks on the interstate system and adopting instead an axle-spacing formula, weight distribution would be improved. Trucks might be heavier—up to 92,500 pounds—and wider, but also better-balanced, and therefore less of a hazard to truckers, passenger car drivers, bridges and the roadways themselves.

There is no question that trucking is a vital element in the transport system of a consumption-happy society or that there are valid arguments for bringing existing regulations into line with changing needs of the industry and public, improved technology and highway facilities.

But this is one that is likely to be difficult to sell to drivers who have had white-knuckled experience maneuvering around and among present width and weight trucks, or struggled to keep a car on the road in

the gale-force winds frequently created in passing or being passed by trucks.

[From the Goshen (Ind.) News, July 31, 1969]

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[From the Evansville (Ind.) Press, July 18, 1969]

THE TRUCK BILL AGAIN

Congress, which last year shelved a bill to permit longer, wider and heavier trucks on the interstate highway system, is engaged now in studying a somewhat modified version.

The new bill would lift the present 75,280-pound weight limit, extend the width limit from eight to eight-and-a-half feet and impose a length limit of 70 feet. This last provision was absent from last year's bill.

The trucking industry argues an axle-spacing formula set out in the new bill would permit more even weight distribution, thus easing the strain on bridges and highways despite heavier loads and greater length.

These factors, the truckers contend, also would promote safety by permitting improved braking ability for big rigs and better road visibility for their drivers.

The industry's primary interest in the bill, of course, is the greater "economic return" larger vehicles would provide for truckers and lower per unit hauling costs for customers—a legitimate interest, certainly.

But that interest must be weighed against the public's interest in the use of the interstate system—a \$60 billion, taxpayer-financed project—and the other highway arteries onto which it empties.

Executive Vice-President George Kachlein of the American Automobile Association, which opposes the bill, charges the extra truck weights permitted (up to 108,500 pounds for a nine-axle truck) would cost \$1.8 billion for road repairs in 10 years.

And even if the bigger rigs could operate safely on the interstate, millions of miles of feeder roads on which some of them would have to travel are far below the interstate's design and safety standards. Congress has been warned by the National Association of County Engineers, the National Association of Counties and other opponents.

Further, the improved safety factors of the bigger rigs are projected rather than proved. And the sight of a passing truck 15 feet longer and tens of thousands of pounds heavier

than the 55-foot vehicles now permitted throughout most of the east seems unlikely to steady the nerves of the average motorist.

On balance, the truckers' interest are outweighed by the public interest in safe and economic use of the highways. The new bill should join the old one on the congressional shelf.

DOING WHAT THE ENEMY WANTS?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. WYMAN. Mr. Speaker, at a time when the wire services report that Hanoi and the Vietcong have "appealed to the American people over the heads of their negotiators in Paris" to continue efforts at dissension and protest on the home front, the following letter from a New Hampshire boy stationed in Vietnam is worth pondering. It appeared in the Manchester, N.H., Union Leader issue of September 29, 1969:

NEW HAMPSHIRE SOLDIER WRITES FROM SOUTH VIETNAM: "WE'RE DOING JUST WHAT THEY WANT US TO DO"

(NOTE.—The following letter was written by "Swede," a New Hampshire boy stationed in Vietnam for almost two years. For obvious reasons his identity cannot be disclosed.)

DEAR MR. LOEB: Yesterday I received a few papers from you, one of them Aug. 29. In February I will have been in Vietnam for 21 months and I want to give my full support to an article on page 17 of that newspaper titled, "Let's Face Up to Vietnam". It was well written and very true.

I realize that U.S. citizens are tiring of this war and are tired of hearing about it. That is the price of a prolonged war and we elected the men who are dragging it on and on, at a great loss to the American public. As the article stated, the war should have been won in the early stages.

We are now doing just what North Vietnam wants us to do. Crumble and crawl any way we can. Troop withdrawal will strengthen the enemy's cause.

I hope the American public is not ignoring the fact that as long as the bombing of the North has been stopped the North has had freedom of movement for shipment and resupply to the South by way of the Cambodian border, etc., to the South.

They are probably planning a deadly devastating blow to the South when troop withdrawal reaches a peak. I'm astonished that our leaders are playing into their hands and have done nothing to stop it.

Surely freedom is worth the price we have already paid in lives lost. I know my friends who have died here wouldn't want to see the U.S. crawl away defeated.

If Nixon and other government officials are worrying about votes . . . I think, if we win this war honorably and quickly, they will get many more votes than if they let the killing of American troops drag on and on, as the Communists planned.

The American Public may grow sick of the war and accept anything from the other side to end it. But it will be ended only for the U.S. not for Asia, and our allies who believe in our help—not for Asia.

We will either come out of this war a crawling broken nation or a strong proud nation as we have been in the past.

Also on the front page of this edition is a story of enemy retreat near Que Son Valley. The enemy had heavily entrenched bunkers here and those five men who refused to enter any further into that valley a second

time were not alone. They represented their whole company in the refusal. As a result of poor leadership Major Ramsey was released from his duty and a new commander took over the company.

When Ho died the North asked for a three day truce. The U.S. government stated they would go along with Saigon on the decision. Saigon said no truce. But my company stopped all operations for those three days and I presume that all American operations stopped for those three days. I'd like to know why the U.S. government didn't acknowledge this.

While we stopped operations, enemy movement continued as usual. When politicians finally decide to stop playing games with American lives at stake, and let the military run it, we will be victorious. If not, politics will bring our great nation to the brink of a great defeat and the greatest blunder in American history.

PRICE TESTIFIES ON BEEF PRICES

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PRICE of Texas. Mr. Speaker, during this past week, the House Government Operations Subcommittee on Special Studies has been conducting hearings to determine to what extent, if any, in increases in the price of beef during the first 7 months of 1969, were caused by factors such as the activities of Federal agencies, as opposed to free market forces.

I testified on this issue before the subcommittee. I pointed out that meat is not one of the major consumer items in the cost of living index that has reached an all-time high during the current inflationary round. According to market record, there were 35 prior months which had higher beef costs than did July. In 84 past months, consumers paid more for pork, and in 16 previous months the price of lamb was higher.

I also compared the rise in beef prices since the early fifties with that of other consumer items. The record is clear that through the years, beef prices have risen slower than the prices of dairy products, fruits and vegetables, rent, homes, clothing, medical care, recreation, public transportation, and many other items.

Based on its price record, beef is a real bargain. Over the past 20 years, general inflation has brought about price increases for all goods and services of more than 40 percent. Despite this radical increase, beef today sells at more favorable prices than existed 18 years ago.

Today, 1 hour's labor buys 3½ pounds of beef; 10 years ago the same labor bought less than 3 pounds of beef; and 20 years ago, the consumer purchased approximately 1 pound of beef for 1 hour of labor. During the past 20 years, per capita disposable income increased 50 percent. Yet today, the average American family spends only 17 percent of its disposable income on food, as compared to the 1959 figure of 25 percent. When one considers that 2.3 cents out

of each disposable dollar is spent on beef, the favorable position to today's consumer becomes obvious.

I advised the subcommittee that the modern consumer also benefits from the fact that he is purchasing better quality beef for his money than at any other time in our Nation's history. Over two-thirds of today's beef has spent time in a feedlot, compared to 40 percent only a few short years ago. This feedlot finishing creates increased beef tenderness, flavor, and desirability. With new trimming and packaging techniques, created by specific consumer demand, there is less waste and actually more edible meat per pound of beef than ever before.

Basically, I think that when consumers complain about the high cost of beef, they fail to realize that beef costs are more of a reflection of the cost of marketing beef than they are a reflection of the basic price of beef at the producer's level. The marketing cost of getting a choice steer from the ranch to the table has increased 15 percent in the last 8 years. In the food processing and distributing industries, labor costs alone have increased well over 45 percent when compared to the standard 1957-59 averages. In addition, the cost of land, labor, equipment, and money has risen dramatically over the last few years. Finally, the modern, convenient, "see through" packaging coupled with the increasing variety of cuts that the consumer is demanding has increased the price between the beef producer and the dinner table.

Mr. Speaker, the price of beef is more a reflection of the cost of marketing beef than it is the cost of producing beef. It is for this reason that I suggest that those complaining about the so-called high price of beef examine the problem more closely. If they do so, they will discover that the causes of the problem lie elsewhere than the farm, the ranch, or the feedlot.

As a contribution to the public discussion of the various causes of the price of beef I am inserting the testimony I presented to the subcommittee. I hope the information contained therein will help clarify the issues. It follows:

TESTIMONY OF CONGRESSMAN ROBERT D. PRICE OF TEXAS BEFORE THE HOUSE GOVERNMENT OPERATIONS SUBCOMMITTEE ON SPECIAL STUDIES, OCTOBER 7, 1969

Mr. Chairman, I am a member of the House Agriculture Committee and Subcommittee on Livestock and Feed Grain. I appreciate being afforded the opportunity to testify before the Subcommittee today. I have been a farmer and rancher most of my adult life, and I represent the 18th District of Texas now feeding about 2 million heads of fat cattle. As I understand it, the purpose of these particular hearings is to ascertain to what extent, if any, the increases in the price of beef during this year have been effected not by the operations of the law of supply and demand, but by other factors such as the activities of Federal agencies.

I submit that the rise in beef prices has resulted from the operations of supply and demand coupled with other factors which do not include the activities of Federal agencies.

As regards the beef producer, the average retail price of Choice-grade beef was \$70.55 per hundred weight in 1951, while during the price peak last July, Choice-grade beef was

sold at only \$75.26 per hundred weight. This is an increase of less than 7 percent in 19 years. Moreover, the average price of Choice-grade slaughter steers actually has fallen since 1951; from \$35.24 per hundred weight in 1951 to \$30.54 in August, 1969. It is even lower today.

As regards the final consumer, during the first two quarters of this year, average retail meat prices on all cuts rose from 90 cents a pound in January to a July high of \$1.01. Since July, there has been a significant decline in meat prices. The USDA's estimate for last month was 99.4 cents, which represents a price decline of approximately 2 percent. Live prices have dropped from the 34 range to 28-28.6 price today!

It should be noted that meat is not one of the major consumer items in the cost of living index that has reached an all-time record price peak during the current inflationary round. According to market record, there are 35 prior months which had higher beef costs than did July. In 84 past months, consumers paid more for pork, and in 16 previous months the price of lamb was higher.

The members of the Subcommittee will be interested to know that on the whole, the average level of prices for steer beef on the hoof is 17 percent lower than it was during the price peaks of the early 1950s; pork on the hoof is 29 percent cheaper; and lamb is 26 percent less expensive.

It is also instructive to compare the rise in beef prices since the early fifties, with that of other consumer items. The record is clear that through the years beef prices have risen slower than the prices of dairy products, fruits and vegetables, rent, homes, clothing, medical care, recreation, and public transportation.

Based on its price record, beef is a real bargain. Over the past twenty years, general inflation has brought about price increases for all goods and services of more than 40 percent. Despite this radical increase, beef today sells at a more favorable price than existed 18 years ago: Today, one hour's labor buys 3½ pounds of beef; ten years ago the same labor bought less than 3 pounds of beef; and twenty years ago, the consumer purchased approximately 1 pound of beef for one hour of labor. During the past twenty years, per capita disposable income increased 50 percent. Yet today, the average American family spends only 17 percent of its disposable income on food, as compared to the 1959 figure of 25 percent. When one considers that 2.3 cents out of each disposable dollar is spent on beef, the favorable position to today's consumer becomes obvious.

The modern consumer also benefits from the fact that he is purchasing better quality beef for his money than at any other time in our nation's history. Over two-thirds of today's beef has spent time in a feed lot, compared to 40 percent only a few short years ago. This feed lot-finishing creates increased beef tenderness, flavor and desirability. With new trimming and packaging techniques, created by specific consumer demand, there is less waste and actually more edible meat per pound of beef than ever before.

Basically, I think that when consumers complain about the high cost of beef, they fail to realize that beef costs are more of a reflection of the cost of marketing beef than they are a reflection of the basic price of beef at the producer's level. The marketing cost of getting a choice steer from the ranch to the table has increased 15 percent since 1961, 85% since 1951, and 190% since 1945. In the food processing and distributing industries, labor costs alone have increased well over 45 percent when compared to the standard 1957-1959 averages. In addition, the cost of land, labor, equipment, medicine and

money has risen dramatically over the last few years. Finally, the modern convenient see-thru packaging coupled with the increasing variety of cuts that the consumer is demanding has increased the price between the beef producer and the dinner table.

What all this means is that ranchers and commercial feed lot operators have been faced with costs of production which have almost doubled in the past twenty years. As a result, many beef producers are being forced to sell their product at or below their break-even point. What it boils down to that even with today's higher beef prices, the cattle industry is increasingly becoming characterized as a low-yield investment.

The cattle industry is meeting this cost-price squeeze head on. Cattle producers have brought in professional managers and animal nutrition specialists to run their business; they are reacting faster to changing market conditions; and, they freely acknowledge that they must continue to update their operations if they are to survive.

I think it is of vital importance to note that the cattle industry is meeting this challenge and altering its traditional modes of operation within the free market system. Cattlemen are not asking for price supports, they are not asking for Federal subsidies. They are willing to rely on competitive market forces to establish the price level, and they are willing to succeed or fail on that basis. This is truly the spirit of American enterprise and American ingenuity. This rugged individualism, typified by the American cattle producer, is what has helped make our country great.

Mr. Chairman, the current price of beef is supported and buoyed up by a great national craving for red meat. This amazing national appetite is not only maintaining the price of beef, it is giving cattle producers some relief from the cost-price squeeze that plagues the industry.

The American appetite for beef seems to know no bounds. In 1960, the average U.S. citizen ate 85 pounds of beef. In 1968, he ate over 109 pounds, and a further increase in per capita consumption is forecast for 1969. This trend is not a new one; over the past twenty years, the consumption of beef has increased approximately 70 percent. Beef is surely one of the staples—if not the staple—of the American diet. In this connection, according to a recent USDA survey of American eating habits, 93 percent of the housewives interviewed said they served beef at least once a week. Only 85 percent served chicken once a week; and only 41 percent fed their families pork chops on a weekly basis.

Because the cattle industry operates in a free market, the price a cattleman ultimately receives for his product is determined by the price the consumer is willing and able to pay at the retail level. The consumer is presently demanding a lot of beef in terms of both quantity and quality. The American cattle industry has met this demand, and can continue to meet this demand, but only on a basis which permits the industry to realize a reasonable return on its investment. If, however, the price of beef does not continue to follow its present course in the market, the cattle industry will have no alternative but to reallocate operations and divert resources to more profitable uses. If this occurs, production will be reduced, and beef prices will be driven skyward.

In conclusion, as I mentioned earlier, the price of beef is more a reflection of the cost of marketing beef than it is the cost of producing beef. It is for this reason that I suggest that those complaining about the so-called "high price" of beef examine the problem more closely. If they do so, they will discover that the causes of the problem lie elsewhere than the farm, the ranch, or the feed lot.

COUNT CASIMIR PULASKI

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. STOKES. Mr. Speaker, the President of the United States has designated October 11 a day to commemorate Count Casimir Pulaski, the Polish-born nobleman who became one of the premier heroes of the American Revolutionary War.

Count Pulaski's burning dedication to freedom manifested itself early in his life when he was exiled from his native land for his active role in one of Poland's recurring uprisings against the Russians. Undaunted, he came to America and volunteered his services to General Washington. Washington, sensing the young Count's great capacity for leadership, placed him in command of the newly formed American cavalry. It was a decision the general would not regret. Although he was only in his early thirties, Pulaski molded his corps into one of the finest fighting units in the American Army. He rose to the rank of brigadier general, and was one of Washington's most trusted and capable officers until he died on October 11, 1779, as a result of wounds received in the battle for Savannah.

The life and death of General Pulaski should recall two things for modern America. The first is the tremendous contribution the people of Poland and their ancestors have made to the intellectual, industrial, and moral growth of our Nation. Their tireless efforts and unselfish dedication to the American ideals should always be recognized as one of the finest chapters in our history.

Secondly, we should remember that General Pulaski was one of millions of Americans of all ethnic groups who have sacrificed their lives to the concept of freedom for all men. Unfortunately, many Americans have yet to grasp this concept, despite the blood of those who

have given this ultimate gift to our country. We must do so, and we will, so that General Pulaski and all soldiers of freedom like him will not have died in vain.

TWENTY MILLION DOLLARS OF MODERN MEDICAL EQUIPMENT STANDS IDLE IN VA FOR LACK OF PERSONNEL

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, in April and May of this year the Subcommittee on Hospitals of the Veterans' Affairs Committee held extensive hearings to determine the current overall status of the Veterans' Administration's medical program. During the course of these hearings, the VA chief medical director and other eminent independent medical experts, testified that the personnel ceiling imposed by the Revenue and Expenditures Control Act of 1968 had resulted in serious staffing shortages at Veterans' Administration hospitals throughout the country.

There had been hope that this serious deficiency in the medical treatment program for our Nation's veterans would be corrected as a result of the fiscal year 1970 budget submitted by President Johnson which authorized over 4,000 new positions for the VA medical program. But hope dimmed when the new administration sent its revised budget to Congress in April eliminating these proposed new positions for the VA medical program. The problem was further compounded after Congress, at the President's request, removed the restrictive personnel ceilings contained in the 1968 Revenue and Expenditures Control Act. In signing the second supplemental appropriations bill for 1969 on July 22, 1969, which also repealed the personnel ceiling provision of the law, the President announced that he was administratively re-

imposing personnel ceilings on all agencies and departments. This has resulted in a further loss of 634 more positions at the Veterans' Administration.

Mr. Speaker, I am very disturbed at the apparent failure of the administration to recognize that the Veterans' Administration's workload has skyrocketed as a result of the military discharge rate which will approximate 1 million new veterans in this current year. I am proud that the House of Representatives has a clear perspective of this problem. When this body considered the VA appropriation for fiscal year 1970 on June 24, we restored nearly all of the reductions made in the revised budget submitted in April.

Mr. Speaker, it is especially disturbing to me that much-needed medical facilities have been constructed and equipped during the past 2 years to meet the increased medical needs of our returning veterans and that, today, they stand unstaffed and unoccupied because of unrealistic and unwise staffing ceilings which the Bureau of the Budget has imposed on the Veterans' Administration.

Mr. Speaker, here stands over \$20 million of modern medicine's most advanced technological equipment—installed and waiting—to perform life-saving and life-prolonging miracles for thousands of sick veterans who are suffering with kidney disease, heart disease, blindness, and numerous other ailments which require intensive medical treatment.

In all honesty, Mr. Speaker, I am completely baffled that the administration is letting these precious lifesaving assets gather dust. I hope the President will take some immediate corrective action to enable the Veterans' Administration to use these facilities which have already been constructed and equipped to perform their intended purposes.

Mr. Speaker, I want to call my colleagues' attention to the following list of medical facilities which are not operative today in the VA medical system because of current policies that preclude staffing these units:

MEDICAL CARE FISCAL YEAR 1970

[Specialized new medical services for which construction and equipping are substantially completed but which cannot be placed in operation, due to staffing limitations]

	Units ready for operation		Cost		
	As of Aug. 15, 1969	Between Aug. 15, 1969 and June 30, 1970	Construction	Equipment	Total
Alcohol treatment units:					
Albuquerque, N. Mex.	1			\$4,844	\$4,844
Brockton, Mass.	1		\$3,500		\$3,500
East Orange, N.J.	1		10,108	19,577	29,685
Indianapolis, Ind.	1		9,683	3,852	13,535
Los Angeles, Calif.	1		23,978	6,523	30,501
Lyons, N.J.	1		19,019	8,709	27,728
Minneapolis, Minn.	1		19,477	21,738	41,215
Nashville, Tenn.	1		4,414	17,709	22,123
Northampton, Mass.	1		24,825	13,667	38,492
Salem, Va.	1		23,370	32,515	55,885
Subtotal	10		138,374	129,134	267,508
Blind clinics: Northampton, Mass.	1		25,680	21,204	46,884
Cardiac catheterization:					
Augusta, Ga.	1			23,443	23,443
Charleston, S.C.	1			160,208	160,208
Wilmington, Del.	1		24,962	139,430	164,392
Subtotal	3		24,962	323,081	348,043

	Units ready for operation		Cost		
	As of Aug. 15, 1969	Between Aug. 15, 1969 and June 30, 1970	Construction	Equipment	Total
Clinical radioisotope:					
Jefferson Barracks, Mo.	1			\$3,658	\$3,658
Prescott, Ariz.	1			5,138	5,138
Tuskegee, Ala.	1			25,490	25,490
Wilkes-Barre, Pa.	1			12,632	12,632
				53,242	53,242
Subtotal	4			8,796	141,955
Day hospital treatment:					
Boston, Mass.	1		15,266	18,422	33,688
Bronx, N.Y.	1			5,164	5,164
Chicago, Ill. (WS)	1		12,822	5,852	18,674
Dallas, Tex.	1			3,463	3,463
Kansas City, Mo.	1		9,921	3,959	13,880
Miami, Fla.	1			12,000	12,000
Salt Lake City, Utah	1		27,005	4,456	31,461
Seattle, Wash.	1				
St. Louis, Mo.	1		24,000	6,401	30,401
West Haven, Conn.		1	24,500	5,000	29,500
Subtotal	9	1	113,514	64,717	178,231

Footnotes at end of table.

MEDICAL CARE FISCAL YEAR 1970—Continued

[Specialized new medical services for which construction and equipping are substantially completed but which cannot be placed in operation, due to staffing limitations]

	Units ready for operation		Cost				Units ready for operation		Cost		
	As of Aug. 15, 1969	Between Aug. 15, 1969, and June 30, 1970	Construction	Equipment	Total		As of Aug. 15, 1969	Between Aug. 15, 1969, and June 30, 1970	Construction	Equipment	Total
Electron microscopy:											
Allen Park, Mich.	1			\$57,260	\$57,260						
Boston, Mass.	1		\$24,500	70,000	94,500						
Long Beach, Calif.	1		10,463	64,593	75,056						
New Orleans, La.	1		23,301	70,245	93,546						
Richmond, Va.	1		18,800	67,629	86,429						
Salt Lake City, Utah	1		5,067	63,812	68,879						
Washington, D.C.	1			71,930	71,930						
Subtotal	7		82,131	465,469	547,600						
Epilepsy centers: West Haven, Conn.											
	1		5,950	14,565	20,515						
Hemodialysis units:											
Chicago, Ill. (Res.)	1		110,000	108,598	218,598						
Little Rock, Ark.		1	105,000	83,000	188,000						
Minneapolis, Minn.	1		100,000	144,109	244,109						
San Juan, P.R.	1		(1)	103,628	103,628						
Subtotal	3	1	315,000	439,335	754,335						
Intensive care Units:											
Albany, N.Y.	4	1	15,883	27,140	43,023						
Albuquerque, N. Mex.	13		160,000	92,585	252,585						
Allen Park, Mich.	6		218,000	35,206	253,206						
Ann Arbor, Mich.	12		140,000	65,538	205,538						
Atlanta, Ga.	4		171,000	93,205	264,205						
Baltimore, Md.	7		22,888	73,030	95,918						
Batavia, N.Y.	2	2	18,488	8,953	27,441						
Birmingham, Ala.	28		317,000	153,510	470,510						
Boston, Mass.	23		274,000	150,567	424,567						
Brooklyn, N.Y.	16		418,000	174,605	592,605						
Buffalo, N.Y.	21	8	386,000	27,659	413,659						
Charlotte, S.C.	13		160,000	95,559	255,559						
Cheyenne, Wyo.	14		139,000	90,649	229,649						
Chicago, Ill. (WS)	8		113,000	38,147	151,147						
Chicago, Ill. (Res.)	19		130,000	134,139	264,139						
Cincinnati, Ohio	24		154,857	128,401	283,258						
Clarksburg, W. Va.	13		10,600	81,183	91,783						
Cleveland, Ohio	4	8	128,000	98,283	226,283						
Dallas, Tex.	17		349,000	106,024	455,024						
Dayton, Ohio	15		23,043	38,094	61,137						
Dayton, Ohio	11		185,000	106,172	291,172						
Denver, Colo.	13		107,000	25,308	132,308						
Des Moines, Iowa	9		144,000	54,398	198,398						
Durham, N.C.	17		130,000	138,436	268,436						
East Orange, N.J.	21		196,000	121,729	317,729						
Fargo, N. Dak.	4		30,000	26,603	56,603						
Fort Wayne, Ind.	6		70,000	31,033	101,033						
Fresno, Calif.	3		60,000	52,769	112,769						
Hines, Ill.	9		(1)	37,000	37,000						
Houston, Tex.	26		310,000	154,189	464,189						
Indianapolis, Ind.	16		266,000	153,493	419,493						
Iowa City, Iowa	9		302,000	41,367	343,367						
Kansas City, Mo.	14		184,000	129,015	313,015						
Lake City, Fla.		4	25,000	22,000	47,000						
Little Rock, Ark.	18		190,000	110,811	300,811						
Long Beach, Calif.	8		80,000	183,325	263,325						
Los Angeles, Calif.	9		186,541	99,752	286,293						
Louisville, Ky.	10		110,000	69,120	179,120						
Madison, Wis.	9		12,292	68,456	80,748						
Manchester, N.H.	2		25,000	12,408	37,408						
Miami, Fla.		6	(2)	237,888	237,888						
Minneapolis, Minn.	13		134,939	138,204	273,143						
Nashville, Tenn.	5		160,000	117,452	277,452						
New Orleans, La.	26		284,000	144,610	428,610						
Oklahoma City, Okla.	21		202,000	130,738	332,738						
Omaha, Nebr.	27		311,000	186,793	497,793						
Palo Alto, Calif.	8		114,000	107,913	221,913						
Philadelphia, Pa.	21		92,000	70,192	162,192						
Phoenix, Ariz.	12		19,218	65,378	84,596						
Pittsburgh, Pa. (U.D.)	16	2	278,000	280,730	558,730						
Portland, Ore.	12		86,600	145,361	232,961						
Prescott, Ariz.	6		60,000	40,109	100,109						
Providence, R.I.	10		280,000	36,845	316,845						
Reno, Nev.	1		80,000	37,855	117,855						
Salt Lake City, Utah	16		71,000	96,443	167,443						
San Francisco, Calif.	9		24,972	37,821	62,793						
San Juan, P.R.		26	(1)	188,046	188,046						
Seattle, Wash.	8		60,000	25,901	85,901						
Sepulveda, Calif.	1		59,585	104,839	164,424						
Shreveport, La.	22		222,000	112,402	334,402						
St. Louis, Mo.	15		307,000	118,019	425,019						
Syracuse, N.Y.	1		93,000	94,739	187,739						
Tempe, Tex.		8	20,000	45,000	65,000						
Tucson, Ariz.	8		91,000	88,128	179,128						
West Haven, Conn.	14		93,596	77,980	171,576						
West Roxbury, Mass.	1		70,000	52,177	122,177						
White River Junction, Vt.	8		60,000	16,800	76,800						
Wichita, Kans.	2	5	20,000	12,000	32,000						
Wilkes-Barre, Pa.	17		74,000	75,749	153,749						
Wilmington, Del.	3	10	181,000	59,554	240,554						
Wood, Wis.	2		19,150	78,752	97,902						
Subtotal	782	80	9,529,652	6,379,279	15,908,931						
Mental hygiene clinics:											
Hines, Ill.	1			(1)							
Northport, N.Y.	1										
Subtotal	2										
Open heart surgery:											
Atlanta, Ga.		1		(1)	\$25,000	\$25,000					
Memphis, Tenn.	1			(1)	183,369	183,369					
Subtotal	1	1			208,369	208,369					
Organ replacement:											
Denver, Colo.	1		\$140,000	38,520	178,520						
Durham, N.C.	1		24,974	58,899	83,873						
Los Angeles, Calif.	1		24,113	42,477	66,590						
Nashville, Tenn.	1		16,629	35,059	51,688						
St. Louis, Mo.	1		24,500	19,383	43,883						
Subtotal	5		230,216	194,338	424,554						
Prosthetics treatment centers:											
Richmond Va.	1		38,773	4,087	42,860						
San Francisco, Calif.		1	25,000	20,315	45,315						
Subtotal	1	1	63,773	24,402	88,174						
Pulmonary emphysema:											
Allen Park, Mich.	1		14,441	68,511	82,952						
Atlanta, Ga.	1		(1)	26,126	26,126						
Castle Point, N.Y.	1		22,298	27,928	50,226						
Charleston, S.C.		1	(1)	5,084	5,084						
Des Moines, Iowa	1			6,758	6,758						
Fresno, Calif.		1	15,000	6,000	21,000						
Gainesville, Fla.	1		(1)	13,198	13,198						
San Juan, P.R.		1	(1)	18,000	18,000						
Seattle, Wash.	1		15,872	33,810	49,682						
Wadsworth, Kans.	1		8,070	9,909	17,979						
Wilmington, Del.		1	18,544	25,000	43,544						
Subtotal	7	4	94,225	240,324	334,549						
Pulmonary function units:											
Alexandria, La.	1			(1)	48,628	48,628					
Charleston, S.C.	1		(1)	13,680	13,680						
Gainesville, Fla.	1		4,845	20,836	25,681						
Louisville, Ky.	1		13,474	19,745	33,219						
Montgomery, Ala.	1		(1)	27,000	27,000						
San Juan, P.R.		1	(1)	7,286	7,286						
Sioux Falls, S.Dak.	1		6,086	1,702	7,788						
Vancouver, Wash.	1		4,000	13,700	17,700						
Wichita, Kans.		1		13,700	13						

VOLUNTARY PRAYER IN PUBLIC SCHOOLS

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ROUDEBUSH. Mr. Speaker, the Supreme Court has outlawed voluntary prayer in public schools, while permitting a flood of pornography and obscene literature to be unleashed upon the public.

As a countermeasure we have been offering five children's prayers in the CONGRESSIONAL RECORD each week for recitation by schoolchildren at the start of their day.

Our first prayer this week was offered by Mrs. Beth Miller, a kindergarten teacher at the Elmwood School in Peru, Ind.

I wish to thank Mrs. Miller for submitting this prayer for the benefit of schoolchildren throughout the United States.

The prayers for this week follow:

I

Be Thou with me every day
In my work and in my play,
When I learn and when I pray
Hear me, Holy Jesus, Amen.

II

Heavenly Father, hear our prayer;
Keep us in Thy loving care.
Guard us through the livelong day,
In our work and in our play.
Keep us pure and sweet and true,
In everything we say and do.

III

(Seventy-fifth Psalm)

Unto Thee, O God,
Do we give thanks.
Unto Thee do we
Give thanks: for
That Thy name is near
Thy wondrous works
Declare.

IV

Thank You
for the world so sweet,
Thank You
for the food we eat,
Thank You
for the birds that sing . . .
Thank You,
God, for everything.

V

For flowers that bloom about our feet,
Father, we thank Thee;
For tender grass so fresh and sweet,
Father we thank Thee;
For song of bird and hum of bee,
For all things fair we hear and see,
Father in heaven, we thank Thee.

COURTENAY HEMENWAY

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MONAGAN. Mr. Speaker, I am sad to report the passing of Courtenay Hemenway, who for over 50 years was a positive force in the moral and academic education of young Americans.

A longtime master at the Choate School in Wallingford, Conn., Courtenay Hemenway taught President John Kennedy, Ambassador Adlai Stevenson, and

Ambassador Chester Bowles. While serving for 18 as chairman of the history department, he also taught a variety of subjects, among them English, French, German, Latin, Spanish, mathematics, and science. In addition he was credited with the development of Choate's system of individual schedule providing the utmost flexibility and opportunity for advancement for each student.

Courtenay Hemenway's nonpedagogical activities were no less strenuous and rewarding. He coached the Choate hockey team for many decades, playing goalie daily until he was near 60. The Choate hockey rink is appropriately named in his honor. Mr. Hemenway was also an enthusiastic participant in State and local politics and for years he was a prominent figure in the Wallingford Democratic Party.

American society is the richer for the strength of character and dedication which Courtenay Hemenway contributed for so many years.

TAX-EXEMPT ORGANIZATIONS ENGAGING IN IMPROPER POLITICAL ACTIVITIES

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. BLACKBURN. Mr. Speaker, this morning I had the privilege of appearing before the Senate Finance Committee concerning the Tax Reform Act of 1969 and specifically the section on tax-exempt organizations. During the past few months, I have made an in-depth study of such organizations, and I found that they have engaged in political activities which are highly improper considering their tax-exempt status.

For the information of my colleagues, I am hereby inserting a copy of my testimony into the RECORD:

TAX-EXEMPT ORGANIZATIONS AND H.R. 7432
(Statement of Hon. Ben Blackburn before the Senate Finance Committee, October 8, 1969)

I appreciate your affording me the opportunity to appear before your Committee. We are all aware of the need for tax reform and the elimination of the abuses now occurring under the present Internal Revenue Code.

I would like to discuss the tax abuses of organizations enjoying special tax-exempt status under existing provision of law. Many of these organizations engage in political activities which by reason of tax privileges are being subsidized by the Federal Treasury. My purpose in being here today is to call the Congress' attention to some examples of political activities which I personally, and many others, consider to be improper activities by groups enjoying special tax privileges and to suggest possible ways of preventing future abuses.

Tax-exempt organizations are classified under Section 501(c) of the Internal Revenue Code of 1954. Under this section, 17 types of organizations are excluded from taxation. I would like to discuss those found under Section 501(c)(3) and Section 501(c)(5).

The organizations operating under the provisions of Section 501(c)(3) of the Internal Revenue Code exist for purposes of charity, scientific research, religious functions, public safety, promotion of literary or educational endeavors or the prevention of cruelty to

children or animals. The Internal Revenue Code further provides that no substantial part of the activity of any such organization (generally referred to as a "foundation") is to carry on propaganda or otherwise attempt to influence legislation. The Internal Revenue Code further prohibits participation in political campaigns.

In my opinion some organizations have flagrantly violated this section of the Code. The violations have been tolerated due to ambiguity in construing the phrase, "substantial part." It has been commonly held by I.R.S. and other authorities in this field that 10% or more of the funds of any organization would be considered a "substantial part." 10% of the Ford Foundation's assets as of 1968 would be approximately \$3,060,436, whereas 10% of some small church group could amount to less than \$500.

Tax-exemption is a privilege. There are many different spokesmen for groups presenting their views on legislation before both Houses of Congress. Most of these spokesmen do not enjoy tax-exempt status. The government should not subsidize one group's political activities, by allowing any tax-exempt organization to engage in lobbying activity.

As an example of this misuse of privilege, I would like to direct the attention of the Committee to a group which was recently formed to actively lobby against the ABM proposal, The Coalition on National Priorities and Military Policy. This organization is supported primarily by contributions from religious organizations. Its headquarters is in space granted to it in the Methodist Building at 100 Maryland Avenue, N.E. This group has lobbied against the proposed ABM system. A few days ago a representative from this group came to my office and presented my staff with further information concerning its opposition to the 1968 Military Authorization Bill. Attached as Exhibit A is a copy of the material which I received, along with a list of the organizations. The business of the nation's defense can in no logical way be related to religious undertakings.

I would also like to invite to your attention the National Students Association (NSA). I have closely reviewed the tax returns of this group. The group is clearly and heavily engaging in political activity. In fact, political activity has become such a large part of the group's activity that a subsidiary organization, the National Students Institute has been formed to conduct the non-political activities the NSA was previously performing. It appears that the National Students Institute, which is now a tax-exempt organization, will serve the function of raising funds through soliciting tax-deductible contributions and then contributing these funds to the National Students Association. The national convention of the National Students Association has advocated the abolishment of the House Un-American Activities Committee (now the House Committee on Internal Security), the repeal of the McCarran Act, passage of Civil Rights legislation, the admission of Red China to the United Nations and various "Vietnam Summer Activities." Attached as Exhibit B is documentation of these activities. Furthermore, I was distressed to learn that the new National Students Institute, as incorporated under laws of the District of Columbia, has a Board of Directors identical to that of the new tax-paying NSA. Its bylaws are very similar and it utilizes the same facilities as the NSA. The NSA has not filed tax returns for the past two years, and no explanation is forthcoming from the IRS.

The 1965 and 1966 returns of this organization list its specific grants and their purposes. Present reporting laws are wholly inadequate for any person to know whether or not the National Students Association is engaged in legal activities under its tax-exempt classification. The NSA granted in 1966 to the Southern Student Union Rela-

tions \$36,317.18, the Fast for Freedom Fund \$20,365.39, the Student Stress \$890.52, and Southern Literacy Project \$363.75. These are just a few of the specific grants listed by this organization which dispensed a total of \$551,397 in 1966. The Library of Congress has advised me that it is impossible to discover the purposes or functions of the recipient organizations. A close examination of the tax returns does not provide sufficient information. For the Committee's information, attached as Exhibit C are copies of the NSA's tax return for 1965 and 1966.

Briefly, one more group I would like to bring to your attention is the National Education Association (NEA). This group, which is organized for the promotion of education has endorsed numerous political positions including Home Rule for the District of Columbia and fair housing legislation. I do not feel that this activity is related to the promotion of education.

I know that the members of this Committee have followed the revelations of various activities of tax-exempt foundations. In the hearings on Tax Reform before the House Ways and Means Committee, Representative John Rooney of New York presented a clear picture of the misuse of tax-exempt funds. In Representative Rooney's race in the Democratic primary, he was opposed by one Frederick Richmond.

Mr. Richmond is head of the Richmond Foundation. During the election, Mr. Richmond's foundation gave numerous grants to different ethnic groups within the Congressional District. The campaign staff of Mr. Richmond was also the staff of the Foundation. In Mr. Rooney's statement he revealed that some of the expenses of the campaign were paid out of the Foundation funds under the title of such things as printing expenses and stationery accounts. Finally, Mr. Richmond encouraged his contributors to give directly to the Foundation, thus making their contributions deductible on their income tax returns. I would advise members of the Committee to read Mr. Rooney's testimony since it gives one of the best examples of political activities by tax-exempt groups.

In July of 1967, the Ford Foundation made a grant of \$175,000 to the CORE Special Purpose Fund of New York to be used for: (1) a youth training institute; (2) an adult training institute; and (3) a voter registration drive. This grant was supplemented in 1968 with another \$300,000. These funds were actually used in voter registration drives in Cleveland, Ohio. Many political analysts believe that because of the registration activity by CORE through the financing of the Ford Foundation, Carl B. Stokes was elected Mayor of Cleveland, Ohio, in 1967. By such activity the Ford Foundation through its economic power, augmented by special tax privileges, is having a decisive political power which is resulting in the election of political candidates. No more effective political influence can be found!

I have stated many times that in the political arena all combatants should operate under the same set of rules. I know that every member of the Committee would object strongly to having a tax-exempt group pour funds into his opponent's campaign. Under the Tax Reform Act recently passed by the House, foundations are precluded from engaging in voter registration drives except when the foundation supports voter registration drives in five states. Thus, the Ford Foundation, for example, can avoid the effect of the legislation by supporting five different voter registration drives in five different states.

No discussion of political activities by tax-exempt groups would be complete without some attention to labor organizations as classified under Section 501(c)(5). From mutual experience in politics, I think we would all agree that money is the mother's milk of a political campaign. To the degree

that one candidate receives direct or indirect financial or material support for his campaign from a source that enjoys financial subsidy through a special tax privilege, to that degree the equality of rules between two political candidates is greatly upset. Labor unions do not deny the use of union dues for political activities. When a member of a union pays his dues, he is paying for political action. The organization insists that their political activities are carried on by a separate organization known as the Committee on Political Education (COPE). However, as it was reported during the last election, the full staff of the national office of the AFL-CIO was brought to work for COPE and on the local level union officials were employing their union staff to engage in campaigning for favored candidates. Numerous cases have come before the Federal Judiciary in which union members have objected to political use of dues for political activity. For the information of the Committee the cases are as follows: *United States v. Anchorage Federal Labor Council* 193 F. Supp. 504 (1961); *United States v. Planters Local #481 et al* 172 F. 2d 854 (1949); *United States v. International Union United Automobile, Aircraft and Agricultural Implement Workers of America* 352 U.S. 567 (1957); and *United States v. CIO* 335 U.S. 106 (1947).

There is a contention that political funds are contributed voluntarily. To work on an American flag ship, a seaman must be a member of the International Seafarers Union. Members of this union have been compelled at times to "contribute" (or as the union leaders would say, have voluntarily given) $\frac{1}{3}$ of their income to political activities. I think it is insulting the intelligence of Congress to argue that these funds are granted voluntarily. Not even politicians devote $\frac{1}{3}$ of their income to political campaigns.

The Internal Revenue Code provides that all 17 types of organizations classified under Section 501(c) cannot engage in support or opposition to any political candidate. However, for some strange reason, the IRS has consistently ignored the mandate of the law. Attached as Exhibit E are copies of letters sent by the Internal Revenue Service to one Mr. Reed E. Larson and one Mr. F. R. Dickerson attempting to explain why only labor unions are exempt.

The Federal Corrupt Practices Act provides that neither corporations, or trade organizations, or labor unions are allowed to contribute funds to the support or opposition of any political candidate or party. It seems that the IRS is not aware of the Corrupt Practices Act which is enforced by the Justice Department. In Baltimore, a Grand Jury hearing is now being conducted concerning campaign contributions by the Seafarers International Union to various candidates for Senatorial seats. I think it would be appropriate for the Congress to demand that the IRS investigate the tax-exempt status of the Seafarers Union.

During the course of my testimony today, I have cited several problems which exist under the present IRS Code. When the members of the Committee examine the tax returns of tax-exempt organizations, you will see that it is virtually impossible to determine how these funds are being used. I propose that the Committee require a full explanation of the purpose of each grant, contribution or gift made by a tax-exempt organization along with the identities of the chief officers and executive directors of recipient organizations. The law should provide criminal sanctions should such officers or executive directors use funds for purposes other than those permitted by law. Only by requiring full disclosure from tax-exempt organizations can we possibly curb the misuse of funds.

Earlier this year, when I appeared before the House Ways and Means Committee on

this matter, I outlined for them the legislation which I was introducing. My ideas are contained in H.R. 7432. Essentially this bill is divided into two sections. The first section pertains to organizations classified under Section 501(c)(3). I will not take credit for the ideas found in this section since they were originally proposed by the Subcommittee on Tax-Exempt Organizations of the American Bar Association. The Subcommittee recommended that all organizations classified under this section shall have the right to defend themselves whenever their tax-exempt status is threatened. Furthermore, they should be permitted to appear before Congressional Committees and submit reports to them concerning matters of direct interest to the organization. By direct interest I specifically mean the purpose for which the organization was granted exemption.

The second purpose of my bill is to prevent any tax-exempt organization from directly or indirectly contributing any material support for the promotion or opposition to any candidate or any political party. I would sincerely urge the Committee to give consideration to my proposal. My bill, H.R. 7432, is attached as Exhibit F. I would request that the Committee review the House language with regard to voter registration drives conducted by tax-exempt foundations. In my opinion the present language is inadequate.

Finally, if meaningful control over the use of special tax-exempt funds is to be achieved, more complete reporting laws are essential. Criminal sanctions are a necessary adjunct to such control where abuse of funds for nonpermissible purposes is discovered.

Mr. Chairman, I believe that you and the members of your Committee are anxious to provide the American people with needed tax reform. I appreciate your affording me the time to make this brief contribution.

EXHIBIT A

COALITION ON NATIONAL PRIORITIES AND MILITARY POLICY, WASHINGTON, D.C.

Executive committee

Joseph S. Clark, Chairman; Sanford Gottlieb, 1st Vice Chairman; Frances Neely, 2nd Vice Chairman; Herman Will, Jr., Treasurer; Harry Applewhite; Michael Beard; and Patricia Samuel.

Coordinator: Wiley Patterson Reis.

Affiliated organizations

American Baptist Convention; American Friends Service Committee; Americans for Democratic Action; Anti-Pollution League.

Christian Church (Disciples of Christ), Department of Church in Society; Committee for Community Affairs; Council for Humanist and Ethical Concern; Church of the Brethren.

Executive Council of the Episcopal Church; Federation of American Scientists; Friends Committee on National Legislation; International Union United Automobile, Aerospace & Agricultural Implement Workers of America, UAW.

Mennonite Central Committee; National Council of Churches, Department of International Affairs; National Federation of Temple Sisterhoods; SANE.

Southern Christian Leadership Conference; Teachers Committee for Peace in Vietnam; Union of American Hebrew Congregations; Unitarian Universalist Association, Department of Social Responsibility.

United Church of Christ, Council for Christian Social Action; United Methodist Church, Board of Christian Social Concerns; United Presbyterian Church, U.S.A., Office of Church and Society; United States Catholic Conference, Division of World Justice and Peace.

William Penn House; Women's International League for Peace and Freedom; Women Strike for Peace, and the World Federalist Youth, U.S.A.

The Coalition is a coordinating body for national religious, peace, liberal and scientific organizations which seek to reverse the militarization of America's policies and resources. It serves the representatives of its affiliated organizations as a channel for communication and cooperative action to oppose deployment of new weapons systems, to support arms control and disarmament agreements and to redirect resources into programs to meet human needs at home and abroad.

The Coalition does not present policy positions for its affiliated organizations unless specifically agreed upon, since its function is not the making of policy but the coordination of action.

The Coalition is financed by contributions.

COALITION ON NATIONAL PRIORITIES AND MILITARY POLICY, Washington, D.C., September 24, 1969.

DEAR CONGRESSMAN: We understand that the Department of Defense Authorization bill will be reported by the House Armed Services Committee on Thursday and may come to the floor next week.

We appeal to you to participate in that most vital debate. If you are not already convinced of the need for major cuts, we urge you to give serious consideration to the broad cross section of amendments that will be offered. We ask this because we are deeply uneasy over the fact that last year a comparable bill passed the House in one day with only two hours allocated to general debate.

Surely the House would lay itself open to the charge of irresponsibility if a similar timetable were adhered to now when so many questions are being raised about U.S. priorities and the size and direction of the U.S. military establishment—so many questions, in fact, that the Senate spent two months discussing the bill. Couldn't the 435 Members of the House spend at least two weeks discussing these basic issues which affect so many aspects of their constituents' lives?

The American people are discouraged over the conflicts racking our society. Many are turning away from the legislative process. They need reassurance that their representatives in Congress are willing to come to grips with major problems—including the problems of the ever expanding arms race and the U.S. propensity toward unilateral military involvements. Some of our membership look forward to coming to the gallery and hearing you deliberate over the Department of Defense Authorization bill. Please do not disappoint them.

Most sincerely,

JOSEPH S. CLARK,
Chairman.

TWO GIANT RALLIES PLANNED

Two rallies—one in New York City, the other in Los Angeles—have been planned for June 25.

The rallies will focus on the ABM and American militarism.

In New York, George Wald, Nobel Prize winner, and Jerome Wiesner, the science advisor to President Kennedy, will speak at Madison Square Garden. Members of Congress and several top entertainers will also be on hand.

Plans for the Los Angeles event are still underway, and details will be announced later.

The New York City rally will begin at 7:30 p.m. Tickets—priced from \$1 to \$10—are available at the boxoffice or from Hannah Weinstein, 101 W 57th Street, New York, New York.

AN ERROR OF OMISSION

Because of an oversight, the names of three organizations affiliated with the Coalition on National Priorities and Military Pol-

icy were omitted from the listing in the first edition of this newsletter last week.

They are: The Federation of American Scientists, the Mennonite Central Committee and the Department of International Affairs of the National Council of Churches.

They're not listed this week either because the cover sheets were printed in advance in sufficient quantity for three weeks. But the omitted groups will be in week after next. In the meantime, our apologies.

GOP SENATOR SUSPECTS ABM PRESSURE

Although he's not charging cause and effect, Republican Senator James B. Pearson of Kansas told the New York Times last week that after he broke with the Administration on the ABM issue, the following things happened:

*An Army general told a plane manufacturer in Kansas that if the ABM were defeated, the Pentagon might not be able to go through with an airplane contract.

*The Agriculture Department decided that it would not publicly endorse a rural job development bill sponsored by Pearson, despite the Department's private expressions of support for the bill.

*The White House decided in Pearson's favor in a dispute involving the moving of some federal offices—but failed to give the Senator advance notice of the decision.

Pearson is one of some 15 Republican Senators who are opposed to the ABM.

ABM HARD SELL TO LABOR FLOPS

A Nixon Administration hard sell has failed to convince the 29-member AFL-CIO Executive Council to support the ABM.

The Washington Post reported that AFL-CIO President George Meany was "skeptical, to put it mildly" to pleas by Defense Secretary Melvin R. Laird and Secretary of State William P. Rogers to back the ABM.

Rogers and Laird met with the Council in early May.

ABM INFORMATION CENTER, UNITED METHODIST CHURCH, Washington, D.C., July 14, 1969.

DEAR CONGRESSMAN BLACKBURN: Enclosed for your use are several items pertaining to the Safeguard Anti-Ballistic Missile System which we hope will be helpful to you in the ABM debate.

(1) Bibliography of selected information pertaining to the ABM which has appeared in the *Congressional Record* over the past several months.

(2) Series of remarks by various Senators, prominent scientists, union and church leaders explaining why they oppose deployment.

(3) Rebuttal to the Administration Press Packet on the ABM, prepared by an independent group of citizens including Dr. Jeremy J. Stone, a member of the Institute for Strategic Studies and currently working under a grant for the Social Science Research Council of New York.

If we can be of any assistance to you, please let us know.

Sincerely,

ABM INFORMATION CENTER STAFF.

EXHIBIT B

STUDENT DIMENSIONS: EDUCATION, COMMUNITY, SOCIETY

1963-64 Codification of Policy of the United States National Student Association

Desegregation in Public Schools

MANDATE:

The Sixteenth National Student Congress mandates the National Affairs Vice President to:

1. Work through regional chairmen to set up regional interracial conferences on desegregation in education;

2. Assist in establishing regional interracial conferences to initiate action within the

educational community in cooperation with the Southern Student Human Relations Project in Atlanta;

3. Distribute to all member schools and interested parties pertinent information concerning the work of Southern Human Relations Project and the regional interracial conferences;

4. College data including periodical reports where integration problems exist with at least a bi-annual report to be sent to USNSA member schools, and immediately notify the appropriate regional chairman of any school integration problem of which he is made aware;

5. Continue to program student exchange to further the cause of integration;

6. Establish a liaison with the appropriate religious, governmental, and private organizations dealing with the questions of desegregation at all levels of education insofar as they apply to the above stated principles in regard to education;

7. Distribute information concerning legislation and judicial decisions affecting desegregation in the public schools, such as that concerning the filling of desegregation plans by segregated school districts;

8. In cooperation with regional interracial conferences, inform member schools and individuals of the methods of filing desegregation suits and to make legal information available at these conferences;

9. Encourage and support appropriate non-violent direct action for purposes of school desegregation where all other methods have failed.

Omnibus Civil Rights Bill

FACT: Today some states make arbitrary and discriminatory use of voter qualifications to prevent minority groups from exercising their privilege of franchise. Physical intimidation, economic reprisal, and coercion are commonly employed when such groups attempt to register and vote.

Widespread job discrimination blocks opportunities for the economic advancement and wellbeing of Negro citizens. The burden and deprivations of unemployment fall twice as heavily upon the Negro population as they do upon the white.

In the seventeen Southern and border states and Washington, D.C., 92.1 percent (June, 1963, Southern School News) of the Negro students are still restricted to segregated schools. Most lack adequate financial resources to instigate litigation to secure their constitutional right to equal protection of the laws. In other areas, *de facto* segregation imposes deprivations and inequalities fully as unjust.

The federal government is presently subsidizing unequal and segregated facilities through federally financed and federally-assisted programs.

In many parts of the nation, Negro citizens are not permitted full and equal access to public facilities licensed by the state and open to the public in general.

Many communities are faced with difficult problems of transition as old mores and patterns of discrimination are broken down and a new pattern of integrated community life begins to emerge.

PRINCIPLE: The denial of full freedom and equal rights of citizenship is inconsistent with fundamental justice, with the democratic process, and with the dignity of the human individual. The government of a free people has a clear moral duty to achieve a maximum realization of equal opportunity for all its citizens.

DECLARATION: USNSA urges the passage of the Omnibus Civil Rights bill H.R. 7152 with the following amendments:

Under Title I:

1. Fair elections requirements would be broadened to include state as well as federal elections.

2. The waiting period between the filing of a voting complaint and the entering of a voting suit by the Attorney-General would be limited to a period of not more than seven days.

3. Federal judges appointed by the chief judge of the circuit would be required to decide on voting cases within 60 days to prevent delaying tactics.

4. Voting referees would be chosen by the chief judge of the circuit court.

Under Title III:

1. Every school board would be required to submit to the federal circuit court a comprehensive school desegregation plan that initiates compliance with the Supreme Court decision in *Brown v. Board of Education* by September, 1964.

a. New titles will:

(1) provide for the assurance of adequate protection from mob violence and police brutality;

(2) provide a fair employment practices commission.

ACTION:

USNSA supports the above pending legislation and urges that:

1. The student governments of all member schools endeavor to acquaint their student bodies with the importance of this legislation and the provisions which it contains.

2. All member schools conduct letter writing campaigns to inform congressmen and public officials of student support for the bill.

MANDATE:

The Sixteenth National Student Congress mandates the National Affairs Vice President to send copies of this resolution to members of the 88th Congress and to appropriate federal and private agencies. The National Affairs Vice President is authorized to cooperate fully with other groups in efforts to further the passage of this legislation and shall send information concerning the bill to member schools.

Washington March

FACT:

Throughout the country, unemployed citizens of all races are deprived of the economic security that is necessary for even a minimal standard of living. The widespread denial of equal rights and opportunities to minority groups has focused the attention of the nation on the problems of political and social discrimination. Economic issues are inextricably linked with this discrimination in the important areas of housing, education, employment, voting, and public accommodations. Nationwide concern for these conditions that force many citizens to exist at a subsistence level and for the prevalence of discriminatory practices that suppress the attempts of minority groups to better their social, political and economic status has led many individuals to join in a Washington march for "Jobs and Freedom."

PRINCIPLE:

A basic principle of a democratic, free society is the right of the people "peacefully to assemble and to petition the government for a redress of grievances." The United States National Student Association has specifically endorsed the right of individuals to use non-violent demonstrations to express concern and create awareness of existing social and economic injustices.

DECLARATION:

The August 28th march is an appropriate exercise of this principle. The United States National Student Association strongly supports this effort to center public attention on the related problems of discrimination and economic deprivation. In addition, USNSA urges all citizens to unite in a sincere effort to remedy the present situation as manifested by widespread unemployment and poverty, and the denial of equal rights and opportunities to minority groups.

In order that students may squarely face the social and economic problems of our

times, they must consider the specific concerns of this march:

1. All pending civil rights legislation.

2. Police brutality.

3. The allocation of federal funds to institutions and projects that discriminate.

4. The application of the Fourteenth Amendment.

5. The enforcement of *Brown v. Board of Education*.

6. The Manpower Development and Training Act.

7. The adequacy of present minimum wage legislation.

8. The extension of the Fair Labor Standards Act.

MANDATE:

The Sixteenth National Student Congress mandates the President of the Association to appoint a three member delegation of this Congress to represent the United States National Student Association at the march in Washington. This delegation shall inform leaders of the demonstration and representatives of the news media of the full content of this resolution.

Discrimination—Americus, Ga.

FACT:

On August 8, 1963, three SNCC field secretaries—Don Harris, Ralph Allen, and John Perdue—were arrested while participating in a non-violent demonstration in Americus, Georgia. Two local citizens, Sally Mae Durham and Thomas McDaniel, also were arrested at the time. Harris, Allen, and Perdue were charged with eight counts including "inciting to insurrection." The maximum sentence for such conviction under such a charge is death and the three prisoners are being held in a separate jail until the grand jury in November. The bond has been set by the magistrate, C. M. Bradley, at \$5,000.00 for each of eight peace warrants sworn out by citizens in Americus. This totals \$120,000.00.

On August 17, Zev Aelung, a CORE worker, also was arrested on charges of "inciting to insurrection" while participating in a non-violent demonstration. He too faces a possible death penalty upon conviction.

Collin McGee, Thomas Douglas, Carol Bonner, Thelma Young, Lois Baker, Geneva Duley, Annie Plesh, Geraldine Battle, Homer Smith, Mary Wolfson, Jodie Harris and Rosalie Rushing, as well as Allen and Perdue are the parties involved in the following:

1. Circumstances of arrest:

a. Multiple brutalities dating from July 19.

b. Recently, burns indicating use of cattle prodders, banded demonstrators, many needing stitches.

c. Police authorities seen carrying and using clubs.

2. Conditions of confinement:

a. Very crowded and mixed sleeping quarters.

b. Deplorable sanitary conditions (no water available for drinking or bathing, little ventilation, and plumbing facilities out of order).

c. Very unhealthy diet.

DECLARATION:

USNSA reaffirms its stand taken at the Fifteenth National Student Congress in "The Role of the Federal Government in Civil Rights." This resolution, citing the violation of civil liberties of students and citizens in the civil rights movement "as a result of the deliberate neglect, collusion, or active participation of local officials or policemen" urged "immediate action by the Justice Department under section 241 and 242 of Title 18 of the United States Code.

EXHIBIT B

1967-1968 CODIFICATION OF POLICY OF THE UNITED STATES NATIONAL STUDENT ASSOCIATION
National Teacher Corps

FACT:

The National Teacher Corps was established on May 13, 1966, with an initial appropriation from Congress of \$9.5 million. Since that

time 1600 persons (300 experienced teachers and 1300 recent graduates) have been selected from over 10,000 applicants and are presently undergoing the pre-service training.

Upon completion of the pre-service training, these Corpsmen will work in poverty and slum area schools while at the same time the teacher-interns will study for advanced degrees in education or related fields at nearby universities.

"They will extend teaching beyond the classroom, and look for new ways to involve parents in the mysteries of the learning process. They will work with adult education programs and with local health and welfare agencies, with youth organizations, social clubs, and civic groups." (NTC Brochure.)

At present, needed appropriations for the National Teacher Corps are bogged down in the Senate Appropriations Committee. Without these appropriations no salary funds are available for the Corpsmen except through already over-taxed school budgets in slum areas. The appropriations are necessary to insure that each Corpsman will be able to obtain a job in a slum area school district.

PRINCIPLE:

In our world of rapidly advancing technological changes, it is important for all men to have the opportunity to receive adequate education. USNSA supports efforts to assure the maximum amount of education to all individuals. (BPD—XVIII, Equal Educational Opportunities-Free Public Higher Education.)

DECLARATION:

USNSA reaffirms its support for the National Teachers Corps as a valuable supplement to the educational process in slum area school districts because it provides experienced and new teachers with opportunities to assist slum area children in new and relevant ways. Furthermore, USNSA feels that the NTC program will suffer if Congress fails to appropriate funds for salaries, since local school districts in slum areas cannot afford to hire additional teachers.

Therefore, USNSA expresses its belief that the Chairman and the members of the Senate Appropriations Committee should approve the appropriations for the National Teacher Corps and submit them to the floor of the Senate with a recommendation for passage.

MANDATE:

The Nineteenth National Student Congress mandates the Educational Affairs Vice President to prepare copies of this special resolution and submit them to all interested parties.

Home rule for the District of Columbia

FACT:

Washington, D.C. was granted a Charter in 1802. For almost 75 years, the citizens practiced local self-government as had been anticipated by the drafters of the Constitution. Now, however, the legislative and fiscal responsibility for the District of Columbia rests with Congress. A limited amount of this authority has been delegated by Congress to a three-man Board of Commissioners who are appointed by the President.

Washington, D.C. has a population greater than that of 11 states (Alaska, Delaware, Hawaii, Idaho, Montana, Nevada, New Hampshire, North Dakota, South Dakota, Vermont, and Wyoming). And each of these states has a governor and an elected state legislature to administer local affairs; each is represented in Congress by two Senators and at least one Representative. The District of Columbia, however, enjoys neither representation in Congress nor local self-government.

Among the results of this situation are these:

A significant number of school buildings in the District are in such a bad state of repair as to be unsafe for use. The Superintendent of schools has stated that more

money is spent for a child in white sections than in Negro areas. Half-day sessions and crowded classrooms are commonplace (the school population is 90% Negro; 10% white).

Housing in Washington is inadequate. According to a report issued by the National Capital Planning Commission in April, 1966, 25% of the District's residents live in a state of "abject poverty, total deprivation." In the same report, 41% of the housing is called "inadequate"; 104,700 people live in "sub-standard" housing (lacking such common amenities as bathrooms); some 114,000 people are said to pay "too much rent." Other facts brought out in the report are that there are 27,500 families eligible for public housing for which there is no room; 5,800 families are on public housing waiting lists; there is no minimum wage for male employees except government workers; unemployment in the Negro slums is estimated to be as high as 10%; and underemployment (long hours for sub-poverty-line pay) is indeed much higher.

Welfare benefits are totally insufficient. Thousands of school-age children have been forced to stay home from school during cold weather because of inadequate clothing.

Medical facilities for the poor are not adequate. Even in serious cases, waits of 8-12 hours are frequent.

Some city jails are, in fact, barbaric "human stockyards," in which up to 500 people have been crowded into a single room, 150' x 180', sometimes for months, awaiting trial—with no work or recreation.

The Metropolitan Board of Trade has thrown the weight of its powerful lobby against efforts to secure home rule for the District of Columbia and is, by far, the most effective local obstruction to reform. It opposes urban renewal, higher real estate taxes, and increased welfare payments.

In February, 1966, the "Free D.C. Movement" was organized by the Student Non-Violent Coordinating Committee and the leaders of other civil rights groups. The Movement has demanded that Washingtonians have the right to elect their own local government and has instituted action programs to implement its goal.

At present, the United States Senate District Committee favors self-government for the District; the House District Committee does not favor such a change.

PRINCIPLE:

"The role of the student involves a commitment to an educational process that extends beyond classroom training . . . A student operating in this role . . . must be prepared to face the challenges of modern life and he must be willing to confront the crucial issues of public policy that affect him beyond the classroom and that determine the course of his society . . . USNSA recognizes the great value of student involvement in programs of political and social action and the integral connection of these programs with the educational process . . . And in this connection the student should be concerned . . . with those great problems and issues of our national . . . life." (BFD-XIII Student and the Total Community.)

DECLARATION:

USNSA affirms its support for the "Free D.C. Movement," and its goal of home rule under the mayor-city council system for the District of Columbia. USNSA commends the leaders of the "Free D.C. Movement" for their efforts in this area. Furthermore, USNSA applauds the efforts of those members of Congress who have been in the vanguard of the home rule movement; particularly, Senators Morse (D-Ore.), Kennedy (D-N.Y.), Tydings (D-Md.), and Representatives Multer (D-N.Y.), and Mathias (R-Md.).

MANDATE:

The Nineteenth National Student Congress mandates the Educational Affairs Vice President to give all forms of legitimate assistance to groups seeking to secure home rule for

the District of Columbia under the mayor-city council system.

The Nineteenth National Student Congress

further mandates the Educational Affairs Vice President to send copies of this resolution to all appropriate parties concerned.

[Excerpts from form 990-A]

EXHIBIT C

Return of organization exempt from income tax—1965 or other taxable year beginning Oct. 1, 1964, and ending Sept. 30, 196

United States National Student Association, employer identification No. 23-1421976; 2115 S St., NW., Washington, D.C.
Enter the name and address used on your return for 1964 (if the same as above, write "Same"). If none filed, give reason. United States National Student Association, 3457 Chestnut St., Philadelphia Pa. 19104.

Pt. II: Information required pursuant to sec. 6033(b) and other applicable sections of the Internal Revenue Code, must be submitted in duplicate as part of your return. This part will be made available to the public.

4. Interest	\$81.61
9. Other income (attach schedule.—Do not include contributions, gifts, grants, etc. (See line 17).)	90,576.42
10. Total gross income (lines 3 to 9, inclusive)	90,658.03
11. Expenses of earning gross income from column 3, Schedule A	116,570.60

DISBURSEMENTS MADE WITHIN THE YEAR OUT OF CURRENT OR ACCUMULATED INCOME FOR PURPOSES FOR WHICH EXEMPT, AND ACCUMULATION OF INCOME

12. Expenses of distributing current or accumulated income from column 4, Schedule A	-----
13. Contributions, gifts, grants, scholarships, etc. (See Instruction 13)	-----
14. Accumulation of income within the year (line 10 less the sum of lines 11, 12, and 13)	(25,912.57)
15. Aggregate accumulation of income at beginning of the year	(20,396.17)
16. Aggregate accumulation of income at end of the year	(10,861.68)

RECEIPTS NOT REPORTED ELSEWHERE

17. Contributions, gifts, grants, etc., received (See Instruction 17)	761,497.04
18. Less: Expenses of raising and collecting amount on line 17, from column 5, Schedule A	-----
19. Net contributions, gifts, grants, etc., received	761,497.04

DISBURSEMENTS MADE OUT OF PRINCIPAL FOR PURPOSES FOR WHICH EXEMPT

20. Expenses of distributing principal from column 6, Schedule A	142,772.54
21. Contributions, gifts, grants, scholarships, etc.:	-----
(a) Paid out in prior years	(2,254,259.89)
(b) Paid out within the year (See instruction 21)	533,542.90

SCHEDULE A.—ALLOCATION OF EXPENSES (SEE INSTRUCTIONS FOR ATTACHMENTS REQUIRED)

1. Item	2. Total	3. Expenses of earning gross income	4. Expenses of distributing income	5. Expenses of raising and collecting principal	6. Expenses of distributing principal
(a) Compensation of officers, etc.	\$15,001.12	\$11,327.77	-----	-----	\$3,673.35
(b) Other salaries and wages	69,783.14	24,187.65	-----	-----	45,595.59
(c) Taxes	4,028.27	1,847.58	-----	-----	2,180.69
(d) Rent	5,275.38	1,754.40	-----	-----	3,520.98
(e) Depreciation (and depletion)	1,275.75	772.60	-----	-----	503.15
(f) Miscellaneous expenses (attach sch.)	163,979.48	76,680.60	-----	-----	87,298.88
(h) Totals	259,343.14	116,570.60	-----	-----	142,772.54

SCHEDULE B.—BALANCE SHEETS (SEE INSTRUCTIONS)

	Beginning of year		End of year	
	(A) Amount	(B) Total	(C) Amount	(D) Total
ASSETS				
2. Accounts receivable (see instructions)	-----	\$32,024.45	-----	\$20,805.47
(a) Less allowance for bad debts	-----	\$24,710.89	\$41,303.26	-----
3. Notes receivable (see instructions)	-----	24,710.89	-----	41,303.26
10. (a) Less accumulated depreciation (and depletion)	26,107.18	-----	27,382.93	-----
11. Land	16,745.28	9,361.90	27,382.93	-----
13. Total assets	-----	103,718.79	-----	170,815.38
LIABILITIES AND NET WORTH				
15. Contributions, gifts, grants, etc., payable	-----	137,009.22	-----	100,759.47
17. Other liabilities (attach schedule)	-----	-----	-----	35,000.00
18. Capital stock: (a) Preferred stock	-----	53,202.98	-----	108,026.23
22. Accumulated income or earned surplus: (b) Attributable to gains from sale of assets	(20,396.17)	-----	(10,861.68)	-----
23. Total liabilities and net worth	-----	(20,396.17)	-----	(10,861.68)

1. Date of current exemption letter April 20, 1954.

2. Attach a detailed statement of the nature of your charitable, business and all other activities.

3. Have you attached the information required by:

(a) Instruction 17. Answer. Yes.

(b) Instruction 17. Answer. Yes.

4. Have you filed a tax return on Form 990-T for this year? Answer. No.

5. In what year was your organization formed? Answer. 1947.

In what State or country? Answer. Wisconsin.

8. If you acquired capital assets out of income attach itemized list and amount thereof. Exhibit G. Answer.

9. Have any changes not previously reported to the Internal Revenue Service been

made in your articles of incorporation or bylaws or other instruments of similar import? Answer. No.

10. Have you had any sources of income or engaged in any activities not previously reported to the Internal Revenue Service? Answer. No.

11. Did you hold any real property for rental purposes with respect to which there is an indebtedness incurred in acquiring the property or in making improvements thereto or which was acquired subject to a mortgage or similar lien? Answer. No.

12. Have you during the year advocated or opposed (including the publishing or distributing of statements) any national, State, or local legislation? Answer. No.

13. Have you during the year participated in, or intervened in (including the publishing or distributing of statements) any po-

litical campaign on behalf of or in opposition to any candidate for public office? Answer. No.

14. After July 1, 1950, did—The creator of your organization, or a contributor to your organization, or a brother or sister (whole or half blood), spouse, ancestor or lineal descendant of such creator or contributor, or a corporation owned (50 percent or more of voting stock or 50 percent or more of value of oil stock) directly or indirectly by such creator or contributor—

(a) Borrow any part of your income or corpus? Answer. No.

(b) Receive any compensation for personal services from you? Answer. No.

(c) Have any part of your services or assets made available to him? Answer. No.

(d) Purchase any securities or other property from you? Answer. No.

(e) Sell any securities or other property to you? Answer. No.

(f) Receive any of your income or corpus in any other transaction? Answer. No.

15. Do you hold 5 percent of any class of stock in any corporation. Answer. No.

EXHIBIT C

U.S. NATIONAL STUDENT ASSOCIATION E.I. NUMBER 23-1421976, YEAR ENDED SEPT. 30, 1966

Page 1, line 21—Contributions, gifts, scholarships, etc.

Algerian Scholarship Program	\$76,928.35
Fourteenth I.S.R.S.	436.37
African Freedom Fund	2,976.62
Domestic Programs	18,556.45
Latin American Representation, 1964-1965	108.85
Southern Student Human Relations	4,020.60
SCOPE—Ford Directory	22,426.01
Fund for the Advancement of Education	2,106.04
College Community Tutorial Project	6,772.53
Literacy Project	930.00
Student Stress	6,680.10
Angolian Scholarship Program	11,990.76
Polish Exchange	7,894.16
Representation in Latin America	901.85
Foreign Student Hospitality at National Student Congress	12,131.52
Publications Program	43,020.45
Vietnamese Flood Disaster Fund	1,500.00
Sports Affairs	13,320.19
Arab Student Leadership Seminar	508.49
Student International Responsibility Project	2,016.03
Director Campus Program	2,537.59
Publication Civil Rights	988.04
Nigerian Student Cultural Festival	641.01
Kenya Student Scholarship	4,163.44
Director of Cultural Affairs	2,400.61
Seminar on Cooperative Management in Israel	3,584.40
International Affairs Vice President	19,630.89
International Student Conference Dues	36,111.10
Overseas Representation	1,807.55
Technical Assistance	32,351.58
Middle East African	34,734.09
Film Festival	700.96
Algerian Scholarship Program	3,388.46
Southern Adult Education Fund	3,143.86
Fast for Freedom Fund	34,218.96
Student Services	7,011.65
Student Stress	17,720.10
Asian Student Affairs	7,682.03
Christmas Freedom	7,790.00
Sports Affairs	2,239.80
Latin American Representation	29,005.76
Eighteen Year Old Vote	3,000.00
Film Festival	1,264.32
Tutorial Assistance Center	47,495.36

[Excerpts from form 990-A]

EXHIBIT C

Return of Organization Exempt From Income Tax—1965 or Other Taxable Year Beginning Oct. 1 1965, and Ending Sept. 30, 1966

U.S. National Student Association, employer identification No. 23-1421976, 811 S. St. NW., Washington, D.C.
Enter the name and address used on your return for 1964 (if the same as above, write "Same"). If none filed, give reason. Same.
Pt. II: Pt. I (pp. 1 and 2) information required pursuant to secs. 6033, 6001 and other applicable sections of the Internal Revenue Code. Note: 1 copy of pt. I and 2 copies of pt. II must be filed.

4. Interest	\$145.27
9. Other income (attach schedule.—Do not include contributions, gifts, grants, etc. (see line 17)) exhibit A	143,722.45
10. Total gross income (lines 3 to 9, inclusive)	143,555.73
11. Expenses of earning gross income from col. 3, schedule A	18,456.07

DISBURSEMENTS MADE WITHIN THE YEAR OUT OF CURRENT OR ACCUMULATED INCOME FOR PURPOSES FOR WHICH EXEMPT, AND ACCUMULATION OF INCOME

13. Contributions, gifts, grants, scholarships, etc. (see instruction 13)	10,524.00
14. Accumulation of income within the year (line 10 less the sum of lines 11, 12, and 13)	31,202.20
15. Aggregate accumulation of income at beginning of the year (deficit exhibit B)	(\$10,861.68)
16. Aggregate accumulation of income at end of the year (deficit exhibit B)	(36,776.43)

RECEIPTS NOT REPORTED ELSEWHERE

17. Contributions, gifts, grants, etc., received (see instruction 17)	647,632.10
18. Less expenses of raising and collecting amount on line 17, from col. 5, schedule A	
19. Net contributions, gifts, grants, etc., received	647.00

DISBURSEMENTS MADE OUT OF PRINCIPAL FOR PURPOSES FOR WHICH EXEMPT

20. Expenses of distributing principal from col. 6, schedule A	170,036.92
21. Contributions, gifts, grants, scholarships, etc.:	
(a) Paid out in prior years	(2,787,802.79)
(b) Paid out within the year (see instruction 21) exhibit D	551,397.53

SCHEDULE A.—ALLOCATION OF EXPENSES (SEE INSTRUCTIONS FOR ATTACHMENTS REQUIRED)

1. Item	2. Total	3. Expenses of earning gross income	4. Expenses of distributing income	5. Expenses of raising and collecting principal	6. Expenses of distributing principal
(a) Compensation of officers, etc.	\$7,693.00				\$7,693.00
(b) Other salaries and wages	65,287.49				65,287.49
(c) Miscellaneous expenses (attach schedule)	115,512.50	18,456.07			97,056.43
(h) Total	188,492.99	18,456.07			170,036.92

SCHEDULE B.—BALANCE SHEET

	Beginning of year		End of year	
	(A) Amount	(B) Total	(C) Amount	(D) Total
ASSETS				
1. Cash		\$20,805.47		\$31,382.48
2. Accounts receivable (see instructions) exhibit I	\$41,303.26		\$68,291.21	
(a) Less allowance for bad debts		41,303.26		68,291.21
10. Depreciable (and depletable) assets (attach schedule) F	27,382.93		89,275.09	
(a) Less accumulated depreciation (and depletion)	27,382.93		89,275.09	
12. Other assets (attach schedule) exhibit E		170,815.38		15,733.25
13. Total assets		232,924.11		115,499.50
LIABILITIES AND NET WORTH				
14. Accounts payable (see instructions) exhibit I		100,759.47		33,985.92
16. (b) Mortgages payable		35,000.00		
17. Other liabilities (attach schedule) exhibit E		108,026.32		118,236.01
22. Accumulated income or earned surplus:				
(a) Attributable to ordinary income	(10,861.68)			
(b) Attributable to gains from sale of assets exhibit B		(10,861.68)		(36,766.43)
23. Total liabilities and net worth		232,924.11		115,455.50

1. Date of current exemption letter, April 20, 1954.

3. Have you attached the information required by:

(a) Instruction I? See pamphlet. Answer. Yes.

(b) Instruction J? Answer. Yes.

4. Have you filed a tax return on Form 920-T for this year? Answer. No.

5. In what year was your organization formed? Answer. 1947.

In what State or country? Answer. Wisconsin.

9. Have any changes not previously reported to the Internal Revenue Service been made in your articles of incorporation or by-laws or other instruments of similar import? Answer. No.

10. Have you had any sources of income or engaged in any activities not previously reported to the Internal Revenue Service? Answer. No.

11. Did you hold any real property for rental purposes with respect to which there is an indebtedness incurred in acquiring the

property or in making improvements thereto or which was acquired subject to a mortgage or similar lien? Answer. No.

12. Have you during the year advocated or opposed (including the publishing or, distributing of statements) any national, State, or local legislation? Answer. No.

13. Have you during the year participated in, or intervened in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office? Answer. No.

14. After July 1, 1950, did—

The creator of your organization, or a contributor to your organization, or a brother or sister (whole or half blood), spouse, ancestor or lineal descendant of such creator or contributor, or

A corporation owned (50 percent or more of voting stock or 50 percent or more of value of all stock) directly or indirectly by such creator or contributor—

(a) Borrow any part of your income or corpus? Answer. No.

- (b) Receive any compensation for personal services from you? Answer. No.
 - (c) Have any part of your services or assets made available to him? Answer. No.
 - (d) Purchase any securities or other property from you? Answer. No.
 - (e) Sell any securities or other property to you? Answer. No.
 - (f) Receive any of your income or corpus in any other transaction? Answer. No.
15. Do you hold 5 percent or more of any class of stock in any corporation? Answer. No.

EXHIBIT C

U.S. NATIONAL STUDENT ASSOCIATION E I NUMBER, 23-1421976, FOR FISCAL YEAR ENDED SEPTEMBER 30, 1965

Specific purpose grants expenditures

Southern Student Human Relations	\$36,307.18
Ford Foundation Directory	23,834.22
College Community Tutorial Project	8,183.81
Student Stress	890.52
Southern Literacy Project	363.75
Film Festival	228.72
Wellington Self-Government	404.19
Books for Equal Education	621.60
Overseas Press Club	1,563.05
Fast for Freedom Fund	20,365.39
Student Services	4,775.84

Specific purpose grants expenditures—Con.

Student Stress	\$353.84
Student Leader Delegate	2,080.25
New Building and Moving Cost	56,907.84
College Editors' Conference	10,833.33
Research Travel	38.64
International Pilot Project	3,047.86
Algerian Scholarship Program	3,919.19
U.S. Department of State Bureau of Education and Cultural Affairs, Algerian Scholarship Program	88,124.04
Angolan Scholarship Program	8,124.04
Nigerian Scholarship Program	1,245.00
Polish Exchange Grant	4,880.44
Student International Responsibility Project	3,000.00
Scholarship—Foreign Student	1,500.00
Program Director	5,983.50
Representation in Latin America	29,471.77
Special Assistance for Foreign Student Organizations	7,923.98
Foreign Student Hospitality	20,280.09
Publications Program	7,117.84
Representative to Viet Nam	2,131.35
Vietnamese Flood Disaster Fund	3,537.00
Sports Affairs	11,588.66
Publications Department	6,206.27
Arab Student Leadership Seminar	\$18,039.38

Specific purpose grants expenditures—Con.

Student International Responsibility Project	3,268.93
East African Press	5,599.06
Special Assistant to International Vice President	692.66
Director Campus Programs	3,514.03
U.N.E.A. Representative Switzerland	1,043.10
Dubrovnick Seminar	677.80
Nigerian Student Cultural Festival	8,830.55
American Student—Publications	2,935.87
Swaziland Student Union	750.00
Scholarship Assistances	8,950.94
Director of Cultural Affairs	5,949.60
NSA Overseas Representation	33,624.19
Twelfth I.S.R.S.	1,472.20
Thirteenth I.S.R.S.	22,831.97
Technical Assistance	3,507.01
I.S.C. Delegates	16,267.82
International Affairs—Vice President	3,718.09
Indonesia-Malaysia, problems and prospects	3,000.00
Latin American Representation	8,786.89
Other anticipated	4,249.51
Total	533,542.90

EXHIBIT D
PERIOD OCT. 1, 1966, TO SEPT. 30, 1967

Division, NATAFF program, SD	FF monitor	Status	Duration		Total value	Unpaid, beginning of period	Changes during year		Unpaid, end of period
			From—	To—			Approved or (reduced)	Payments or (refunds)	
The University of Chicago, Chicago, Ill. Survey and analysis of the responses of Chicago Catholics to Archbishop Cody's 1967 campaign for racial integration (67-133).			Feb. 24, 1967	Feb. 23, 1968	\$100,000	0	\$100,000	0	\$100,000
Citizens' Committee for Children of New York City, Inc., New York, N.Y. Study papers and a conference to consider the feasibility of children's allowances as an income security measure (67-156).			Mar. 24, 1967	Mar. 23, 1968	45,000	0	45,000	\$45,000	0
Citizens Crusade Against Poverty, Washington, D.C. Creation of a training institute for community development workers (66-410).	Edley, C. F.	A	Aug. 19, 1966	Oct. 3, 1968	883,500	187,500	508,500	187,500	508,500
Community Progress, Inc., New Haven, Conn. Community development program for residents of New Haven's middle ground and urban renewal areas (62-328).	Miller, S. M.	A	June 13, 1962	Feb. 28, 1968	5,050,000	300,000	0	0	300,000
CORE Special Purpose Fund, New York, N.Y. Support of Cleveland activities including Youth Training Institute, adult training program, and voter registration drive (67-446).	do	a	July 21, 1967	July 20, 1968	175,000	0	175,000	75,000	100,000
State of New Jersey, Trenton, N.J. Support for the development of a comprehensive manpower system in the State of New Jersey (67-374).	Feldman, M. J.	a	July 19, 1967	July 18, 1968	250,800	0	250,800	0	250,800

PERIOD OCT. 1, 1967, TO SEPT. 30, 1968

The Community Resources Institute, Washington, D.C. Partial support of Cabinet Committee Hearings on Mexican-American Affairs, El Paso, Tex. (68-111).	Miller, S. M.	a	Oct. 1, 1967	Jan. 31, 1968	5,000	0	5,000	5,000	0
CORE Special Purpose Fund, New York, N.Y. Support of Cleveland activities including Youth Training Institute, adult training program, and voter registration drive (67-446).	do	a	July 21, 1967	July 26, 1969	475,000	100,000	300,000	175,000	225,000
Cornell University, Ithaca, N.Y. Program to extend and expand a research project on migrant labor at the School of Industrial and Labor Relations (68-086).	do	a	Dec. 21, 1967	Dec. 20, 1969	55,500		55,500	20,000	35,500
Cornell University, Ithaca, N.Y. Research on race relations (68-141).	do	a	July 1, 1967	Dec. 30, 1968	16,714		16,714	15,214	1,500
Council of Southern Mountains, Inc., Berea, Ky. Interim administrative support for experimental activities in economic and community development in Appalachia (68-112).	do	a	Jan. 11, 1968	July 10, 1968	35,000		35,000	35,000	0
University of Detroit, Detroit, Mich. Summer training institute for clergymen and laymen working to counteract white racist hostility. (68-666.)	Cooney, T. E.	A	June 21, 1968	June 20, 1969	77,000		77,000	38,500	38,500

EXHIBIT F

SEPTEMBER 2, 1966.

HON. SHELDON COHEN,
Commissioner, Internal Revenue Service,
Washington, D.C.

DEAR MR. COHEN: As you know, for the past ten months the National Right To Work Committee has been the subject of an inten-

sive investigation by the Internal Revenue Service for the purpose of determining whether the Committee is entitled to retain its tax exemption status under section 501 (c) (4) of the Internal Revenue Code.

During the course of this investigation your representatives have made an intensive effort to find some evidence of political ac-

tivity on the part of the National Right To Work Committee. They have quite frankly advised us that this is what they are looking for, and in this connection they have scrutinized all of our expenditures for printed material, staff travel, legal services, and membership promotion, have asked us for a breakdown of the activities of staff personnel

particularly during the period preceding the 1964 national elections and even subpoenaed the books of those printers who have done business with us. We have been expressly told by your representatives that if they turned up any evidence of political expenditures or political activities by our staff on paid time our exemption could be cancelled.

We are, of course, well aware that as an exempt organization, we cannot engage in any political action, and we have scrupulously avoided any involvement in politics of political activities. The only purpose of the National Right To Work Committee is to promote the principle of voluntary unionism. By reason of this we have incurred the enmity of union officials who have publicly expressed their intent to bury us by one means or another.

This brings us to the point of this letter. Are not labor unions, as tax exempt organizations under section 501(c)(5), subject to the same restrictions on political activities as the National Right To Work Committee and other exempt organizations? And, if this is so, why is it that labor unions can openly and flagrantly use the monies collected from membership dues to make contributions to political candidates, and assign their staff personnel to electioneering activities on behalf of union endorsed candidates? That they do all of these things on a large scale is, of course, well known and well documented. Just by way of example, in *International Association of Machinists v. Street*, 367 U.S. 740 (1961), the defendant unions stipulated that the dues monies collected from their members under compulsory union shop agreements were "used in substantial amounts to support the political campaigns of candidates for the offices of President and Vice President of the United States, and for the Senate and House of Representatives of the United States . . . and candidates for state and local offices." 367 U.S. 740, 745, footnote 2. In May of this year the newspapers in Washington reported a public announcement by Charles Della, president of the Maryland-District of Columbia AFL-CIO, that that organization would contribute the sum of \$200,000 to support the campaign of Carlton Sickles for Governor of Maryland. Enclosed is an article written for the May 1966 issue of *Commonweal* magazine by Sidney Lens, a long-time union staff official, which points out, among other things, that the United Auto Workers Union recently donated \$20,000 to the campaign of Senator Paul Douglas of Illinois. The article goes on to point out:

"Equally important is manpower. Around election time labor mobilized thousands of workers from the shops as well as many full-time organizers. The offices of the auto union, perhaps the most active of all politically, become depopulated by as much as one-half of the regular staff, all working the hustings for union-endorsed candidates. These are men, it should be noted, with considerable organizational talent, usually far above the caliber of ordinary Democrats. . . . Union-leas autos, painted over with the names of union-endorsed aspirants, plastered with signs, participate in parades and make tours with loudspeakers blaring their message. In small towns especially, such as Peoria, Illinois, or Muncie, Indiana, big unions like steel or auto can mobilize thousands of members to fill a meeting hall or listen to an open-air speech. On the first Tuesday in November innumerable union men, paid from the union treasury, can be seen driving voters to and from the polling booths, acting as watchers to assure an honest count, and calling on 'sure' voters who have not yet cast a ballot. Thus by concentrating on marginal areas, by doling out \$1,000 to \$5,000 for Congressional hopefuls who need just a little push to put them over, labor can make an important contribution."

Also enclosed is a recent article by one of the well known labor columnists, Victor Riesel, who points out that the AFL-CIO has assessed its 13.7 million members at a nickel

a head for a special election fund of \$850,000 to be spent for campaign activities in this year's national elections.

Since the Internal Revenue Service insists that the National Right To Work Committee must strictly observe the rule against political activity, and since the flagrant political activities of labor unions are largely ignored, it would seem that a double standard is applied under the Internal Revenue Code. As the public becomes more and more aware of this selective enforcement of the law the effect can only be to break down respect for the law, a trend which seems to be rapidly undermining the foundations of orderly society.

We feel that you can quickly restore public confidence in the integrity of the Internal Revenue Service by issuing directives to your agents and offices throughout the country to undertake a sweeping investigation of the political activities of organized labor in this year's state and national elections, and revoke the tax exemption status of any union that engages in such political activities.

Very truly yours,

REED E. LARSON,
Executive Vice President.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., September 28, 1966.

Mr. REED E. LARSON,
NATIONAL RIGHT TO WORK COMMITTEE,
Washington, D.C.

DEAR MR. LARSON: Thank you for your letter of September 2, 1966, with attachment, concerning the political activity of labor unions.

You asked whether labor unions, as tax-exempt organizations under section 501(c)(5), are subject to the same restrictions on political activities as other exempt organizations. Although certain sections of 501(c) of the Internal Revenue Code and their implementing regulations contain various definitions, limitations, and prohibitions relative to political and legislative activities, there is no such proscription with respect to a labor organization otherwise qualifying for exemption from Federal income tax under section 501(c)(5).

The qualifying character of a labor organization, as the term is used in section 501(c)(5), is that it has as its principal purpose the representation of employees in such matters as wages, hours of labor, working conditions and economic benefits, and the general fostering of matters affecting the working conditions of its member. As a matter of law, a labor organization does not lose its right to exemption under section 501 because it engages in political activities, unless by reason of the organization's improper activities it can be established that the organization is not sufficiently engaged in the union or labor activity to be characterized as a labor organization in the sense that that term is used in section 501(c)(5).

As you may know, contributors to labor organizations are not entitled to a charitable deduction; however, under certain conditions payments may qualify as a business expense under section 162. With respect to the deductibility of dues paid to a labor union or trade association as a business expense, the Revenue Act of 1962 amended section 162 by adding a new subsection (e) which provides for the deduction of ordinary and necessary expenses paid or incurred in taxable years beginning after December 31, 1962, for certain activities directly connected with legislation or proposed legislation of direct interest to the taxpayer. In no event shall a deduction be allowed for that portion of a special assessment or similar payment (including an increase in dues) made to any organization for any activity which does not constitute an appearance or communication with respect to legislation or proposed legislation of direct interest to the organization.

We appreciate your concern in this matter and want to further assure you that the

Service is primarily interested in applying the internal revenue laws fairly and uniformly in all cases. We do everything we can to administer the applicable law and regulations without regard to the political leanings of any taxpayer or organization.

We trust this information will be helpful for your purposes.

Sincerely yours,

S. B. WOLFE,
Director, Audit Division.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., October 10, 1969.

Mr. F. R. DICKERSON,
President, Roper Industries, Inc., Commerce, Ga.

DEAR MR. DICKERSON: Thank you for your letter of September 6, 1966, concerning the political activities of organized labor and the tax-exempt status of the National Right to Work Committee and the Sierra Club.

The records of the National Office disclose that the National Right to Work Committee has qualified for tax-exempt status under section 501(c)(4) of the Internal Revenue Code, while the Sierra Club is exempt under section 501(c)(3), and labor unions frequently qualify under section 501(c)(5).

The Internal Revenue Service maintains a program of periodic audit and review of the operations of tax-exempt organizations. If it is determined as a result of the audit program that any tax-exempt organization is engaged in activities to an extent proscribed by that section of the Code under which it has been held exempt, we will take appropriate action to revoke or modify our prior ruling. This is a factual question in each case, and the Service must examine all of the operations for the years involved.

You expressed concern regarding the possible nonuniform application of restrictions on political activities for various tax-exempt organizations. It should be noted that, although certain sections of 501(c) of the Code and their implementing regulations contain various limitations and prohibitions relative to political and legislative activities, there is no such proscription with respect to a labor organization otherwise qualifying for exemption from Federal income tax under section 501(c)(5).

The qualifying character of a labor organization, as the term is used in section 501(c)(5), is that it has as its principal purpose the representation of employees in such matters as wages, hours of labor, economic benefits, and the general fostering of matters affecting the working conditions of its members. As a matter of law, a labor organization does not lose its rights to exemption under section 501 because it engages in political activities, unless by reason of the organization's improper activities it can be established that the organization is not sufficiently engaged in the union or labor activity to be characterized as a labor organization in the sense the term is used in section 501(c)(5).

As you may know, it is the responsibility of the Service to administer the Federal income tax laws enacted by Congress as efficiently and impartially as possible. We have no power to amend the laws or to act contrary to their provisions. Your concern in this matter is appreciated and we want to further assure you that the Service is interested in applying the internal revenue laws fairly and uniformly in all cases. We do everything we can to administer the applicable regulations without regard to the political leanings of any taxpayer or organization.

We trust this information will be helpful in explaining the varying limitations or organizations qualifying for tax-exempt status under different sections in the Code.

Sincerely yours,

FORREST P. NEAL,
Chief, Technical Coordination Branch.

H.R. 7432

A bill to amend the Internal Revenue Code of 1954 to deny tax exemption to organizations which endorse political candidates, 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 501 of the Internal Revenue Code of 1954 is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following new subsection:

"(e) APPEARANCES, ETC. WITH RESPECT TO LEGISLATION.—

"(1) None of the following activities by an organization described in subsection (c) (3) shall be deemed 'carry on propaganda, or otherwise attempting, to influence legislation':

"(A) Appearances before, submission of statements to, or sending communications to, the committees, or individual members, of Congress or of any legislative body of a State, a possession of the United States, or a political subdivision of any of the foregoing with respect to legislation or proposed legislation of direct interest to the organization.

"(B) Communication of information between the organization and its members or contributors with respect to legislation or proposed legislation of direct interest to the organization.

"(2) For purposes of this paragraph, matters of direct interest to the organization include—

"(A) those directly affecting its exemption under this section;

"(B) those directly affecting the deduction of contributions to such organizations under sections 170, 642, 2055, 2106, 2522;

"(C) those directly affecting any exempt purpose or function for which the organization was organized and is operating, in the case of an organization which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under this section) from the United States or any State or possession or political subdivision thereof, or from direct or indirect contributions from the general public.

"(3) Activities described in paragraph (1) shall not include any attempt to influence the general public, or segments thereof, with respect to legislative matters, elections or referendums."

SEC. 2. Section 170(c) is amended by adding the following new sentence at the end thereof: "For purposes of this subsection, the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraph (2) (D) shall be subject to the qualifications set forth in section 501(e)."

SEC. 3. Section 2055(a) is amended by adding the following new sentence at the end thereof: "For purposes of this subsection, the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraphs (2) and (3) shall be subject to the qualifications set forth in section 501(e)."

SEC. 4. Section 2106(a) (2) (A) is amended by adding the following new sentence at the end thereof: "For purposes of this subparagraph, the phrase 'carrying on propaganda, or otherwise attempting to influence legislation' in clauses (ii) and (iii) shall be subject to the qualifications set forth in Section 501(e)."

SEC. 5. Section 2522 is amended by redesignating subsections (c) and (d) as subsections (d) and (e) and by inserting after subsection (b) the following new subsection:

"(c) CARRYING ON PROPAGANDA, OR OTHERWISE ATTEMPTING, TO INFLUENCE LEGISLATION.—For purposes of this section the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraph (2) of subsection (a) and in para-

graphs (2) and (3) of subsection (b) shall be subject to the qualifications set forth in section 501(e)."

SEC. 6. The amendments made by the preceding sections of this Act shall be applicable to taxable years beginning after the date of enactment thereof and to estates of decedents dying after the date of enactment thereof.

SEC. 7(a) part 1 of Subchapter F of Chapter 1 of the Internal Revenue Code of 1954 (relating to exempt organizations) is amended by adding at the end thereof the following new section:

"SEC. 505. EXEMPTION DENIED TO ORGANIZATIONS ENGAGED IN POLITICAL ACTIVITIES.—

"(a) PROMOTION OF POLITICAL CANDIDACIES.—Any organization described in section 501(c) which—

"(1) endorses or opposes directly or indirectly, any political candidate, or

"(2) expends directly or indirectly any of its funds to promote the candidacy of any political candidate, or

"(3) provides goods, services or anything of value to any political party or political organization, shall not be exempt from tax under section 501 for the taxable year in which it so endorses or so expends funds, and for the three succeeding taxable years; provided further, that activities prohibited by this section shall not be exempted from these prohibitions by being termed 'educational'.

"(b) CERTAIN POLITICAL ACTIVITIES.—Any organization described in section 501(c) (3) which—

"(1) makes any contributions of goods, services or anything of value to any person or organization when there is reason to believe that part or all of such contributions will be used—

"(A) to promote or oppose the candidacy of any political candidate, or

"(B) to support, directly or indirectly, any political party or political organization whose purpose is to provide candidates for political office or to promote the candidacy of persons for political office.

"(2) has any officer or employee who is actively engaged in a political campaign (within the meaning of section 7324 of title 5 of the United States Code) during his hours of employment by the organization. shall not be exempt from tax under section 501 for the taxable year ending after the date on which it so endorses, makes such a contribution, or has such an officer or employee and for the three succeeding taxable years.

"(c) POLITICAL CANDIDATE.—For purposes of this section, the term 'political candidate' means any individual whose name is presented for nomination for or election to public office.

"(b) The table of sections for such part I is amended by adding at the end thereof the following:

"Sec. 505. Exemption denied to organizations engaged in political activities."

SEC. 8. The amendments made by section 7 of this Act shall apply to acts occurring after the date of the enactment of this Act.

RESTORING CLEAN WATER

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FISH. Mr. Speaker, congressional antipollution policy started in 1965 with the Water Quality Act. The 1966 Clean Water Restoration Act made a commitment to the States and municipalities to help finance construction of needed sewage treatment plants. Authorization

under this act increases each year, amounting to \$1 billion for fiscal year 1970.

It is not uncommon that appropriations fall short of authorization. On the strength of the 1966 act, however, several States with serious water pollution problems started to do something about them. As appropriations year after year failed to match the sums authorized, States and municipalities which could not postpone their antipollution efforts were obliged to prefinance the Federal share.

In the debate on the appropriation for this year in the House on Wednesday, October 8, no question was raised over the policy of Federal responsibility in attacking water pollution. No question was raised of need. In fact the issue was whether administration requests should be increased three times or almost five times.

The debate on the appropriation bill makes it clear Congress is committed to an antipollution effort. Over and over during the debate, however, it was stated that more than \$600 million could not be spent this fiscal year. This was not because no States were undertaking an ambitious program against pollution; the committee report clearly indicates the contrary. The sole reason is the fact that the formula contained in the 1966 act fails to match the efforts of the larger industrial States with the greatest pollution problems, while many States cannot use what the formula makes available to them which is returned in the form of a carryover. Congress should move quickly to change this formula so that the States with the greatest need will receive adequate funding.

Not even a billion dollar appropriation would make up the deficits incurred by several States in reliance on the basic statute. New York State alone has incurred \$150 million of State prefinancing and \$158 million of local prefinancing for a total of \$308 million. The rules with respect to the carryover provisions should be changed. The Secretary of the Interior should be authorized to reallocate carryover funds to States and municipalities which have prefinanced the Federal share of sewage treatment plants.

NATO RICE WITH VIETCONG

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. RARICK. Mr. Speaker, today's announcement that our soldiers in Vietnam found NATO rice in a Communist food cache is profoundly disturbing.

The American people are disgusted at products and food given in foreign aid ending up sustaining the Communist enemy.

I not only hope that the proper authorities stop this food diversion but that the American people be advised who the culprits are.

Mr. Speaker, I insert an AP release at this point:

STRAY NATO RICE

SAIGON, October 7.—An enemy rice cache found by the U.S. 25th Infantry Division included one 10-pound bag marked as the property of the North Atlantic Treaty Organization. American officers are wondering how it got from Western Europe to the Vietnam war zone.

CONGRATULATES ELKS

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CHAPPELL. Mr. Speaker, in a day when criticism is rampant about the patriotism of many organizations, it is most refreshing to see an organization actively and openly expressing its patriotism. Such an organization is the Benevolent and Protective Order of Elks of the United States of America, which has adopted a resolution in which they call for a return of law and order in our land.

The Clermont-Groveland Lodge No. 1848 has seen fit to forward me a copy of this resolution which I am attaching to this statement. In their firm belief that our country's citizens must speak out for discipline and loyalty to our form of government, these men are urging our support of the principles and ideas in their resolution.

I support this resolution, Mr. Speaker, and I urge every Member of Congress to read it, to listen to the voices of these concerned citizens and uphold their principles which they advocate.

I congratulate the Elks Club of Clermont-Groveland. I am pleased to be a member of the great Order of the Elks.

The resolution follows:

BENEVOLENT AND PROTECTIVE ORDER OF ELKS
OF THE UNITED STATES OF AMERICA, 1969

Whereas, the members of the Benevolent and Protective Order of Elks, numbering a million and a half American gentlemen who believe in God and revere our country's flag and realize the necessity to preserve the Constitution of the United States of America and the Bill of Rights, which have served to establish the finest system of government in the world, and

Whereas, we deplore the presence of crime in our streets, violence and disorder on our campuses, and lack of respect by a minority of our people for our Country's flag and the rights of others, and

Whereas, we abhor the anarchy and chaos in our schools and communities with a continuance of riots, demonstrations, and disorders which bring about malicious destruction of property and danger to the personal safety of our people, and

Whereas, we and all other loyal Americans, having displayed much patience and forbearance, are angered, dismayed and disgusted with the illegal acts of radicals, extremists, trained agitators and militants, and

Whereas, we desire to express our concern for the future of our society and particularly our youth, the majority of whom are decent and law-abiding.

Be it hereby resolved, that we stand for discipline of those who defy our laws, with the knowledge that public order is essential to achieve a solution to our domestic problems;

That we call for the full support of our membership for our law enforcement agencies and courts, and full cooperation in the

enforcement of their duties in the prosecution of those who have caused, instigated or aided violations of our laws and disorder in our schools and communities;

That we favor intelligent dissent, properly used and presented, but not as an excuse for violence or destruction;

That we demand the arrest and prosecution of those dissidents, radicals and militants who engage in criminal acts of riot, disorder and rebellion against the laws of our Country;

That we demand the expulsion from school of those participating in violent demonstrations, riots or the disruption of classes and the operation of schools, colleges or universities, public or private, whether on or near the school premises, and we demand the revocation of scholarships, grants or other monetary aids of a public nature extended to those participating in such acts.

Be it further resolved, that this resolution be distributed to all Lodges of our Order where it is to be read on the floor of the Lodge at an appropriate session, posted in a prominent place in the Lodge quarters, reproduced in the Lodge bulletin and given publicity through the local news media so that not only the members of our Order but also all the citizens of our Country will know that the Benevolent and Protective Order of Elks of the United States of America respects the laws of our land and supports those charged with their enforcement.

Adopted by the Grand Lodge of the Benevolent and Protective Order of Elks in Convention assembled in Dallas, Texas on July 14, 1969.

EDWARD W. MCCABE,

Grand Exalted Ruler.

FRANKLIN J. FITZPATRICK,

Grand Secretary.

JORDAN HONORS OKLAHOMAN FOR
OUTSTANDING SERVICE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. EDMONDSON. Mr. Speaker, I was pleased to read in a recent article appearing in the AID "Front Lines" report, that Mr. Elbert Bowen, area adviser for the Agency, has been awarded the Jordanian Star Medal, third class, by the Jordanian Minister of Agriculture.

The Jordanian Government presented the Star Medal for Mr. Bowen's outstanding contributions in adaptation of the "summer fallow" method of wheat production for lands such as those in Jordan where there is only minimum rainfall and no satisfactory system of irrigation. In addition to his contributions in wheat production, Mr. Bowen also submitted new methods to increase national vegetable crops and improve systems of farm economic research. Since completing his work in Jordan, Mr. Bowen and his wife have moved to Recife, Brazil, where he is currently serving as area agricultural officer.

Mr. Bowen is to be commended for his very valuable contribution not only to AID and the Jordanian nation, but also for exemplifying the very best traditions of the United States in peaceful cooperation and assistance to its neighbors around the world.

Mr. Bowen is the son-in-law of very close family friends in Pawhuska, Okla. And has many friends in Nowata, Okla.

I know many of his fellow Oklahomans share my pleasure in seeing this well-deserved recognition come to an outstanding public servant.

COLUMBUS DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BIAGGI. Mr. Speaker, on this occasion honoring the birthday of Christopher Columbus, over 500 years ago, we recall once again the heroism and the insight of this most remarkable man.

We do so under new circumstances, however, for now, at last, after many years of consideration and public pressure, Congress has designated Columbus Day a Federal holiday, as of the year 1971. All America hails this decision.

There were many heroes in history prior to Columbus. There have been many since. Undoubtedly, there will be many more. Yet few if any can be said to have dared the same kind of odds as he. John Charles Frémont, the "Pathfinder" of the American West, had the advice of Indian guides to serve him on his journeys. Charles Lindbergh, although traveling alone without guidance, in his famed trans-Atlantic flight, was at least familiar with the location of the continents. The current-day astronauts, engaging the awesomeness of outer space, have all the assistance of modern technology and brilliant scientific minds. Not so, however, in the case of Columbus. If ever a man departed into the complete unknown, it was he.

Through his discovery, Columbus opened another world to the lovers of freedom—a new world in which they could unite in the construction of a new and beautiful land, the United States of America.

Here they were to build a country in which every new-born babe would have the unheard of luxury of economic opportunity, together with the inherent rights and privileges endowed upon all men by their Creator.

No sooner was our country in existence than certain Americans began thinking in terms of honoring Columbus, as the father of the new world. That is to say, back as early as the 1790's, when Washington was President and the country was fairly swarming with distinguished persons, such as Franklin, Jefferson, Hamilton, Patrick Henry, and all the rest, even in the midst of all that glory, the people turned back in their thoughts to Columbus, whom they singled out for special commendation.

Although he died believing he had merely found another passage to the East Indies, and never dreamed he had discovered a new world, to him, nevertheless, the entire credit for this stupendous achievement belongs.

The poet Santayana has written:

Columbus found a world, and had no chart,
Save one that faith deciphered in the skies;
To trust the soul's invincible surmise
Was all his science and his only art.

In the same spirit, we must, as Americans, maintain the courage of Columbus. We must, as Americans, discover the great secrets of mankind, in order to solve the problems of our universal destinies.

NEW PAMPHLET ON WOMEN'S RIGHTS AVAILABLE FROM EEOC

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, when one considers the Equal Employment Opportunity Commission, one nearly always thinks in terms of racial equality, and I suppose this is quite logical. However, we should not forget that there is, on the horizon, a certain, sometimes down-trodden group of individuals whose employment opportunities are frequently limited due to factors other than legitimate concerns, such as ability, education, skill, and so forth. I refer, of course, to women. While it is difficult to deny that "you've come a long way, baby," it is also true that we still have a good deal of ground to cover as far as full employment rights for women are concerned. Thus, I am pleased to bring to the attention of my colleagues and the public the recent publication by the Equal Employment Opportunity Commission of its pamphlet on discrimination on the basis of sex. It is titled "Towards Job Equality for Women" and is available on request from the EEOC, 1800 G Street NW., Washington, D.C. 20506.

Summarized in the report are the employment rights of women, as well as the provisions of the 1964 Civil Rights Act which are concerned with discrimination based on sex on the part of employers, unions, and employment agencies.

Since publication, I should add, the commission's guidelines have been amended to insure that State regulations dealing with the occupations women may hold, the hours they may work, and weights they may lift do not constitute justification for limiting women's work opportunities. The enactment of the amendment was the result of the decision of the commission under its prior guideline.

HON. JOSEPH Y. RESNICK

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. ALBERT. Mr. Speaker, it was with a deep feeling of shock and regret that I learned of the death of our former colleague from New York, the Honorable Joseph Y. Resnick.

In the 4 years that Joe Resnick served in this House I came to know him well. On occasion we disagreed but never was there any doubt of Joe Resnick's deep commitment to the causes in which he believed and to the high ideals of this House.

All of us who knew him will miss him. The history of this House is richer because he served here and our lives are richer because we knew him. We are all deeply saddened that his outstanding career in business and in public service has been cut off in his prime.

Mrs. Albert joins me in extending deepest sympathy to his wife and family.

A TRIBUTE TO CASIMIR PULASKI

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RODINO. Mr. Speaker, this forthcoming October 11 will be the day when we have the privilege of paying tribute to the great Polish soldier and hero of the American Revolution, Casimir Pulaski, a fiery, exuberant champion of liberty. The American cause of 1776 attracted many talented supporters from many foreign lands, but none could be said to excel Pulaski in fighting spirit, military ability, or democratic purpose.

As a citizen of Poland, Pulaski had grown to manhood under harsh political circumstances. Surrounded by large and powerful neighbor countries, Poland was constantly under assault, generally dominated by foreign rulers, and often involved in revolt. In 1768 the Polish Government under King Stanislaus II was the tool of Russia, and Polish patriots took up the revolutionary cause, seeking independence. Initially successful, with the powerful military assistance of Pulaski, they established the Confederation of Bar. In time, however, they were overcome, and Pulaski, in company with many others, was driven into exile. His journeys taking him to France, in 1775, he there was advised of developments in America. At that point, of course, the American patriot forces, were preparing to resist British domination, and Pulaski saw in this a full-scale duplication of Poland's struggles against the wiles and machinations of her neighbors. Won to the American cause, instantly and without hesitation, Pulaski contacted Benjamin Franklin, who in turn referred him to George Washington.

Pulaski arrived at Boston during the summer of 1777 and soon was involved in some of the most important fighting of the Revolution. Serving as a volunteer under Washington he participated with distinction that September in the battle of Brandywine. The following month he served again at Germantown. An expert on cavalry operations, he was at first unable to exploit this capability for want of an effective American cavalry force. Such a force was raised, however, in the winter of 1777 and Pulaski became its commander. Almost at once the cavalry saw service at Trenton, where it performed with distinction. At Flemington, N.J., in conjunction with the famed "Mad Anthony" Wayne, the cavalry engaged in a major foraging expedition, to feed the troops encamped at Valley Forge.

At the insistence of Washington, Congress granted Pulaski permission to organize an independent cavalry corps in

1778. The following year he was ordered with his corps to South Carolina, with the object of bringing his talents to bear in behalf of forces under General Lincoln. On October 9, 1779, with victory in sight, the American cavalry charged the British lines in dramatic assault. Pulaski was there, of course, at the front—urging forward his fine, fierce horsemen, calling upon them to overrun the foe, to drive them from their works. In the midst of the fray, he fell, seriously wounded. Removed at once to an American ship, anchored off the Carolina coast, he was examined by doctors, who, however, were unable to save his life.

So it was for this great American hero—who never even lived to see his adopted country under peaceful conditions. To Pulaski, who had known Poland as a land of turmoil and violence, the American colonies appeared in the same light. And yet, the storm and the fury was all but a stage in the life of America—a stage that was to be followed by peace, prosperity, and great achievement. Pulaski, who sensed this for both America and for his native Poland, is honored by all that has occurred in this land since his death. Moreover, the time is sure to come when the same will be the case so far as Poland is concerned, when, finally, Pulaski's dream comes true, and Poland, too, shall take her place among the free nations of the world.

THE PUBLIC BURDEN

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BURKE of Florida. Mr. Speaker, today I am introducing legislation which further involves our Federal tax system, in finding solutions to ease the public's burden. It is my hope that this proposal will strongly suggest that our two congressional tax committees utilize the tax system rather than turning over administration of health care delivery to the Federal bureaucracy as some are suggesting today.

Under our present system, taxpayers may deduct as medical expenses those expenses in excess of 3 percent of their adjusted gross income. In addition, they may take a special deduction for a percentage of health insurance premiums. A taxpayer who furnishes medical support for a parent 65 or over is also governed by the 3- and 1-percent rules.

Prior to the enactment of Public Law 89-97—medicare—taxpayers 65 and over could deduct their medical expenses, without regard to the 3- and 1-percent rules, and taxpayers furnishing medical support for a dependent parent age 65 or over were not limited to the 3- and 1-percent rules as far as such expenses were concerned.

This bill would remove the 3- and 1-percent limitations and would permit any taxpayer to deduct the full amount of medical expenses and drug expenses paid for the medical care of the taxpayer, his spouse, and dependents.

In addition, it would further provide that the taxpayer could claim such de-

ductions for a person age 65 or over who would otherwise be a dependent except that for this purpose the taxpayer would not have to furnish one-half the support of the elderly person.

END ELECTORAL COLLEGE

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BOGGS. Mr. Speaker, 3 weeks ago, the House made history by approving and sending to the Senate House Joint Resolution 681, which provides for the direct election of the President of the United States. It may prove to be one of the most important pieces of legislation passed by this or any other Congress, for it may lead to the greatest alteration in our electoral system in our history. Many of us hope so, because it is vitally important that the Senate pass this measure and that it be ratified by the various States.

The reasons why it is important that electoral reform be swiftly carried out are admirably set forth in a recent editorial in the New Orleans States Item. Though this subject has been a topic of constant commentary and discussion, I believe this editorial offers fresh insights, and I am happy to call it to the attention of my colleagues:

END ELECTORAL COLLEGE

The unresponsive Electoral College method of selecting a president should be abolished in favor of a direct vote of the people, this newspaper believes.

In our estimation, the reform is long overdue and, in fact, almost comes too late.

Only by the barest margin was the 1968 presidential election decided by the people, through the Electoral College, and not by a House of Representatives subject to pressures from third-party candidate George W. Wallace.

There are a number of logical reasons for a direct vote in a presidential race.

Most important, perhaps, direct selection of a president will make the vote of the individual much more meaningful at a time when he feels the frustration of anonymity against a backdrop of increasing political complexity.

More specifically, every vote will count. It will not, as is now the case, be lost at the state level under a winner-take-all system. Thus, a Republican in a hard-rock Democratic industrial state in the Northeast is assured that his vote will count. The same applies for the lonely Democrat in a hide-bound Midwestern state dedicated to Republicanism.

The change will force presidential candidates to beam their appeal to the entire nation, not just to a strategically selected group of states computer-calculated to produce an Electoral College victory. It will be extremely difficult for a candidate to "write off" a section of the country or to concentrate on the big-city vote at the expense of all else.

Abolishing the Electoral College will rule out the possibility that a third-party candidate would ever find himself in a position to throw the selection of a president into the House of Representatives.

As was pointed out in an earlier editorial, the power to pick a president in 1968 could conceivably have shifted from the 72 million Americans who went to the polls to the shoulders of one third-party candidate. Such

a dangerous set of circumstances should not be allowed to materialize again.

A direct vote will assure that a man who receives the largest popular vote will go to the White House. It is a fact that in three presidential elections, the man who ultimately was sworn in as president actually received fewer votes than his opponent. But he captured more Electoral College votes.

The reform would rule out the possibility that an elector, supposedly with a mandate from his state, would decide to vote his personal convictions instead. This too has been done.

The critics see pitfalls in making the historic change. We believe the opportunity to make the choice of a president far more responsive to the voice of the people outweighs the dangers envisioned.

The Senate should follow the recommendations of President Richard M. Nixon and the lead of the House of Representatives in approving a constitutional amendment to allow for direct elections. We would then hope that the necessary 38 states would ratify the 26th Amendment.

DECLARATION OF HIS MAJESTY
THE KING OF THE BULGARIANS

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. GROVER. Mr. Speaker, several years ago, the young King in exile of Bulgaria, visited the United States. During that time, I had the pleasure of meeting His Excellency and was most impressed with his zeal and dedication to the welfare of his people. Recently, he has issued a declaration regarding the situation in his country today, 25 years after the Communists' coup d'etat. I believe it is a most telling statement explaining what happens to a people when they lose their freedom. I believe my congressional colleagues, indeed, all Americans, should read this revealing statement. For this reason, I am pleased to include this review in the RECORD:

DECLARATION OF HIS MAJESTY THE KING OF THE
BULGARIANS

The Communist regime in Bulgaria is preparing to celebrate the 25th anniversary of its seizure of power. A quarter of a century of political assassination, persecution, intellectual and religious oppression will be praised as the dawning of a new Utopia.

The present leaders of Bulgaria try to spread the myth that on September 9, 1944, there had been a "popular revolution". The historic truth is that during My minority whilst the country was governed by a Regency Council and Parliament, the Communists, with the help of the same foreign army which now occupies Czechoslovakia, staged a military coup d'etat. Bulgaria, until 1944, was making overall progress and was about to emerge undamaged from the Second World War, in which it did not take a direct part. Indeed, until Soviet troops invaded Bulgaria, diplomatic relations between Sofia and Moscow had remained unbroken.

Then as now, the Communists were a tiny minority—barely 8 per cent—without the political standing or popular support to gain power by legal means. When it was free, our country, which many of us remember, was a State where the law was respected, and neither class distinction nor racial discrimination existed with no demand for a change in the political system. The coup directed from abroad by George Dimitroff (whom My Father had pardoned a few years

earlier), was certainly not brought about by a call for reform. If the totalitarian regime in Sofia dares to dispute this, let it hold truly free elections.

Twenty-five years after the coup d'etat the Bulgarian people, cruelly exploited by arbitrary economic measures, continue to be deprived of their basic human rights and freedoms. We believe that in a liberated Bulgaria, property, and above all the farmers' land, should be returned to its legal owners, or where, because of modern agricultural needs and methods, this proves difficult, fair compensation should be paid. This does not mean a turning back of the clock, but the laying down of sound economic foundations for the future.

The reactionary Sofia regime has done away with the Constitution of Tirnovo and all its guarantees. The country's energy is squandered, its labour and wealth wasted on the imperialistic goals of international Communism. Inspiration is poisoned, artists and writers are forced to follow cramping political directives. The truth is distorted and only fear, through the countless abuses and privations, holds back the people's resentment. Born in deceit, nurtured in lies, the Communist regime will celebrate, on September 9 amidst irre realities and more lies, nothing but its utter failure.

Is it possible to ask the Bulgarian people to celebrate this anniversary, which recalls its thousands of victims, its prisons, its concentration camps, the so-called people's courts, poverty and the suppression of civil rights and liberties?

The little that has been accomplished in 25 years—insignificant compared to the progress in economically independent countries—is not due to the regime's efforts, but to the people's toil. Even if the Communist party were to fulfill their vain promises to raise the standard of living, this could never satisfy the Bulgarians, because nothing can compensate for their loss of freedom.

Our people are tough and will survive. They possess great qualities and our beautiful homeland has the resources to rise again and take its place in a strong and united Europe. This is why we encourage Western tourists to visit Bulgaria, to see that the country deserves better, to sense, despite continuing oppression, its increasingly evident desire for freedom. The example of our neighbours' independent policies heartens us, but so long as an outdated ideology with nineteenth century tinges guides Bulgaria's retrogressive leaders—at a time when man has conquered the moon—that is no hope of change, for the evils of servility, disregard of professional opinions of experts and economic exploitation for the benefit of a foreign power will continue to plague our country.

Nevertheless, the desire for revenge and feeling of hatred must be overcome to achieve true national reconciliation and unity. With the support of all the Bulgarian people—for right is on our side—we shall create together a just and modern government. We Bulgarians look confidently to the future convinced that freedom, justice and welfare will finally triumph in our land.

This is the ultimate goal in the life of He who is still King of the Bulgarians and whose thoughts are constantly turned towards Bulgaria.

HON. JOSEPH Y. RESNICK

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. EDWARDS of California. Mr. Speaker, it is with great sadness that I

read Tuesday of the death of former Congressman Joseph Y. Resnick. Congressman Resnick and I were neighbors in the Cannon House Office Building during my second term in Congress. He was a friend, a help, and a valuable addition to this House.

In addition Congressman Resnick was a courageous and intelligent legislator. All of us remember the valuable service he performed in his investigation of the Arnheiter case and his determined stand in defense of American farmers.

In addition Congressman Resnick supported the best interests of the Nation in his drive for civil rights and his advocacy of a congressional code of ethics.

Congressman Resnick had been vastly successful as a businessman prior to winning election to Congress from Ellen-ville, N.Y. He and his brothers, Harry and Louis, built the Channel Master Corp. from a \$7,000 firm to a corporation with 1,100 employees and sales of \$45 million. It is to Congressman Resnick's credit that the fact of having made money was to him but an opportunity to further serve his fellow man. And when he left Congress, he did not cease his efforts to improve the lot of all mankind.

We will miss Congressman Resnick and I personally want to offer my condolences to his wife, Mrs. Ruth Lehrer Resnick and their three sons and a daughter. All of our lives were enriched by Congressman Resnick, and we will be diminished by his loss.

A TRIBUTE TO THE LATE
WENDELL L. WILLKIE

HON. JOHN BRADEMÁS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BRADEMÁS. Mr. Speaker, October 8 marked the 25th anniversary of the death of an extraordinary figure in modern American life, Wendell L. Willkie.

As a native of Indiana, the State of Wendell Willkie's birth, I have always naturally been interested in Mr. Willkie and his contributions to our country.

Moreover, I remember as a boy walking with some relatives of mine in Elwood, Ind., Mr. Willkie's hometown, who had known him as a young man.

I remember, too, in the presidential campaign of 1940, Mr. Willkie's visit as the Republican presidential nominee to my hometown of South Bend, Ind., and from my front porch watching his drive down Michigan Avenue, the main street in the city.

Although a Democrat and a strong supporter of President Roosevelt, I was nonetheless moved even then to respect Wendell Willkie for his deep sense of responsibility to the Nation which overrode his sense of loyalty to his party.

Wendell Willkie made great contributions—and, Mr. Speaker, I do not make this observation invidiously—toward bringing the Republican Party into the 20th century, and if, as some of us Democrats may at times think, our Republican friends still have a distance to go,

we can all as Americans be grateful to Wendell Willkie for what he contributed not only to his party, but to the Nation and the world.

PEACE IS ATTAINABLE

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BURTON of California. Mr. Speaker, Miss Theresa Ann Callahan wrote as a student at Marymount High School in Palos Verdes, Calif., a paper entitled: Peace is Attainable.

A copy of this paper was recently sent to me and after reading it, I should like to share it with my colleagues.

I would note that Miss Callahan is now 20 years old and a junior majoring in languages at UCLA. She is the daughter of Mr. M. R. Callahan, international vice president, Hotel and Restaurant Employees and Bartenders International Union.

I was struck by her thoughtful concern for peace, a concern which millions of our citizens share.

The item follows:

PEACE IS ATTAINABLE

Today's world is not a peaceful one. Rivalries and conflicts erupt into violence with alarming regularity. The emergence of a new leader in any unstable nation, for example, is overshadowed by the dire threat of a retaliatory coup; nations are aligned in opposing camps; and, as guerrilla warfare is waged in the jungles of Southeast Asia, nuclear war is literally at our fingertips. Yet today, as perhaps never before, men are seeking to establish universal peace. Plans for peace, although characterized by extreme idealism, are nevertheless significant representations of the spirit of our times. The practical problem, of course, is to determine a workable plan for peace. In this respect, our generation has the advantage of being able to draw from the resources of some of the greatest thinkers of all time, for a concern that peace be established is in no way peculiar to our age. Among those individuals and groups whose contributions toward world peace should be acknowledged are Immanuel Kant, Pope John XXIII, and the Society of Friends.

Any discussion of world peace demands that several important considerations be kept in mind. First of all, the Society of Friends recommends that a capacity for flexibility be supported. Structures and policies for the maintenance of peace may become outmoded, and therefore must be subject to revision. An outstanding example of this flexibility occurred when the League of Nations was replaced by the United Nations. Likewise, theories such as balance of power, counterforce, and deterrence through arms buildup—although relevant to one age—may be discarded in another.

Secondly, the importance of international cooperation cannot be underestimated. In 1795, German philosopher Immanuel Kant declared such cooperation is not merely advisable, but essential: "Reason without exception condemns war . . . and makes a state of peace an absolute duty; and since this peace cannot be effected or be guaranteed without a compact among nations, they must form an alliance of a peculiar kind, which might be called a pacific alliance (*foedus pacificum*)." Kant's world federation of states had as its aim the avoidance of war;

today's United Nations has a wider and more positive role. In addition to its essential purpose of consolidating peace, the United Nations also carries out important international duties in the economic, social, cultural, educational, and health fields.

The question of whether or not the member nations of an international league must subordinate their jurisdiction to a higher authority is a complex one. Every significant peace plan based on the establishment of such an organization provides that each member nation will retain its sovereignty. In reference to his proposed alliance of republican states, Kant insisted that "this alliance does not tend to any dominion over a state, but solely to the certain maintenance of the liberty of each particular state, partaking of this association, without therefore being obliged to submit, like men in a state of nature, to the legal constraint of public force." Pope John XXIII also emphasized the limitations of supranational organizations, stating, "The world-wide public authority is not intended to limit the sphere of action of the public authority of the individual state, much less to take its place." However, the very nature of cooperation dictates that some authority must be delegated; the guiding principle is that of subsidiarity. Pope John XXIII outlined this principle when he asserted: "The world-wide public authority must tackle and solve problems of an economic, social, political or cultural character which are posed by the universal common good. For, because of the vastness, complexity, and urgency of these problems, the public authorities of the individual states are not in a position to tackle them with any hope of a positive solution."

The most important consideration in determining a plan for universal peace is the basis upon which the peace will be constructed. In his encyclical *Pacem in Terris*, Pope John XXIII called for a peace "founded on truth, built according to justice, vivified and integrated by charity, and put into practice in freedom." According to truth, states have been endowed with an equal natural dignity; intense nationalism, often cited as the greatest stumbling-block to the establishment of world peace, must be eliminated. Furthermore, justice requires that nations forget their differences and recognize instead the solidarity which unites them. The Society of Friends advocates this solidarity by their proposal that the essential unity of nations should be promoted by regarding the world as a unit. Charity should be demonstrated by unselfish and productive collaboration, that socio-economic inequalities may be resolved. Above all, relations among nations must be conducted in freedom.

Respect is another essential condition for world peace. Based on equality, this respect must be extended to every human being—despite the ideology to which he is committed. Universal and inviolable respect is the foundation of the brotherhood of man.

Finally, a true peace is a lasting one. Kant maintained that "no treaty of peace shall be esteemed valid, on which is tacitly reserved matter for future war." His qualification is valid, for peace is no mere suspension of hostilities; today the term properly describes a lasting condition of harmony among nations. In order to achieve this state, men must abandon the negative attitude that war is inevitable.

If the norms outlined above are fulfilled, a plan for peace can be formulated. According to this plan, a union of nations with universal membership would be established. Theoretically, this organization should be a world community, a family of nations not completely unlike the United Nations. Nationalism would be replaced by internationalism; each member nation, however, would be recognized as an equal, sovereign nation. Although critics might point out that aggressive competition culminating in warfare seems to arise from the very existence

of a structure composed of independent and sovereign states, the problem is not to eliminate competition, but to prevent the resolution of the conflict by warfare. The adoption of a meaningful plan for total disarmament would solve this problem. Moreover, the alignment of nations into opposing camps would be abolished since, ideally, every nation would be concerned with the common good. All member nations would have an equal voice in the deliberations of the community; there would be no powerful nations endowed with a crippling veto power. The organization would be less of an alliance for defensive action, and more of a structure having as its goal the establishment and security of peace through international understanding, appreciation and cooperation. As Burton suggests, the community of nations would provide "a forum from which there can be a promotion of ideas and theories, the spread of knowledge regarding the basic principles of international peaceful conditions, and the advocacy of suitable national policies."

Incorporating the proposals of the Society of Friends, it should be characterized by the willingness of its member nations to unite in areas of mutual concern—language, population, scientific and technical information. Because peace is more than the absence of war, those conditions conducive to peace (social and economic stability, education, culture, and political rights) would be established on a world-wide basis. Peace as the active inter-relation among states further demands that communication and mutual assistance among nations be an indispensable part of any peace program. The nations of the world would, in the words of Albert Palmer, "wage peace with the same unified heroic determination, knowledge of resources and clarification of objectives, the same clear-headed planning that a good general uses in waging war."

The success of this plan, of course, depends upon the adoption of the fundamental qualifications previously stated: the peace must be based on truth, justice, charity, freedom, respect, and a conviction that the peace is a lasting one. If these requirements are fulfilled, peace will be not only attainable; it will be inevitable.

THE LATE HONORABLE JOSEPH Y.
RESNICK

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. ADDABBO. Mr. Speaker, the news of the sudden and untimely passing of our former colleague, Joseph Y. Resnick, came as a shock to us.

Joe did not return to the 91st Congress and he was missed, but now we have lost a friend as well as a colleague. The image which Joe Resnick achieved in his two terms in the House was merely a reflection of his life. Joe was a fighter, afraid of no man and of no idea. He was dedicated to the people of the 28th Congressional District which he represented and he was deeply concerned with national issues.

His experience as a businessman of great success was a great asset for Joe Resnick as a Member of Congress. He possessed sound judgment and he knew the plight of those less fortunate. He battled on behalf of the small farmer,

the small businessman, and the members of oppressed minorities. He wanted to help the disadvantaged and he devoted his energies to the civil rights movement.

The history of American politics will record the colorful and exciting events which marked Joe Resnick's career and those of us who were privileged to know Joe and to work with him will not forget his warm and outgoing personality.

As a friend Joe was loyal and without fault. This is the greatest loss of all for those of us who knew Joe as our friend.

My sincere condolences to his lovely wife and family.

PULASKI DAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CUNNINGHAM. Mr. Speaker, this week we observe the 190th anniversary of the death of a gallant fighter for freedom, Gen. Casimir Pulaski, the great Polish-American hero of the Revolutionary War period. He died on the field of battle during the siege of Savannah on October 11, 1779.

In appreciation of his services to the cause of American freedom and independence it has become customary to pay a well-deserved tribute to the memory of this gallant soldier who left his native Poland and came to the American Colonies to join in their struggle for a righteous cause. Pulaski participated in the battles of Germantown and Trenton, and also was with the main army at Valley Forge in the winter of 1777-78. He was only 31 years of age when he lost his life at Savannah.

Freedom-loving Americans observe each year the anniversary day of the death of this brave patriot. We have named that day Pulaski Day and observe it in many parts of our country with appropriate ceremonies, as we acknowledge the debt we owe to him as one of the great fighters for the cause of American democracy.

Americans of Polish descent are justifiably proud of General Pulaski's role during our Revolutionary War period. He hated tyranny and fought against it, first in his native Poland which sought to free itself from the domination of Russia, and later with the American Colonies. To him, it was a struggle for mankind's freedom from tyranny and he gave his life for that struggle.

Mr. Speaker, when we honor the memory of General Pulaski, we also honor all Americans of Polish descent who helped in the development of America as a great nation and fought in its wars for its freedom and security. They have contributed of their talents and their energy toward our cultural and religious life, our political institutions, and our economic growth. I salute them and voice my fervent hope that General Pulaski's ancestral home, Poland, will soon be liberated and its people will once again live in freedom.

SGT. CARL JOHNSON

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RUPPE. Mr. Speaker, recently I heard a radio commentary on the dilemma our Nation faces in Vietnam. One assertion made was that the American fighting man lacks the will, or perhaps the dedication, of soldiers in previous conflicts. In my opinion, such an assertion is categorically wrong. I have served during periods of conflict and I have been to Vietnam as a Congressman. In my opinion the fighting man of today is equal in every measure to the fighting men of World War I, World War II, and Korea.

Daily, in Vietnam, young men are risking their lives. They do this, not because they agree with every aspect of our policy, but because they have a strong sense of duty. Often our men not only do what is expected of any good soldier, but engage in selfless acts of genuine heroism.

One such hero is Sgt. Carl Johnson of Wakefield, Mich. Sergeant Johnson, like most American soldiers, did not enjoy the fighting. In the lines of his last letter, which he never finished, Sergeant Johnson wrote:

Something I never wanted to do in my life is kill. Each and every guy over here is lonesome and does a lot of crying. We all are scared thinking how close we are to death and never knowing which one is going to be next. Like me, now, I do a lot of praying as I heard say prayers will help sometimes.

Like most of our boys, Sergeant Johnson was determined to make it home. In his last letter he also wrote:

I know I've got to make it back home, because I haven't got much longer to go and they will be waiting.

But Sergeant Johnson did not make it home. On the night of June 22, 1968, while serving as a radar team leader of a radio tower in a combat area, an enemy rocket passed close to his position. Sergeant Johnson ordered his senior radar operator to take cover and began to estimate the enemy location. As a second rocket passed just below his platform, it became clear that the enemy was attempting to knock out the tower. Sgt. Carl Johnson, a man with a will to live and a short time left in Vietnam, did not break and run for cover. He continued to disregard his own safety in order to relay information to the tactical operations center. As the third rocket exploded in the upper portion of the tower, Sergeant Johnson was mortally wounded.

A close friend of Carl Johnson's wrote:

Sure he could have left the tower or laid down on the floor also. Because he didn't, more men are alive now, and there was less injury because of Carl's actions. The enemy position was knocked out.

Carl was posthumously awarded the Bronze Star Medal with a first Oak Leaf Cluster for heroism. But that is not the point. As his mother wrote in a letter to me:

Medals and scraps of paper are just the mortal objects that will in time wither away into the meaningless form from which they came.

Carl Johnson, in his devotion to duty and the safety of his fellow men, demonstrates the high caliber of America's fighting man. While our policies may go astray and our Nation may be divided, there can be no doubt that the heart of America's strength and security is in its Carl Johnsons, is in its men.

ELECTORAL COLLEGE REFORM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RYAN. Mr. Speaker, House Joint Resolution 681, to provide for the direct election of the President and Vice President through a constitutional amendment was overwhelmingly approved by the House on September 18 by a vote of 339 to 70. I hope that the Senate will soon act, and also approve direct election. Now that President Nixon has expressed his support of the concept, other support for electoral reform should follow.

The New York Times has conducted a survey of sentiment in the 50 State legislatures, of which three-fourths must approve of the proposed constitutional amendment. The results of that survey should dispose of the argument often used against direct election to the effect that it could not be ratified by 38 States. According to the survey, 30 State legislatures already seem likely to approve the direct election plan.

I urge my colleagues to read the following article by Warren Weaver, Jr., which was published in the New York Times on October 8. It is an insightful article which certainly should convince the skeptics that public sentiment favors direct elections.

The article follows:

A SURVEY FINDS 30 LEGISLATURES FAVOR DIRECT VOTE FOR PRESIDENT

(By Warren Weaver, Jr.)

WASHINGTON, October 7.—What had seemed the most serious obstacle to replacing the Electoral College with a popular-vote choice of the President—ratification of the reform plan by 38 state legislatures—may not be so serious after all.

There are already 30 legislatures that appear, according to their leaders, either certain or likely to approve a constitutional amendment embodying the direct election plan if it passes its final Congressional test in the Senate.

In six other states, the picture has not crystallized enough for a reading, one way or the other. Six legislatures are leaning toward opposition to the direct plan and eight appear solidly opposed.

These are the results of a check of political sentiment in the 50 state capitals by The New York Times. The results reflect the current judgment of more than 200 legislative leaders of both parties and most of the Governors.

The survey was conducted to test the validity of the argument that the direct election amendment should not be approved by Con-

gress because there is so much opposition at the state level that it could never be ratified. President Nixon took this position last February but reversed himself last week.

If the legislative leaders' predictions are correct and if backers of direct election are able to win over the legislatures where opinion has not now gelled, then the backers would have to turn around only two more states to obtain the necessary three-quarters or 38 of the 50.

Congressional sponsors of the direct plan, anticipating Senate approval, have already begun planning a state-by-state campaign for ratification, with the assistance of such organizations as the American Bar Association, the United States Chamber of Commerce and the American Federation of Labor and Congress of Industrial Organizations.

Opposition to the direct election system appears strongest in the South, the Middle West and the Mountain States. In both the first two areas, however, about half the states either favor the direct plan or are neutral.

Under the present system, a Presidential candidate who carries a state gets all its electoral votes, however narrow his victory. The candidate with a majority of the electoral vote wins; if no one has a majority, the decision is made by members of the House of Representatives on a one-state, one-vote basis.

Under the direct plan as approved by the House, the candidate with the largest popular vote wins, no matter which states he carries or loses, as long as he gets at least 40 percent of the vote. If he falls short of 40 percent, he goes into a runoff with his closest competitor.

Of the 50 Governors, 19 favor the direct plan and 8 oppose it, with the remaining 23 either undecided or not prepared to take a public position. The Governors have no official role in the ratification process, but their political influence may be important in some states.

THE MOUNTAIN STATES

In the sparsely populated Mountain States, only Wyoming was listed as somewhat favorable. Idaho, Montana and Nevada were regarded as somewhat opposed and Colorado and Utah as strongly opposed.

Critics of direct election say it would reduce the political influence of the smaller states, whose electoral-vote count, though small, is larger than they would be entitled to on a strict population basis. The counter-argument is that their influence is already so small a cut is not really important.

In the south, the Alabama and South Carolina legislatures were reported to be opposed and those in Mississippi and Virginia somewhat opposed. In the Middle West, the strongly opposed states were Kansas, Nebraska, North Dakota and South Dakota.

The survey cast considerable doubt on the likelihood of the direct election amendment's winning ratification in time to become applicable to the 1972 election. The House-passed amendment sets an effective deadline of Jan. 21, 1971, for the final state ratification to make the plan effective in 1972.

Senate sponsors of the direct plan would like to extend this deadline somewhat, to May or June of 1971, to allow more time to line up states. In the light of President Nixon's recent endorsement of the cause, Republican insistence on the early deadline may be relaxed.

Nineteen of the legislatures do not have regular sessions scheduled until January of 1971 or later, although in some cases there may be special sessions during 1970. Trying to obtain ratification in a number of states in the first two weeks of a new session would undoubtedly be difficult.

New York, New Jersey and Connecticut are among the nine states whose legislatures are reported as strongly favorable to the direct plan. Governors Rockefeller of New York and

John N. Dempsey of Connecticut are known to favor the direct plan, and both gubernatorial candidates in New Jersey have endorsed it.

The traditionalist argument against direct election was typified by a remark by State Representative Clifford B. Hearn Jr., a Delaware Democrat, who said:

"If the Electoral College system was good enough for John M. Dickinson and George Read, it's good enough for me." He referred to two Delaware signers of the Constitution.

In at least two states, Illinois and Pennsylvania, there was evidence that some Negro legislators would oppose the direct plan. State Representative K. Leroy Irvis, majority leader of the Pennsylvania House, said his opposition was based on "a very purely selfish reason."

"The Negro people are collected in the North and East in urban areas," Mr. Irvis said. "The only way they can have any political clout is through their vote in presidential elections. If by being the balance of power they can swing an election, they have a leverage which popular election removes."

Likewise, the 18 Negroes in the Illinois legislature are likely to vote against the direct election amendment on the ground that it would dilute black political influence in the state.

An illustration of how a small state would lose political power under the direct plan came from the speaker of the unicameral Nebraska Legislature, Jerome Warner, who estimated that his state's national influence would decline from 0.9 per cent now to 0.7 per cent with direct election in force.

Opposition to the direct plan in the Alabama Legislature reflects a well-founded suspicion that some of its features were designed to frustrate any further Presidential ambitions that George C. Wallace may entertain.

Had the version of the plan approved by the House required a majority of the popular vote for a winner, the entry of a third-party candidate like Mr. Wallace could almost insure a runoff in any close election. For this reason, the winning plurality was lowered to 40 per cent.

Reaction to direct election in the South is by no means uniformly hostile, however, four states—Arkansas, Florida, North Carolina and Tennessee—were reported somewhat favorable to the reform, and two that were listed as undecided—Georgia and Louisiana—include some active supporters of the plan.

Ratification will become an issue only if the Senate approves the amendment. It is presently stalled in the Judiciary Committee, awaiting final action on the nomination of Clement F. Haynsworth Jr. to the United States Supreme Court.

Although the Senate vote on the amendment may be close, Senator Birch Bayh, Democrat of Indiana, and other backers of direct election believe the plan will get the necessary two-thirds majority, particularly in the light of President Nixon's personal recommendation that the Senate go along with direct election.

PORNOGRAPHY IN THE MAIL

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, last week the Postmaster General announced that he had used his administrative authority to deny the use of rental boxes to eight dealers who have

been either arrested or indicted on charges of violating Federal or State pornography statutes. I hail this responsible action on the part of Postmaster General Winton Blount, for the problem of pornographic mailers has been mounting in recent months.

My office has been flooded with letters from constituents who are appalled and harassed by the rising flow of obscene literature through the mails which intrudes into the household and often is sent directly to minor children. In addition to my own bills to curb this smut, legislative proposals have been submitted by over 200 Members of Congress in hopes of discouraging trash mail by penalizing the mailer. In the interim, while the House Committee on Post Office and Civil Service is studying possible corrective measures through hearings begun in August, I commend Postmaster General Blount for his affirmative action to deny recognized dealers in obscene mail the convenience of post office box service. It is to be hoped that continued vigilance on the part of postal officials will serve to discourage smut mailings until remedial legislation is enacted.

THE PADRE'S LOG

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. DEL CLAWSON. Mr. Speaker, the U.S. Naval Air Facility at Cam Ranh Bay issues a publication entitled the "Sandpiper Familygram." The issue for September 1969 was of particular interest because of the discussion of Vietnam in a column "The Padre's Log." It is written by Lt. Samir Jamil Habiby, now a Navy chaplain and formerly the pastor of a church in my congressional district. I commend the positive approach to the subject and the note of optimism Lieutenant Habiby sounds.

The column follows:

THE PADRE'S LOG

DEAR FRIENDS: A great deal has been said about "Vietnam." All too often the type of headlines that capture our attention do not give the full story, and we become confused and misinformed. Sometimes this confusion is actually our own doing. We just don't seem to find enough time to look into issues at great length.

A good friend recently wrote to me to say how much the Familygram meant to her—"It gives a fresh and constructive news of some of the local important developments in Vietnam and human interest stories, which we rarely hear about here at home." This unsolicited comment related to the stories of the Familygram dealing with Vietnam and the phenomenal development of the Vietnamese Naval Training Center at Cam Ranh Bay with which NAF has been intimately involved.

The Familygram is, of course, limited in its scope since it is designed to inform the families and friends of the Naval Air Facility of our experience here at Cam Ranh Bay, a small portion of the overall developments in Vietnam.

Our religious heritage has always stressed the great virtue of honesty. As a Chaplain,

who had grown up in the developing countries of the Middle East, I cannot help but express my great admiration for the tremendous steps forward by the people and Government of the Republic of Vietnam, in spite of the very heavy casualties suffered by them at the hands of the enemy.

A similar proportion of casualties, particularly in terms of village leaders and professional men and women, in well-developed nation, would be so crippling that it would take several generations to overcome. Yet here in the short space of a few years the South Vietnamese, with American and Allied help have not only been able to stem the tide of aggression and subversion, but have been able to build firm foundations for an emerging free way of life. Albeit, there is a great deal to be done, and conditions are far from perfect, nevertheless, great progress has been made. This has allowed for the rapid "Vietnamization" of the war in the past few months.

All of this is to say that the long darkness of the tunnel is being replaced by the bright light ahead. The time spent here by those of us stationed in Vietnam has not been in vain nor wasted. Measured in terms of the future, it is my earnest belief the great sacrifices will ultimately bring forth an abundant harvest of peace and stability in Southeast Asia.

I know that these months of separation from loved ones and the anxiety and loneliness this entails causes us to wonder whether it is worth it. The happy smile on a Vietnamese child's face in a refugee resettlement, the visible excitement of Vietnamese boys and girls walking to school, the eager, intelligent and keen mind of a Vietnamese sailor or cadet, and the developing sense of national pride can perhaps bring comfort and strength to all of us during this time of separation. This has been for me a great source of personal comfort and strength.

THESE IMPROVEMENTS ARE LONG OVERDUE

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. KLEPPE. Mr. Speaker, yesterday I joined with 38 of my colleagues in introducing legislation providing for a 10-percent across-the-board increase in social security benefits.

The bill (H.R. 14329) is identical with that recommended by the President except that the increased benefits would become effective January 1, 1970, rather than April 1. There are also minor technical changes.

The bill provides future automatic cost-of-living increases. This means social security recipients will not have to wait for Congress to act every time living costs go up. Benefits will increase automatically.

The retirement test would be modified to permit the annual exempt amount of earnings to rise from \$1,680 to \$1,800. The taxable earnings base would be increased from \$7,800 to \$9,000 in 1972. Changes in contribution schedules would remove the present deficit in the health insurance fund and at the same time reduce total OASDI taxes below the level scheduled under present legislation between the years 1971 and 1976. Increased benefits for widows and widowers are

provided. Also recommended is an option for retirement for men at 62, rather than 65. Under present law, women are permitted to take the earlier retirement.

These improvements are long overdue.

THE CHANGING FACE OF THE PEACE CORPS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, to many Americans, the Peace Corps has always been a group of youthful idealists capable of performing minor miracles in the underdeveloped countries of the world. This mud hut and miracle myth has been largely responsible for the unquestioned popularity of the Peace Corps over the past 8 years. It has also been the source of volunteer frustration and disillusionment as the distance between Madison Avenue and Monrovia became apparent.

Fortunately, the Peace Corps has not been a hapless victim of self-deception. To have operated under the myth rather than the reality would have foreclosed the possibility of responsive change. It is just as important that all Americans confront the realities of the Peace Corps and learn that this is a dynamic rather than a static organization; that it is comprised of fallible humans rather than infallible superhumans; that it has made mistakes, suffered growing pains and profited from the experience.

All this is brought home in an article by Ross Baker entitled "The Peace Corps Matures," which appeared in the October 5, Washington Post. Mr. Baker has done a great service to Americans by departing from the traditional Sunday-supplement treatment of the Peace Corps and instead, "telling it like it is." He traces the history of the Peace Corps with a finger of fact rather than a wand of fancy. He tells of the agency's failings and of its changing response to the changing conditions of the third world and our own changing perceptions of third world needs. One of his most telling statements is that the new approach of the Peace Corps "represents an effort to meet the 'felt needs' of the host country rather than the altruistic fancies of Americans who see in the Peace Corps a sort of neomissionary endeavor."

He discusses the new directions being plotted by Peace Corps Director Joseph Blatchford in response to these felt needs. The third world is asking for more development experts and fewer generalists. The challenge to the Peace Corps is in providing this expertise without completely sacrificing the youthful idealism and people-to-people aspects that have made it a unique arm of American foreign assistance. Can the Peace Corps achieve maturity without developing hardened arteries or arthritis? Or, as Mr. Baker puts it:

The Peace Corps had undergone a process of institutional maturation and runs the

risk of any agency reaching maturity. The risk is that innovation becomes less attractive and routine replaces inspiration. The Peace Corps has been held back from bureaucratic old age by the youth of its staff. If it becomes less attractive to young staff personnel, its fate is sealed, for then it will be just another government agency with overseas operations.

Mr. Speaker, I for one am confident that Mr. Blachford, who is both young and competent, will avoid the pitfalls which Mr. Baker warns against. I think the Peace Corps can become an effective and mature organization and still retain its unique and youthful character.

At this point in the RECORD I include the article by Ross Baker and commend it to the attention of my colleagues. The article follows:

THE PEACE CORPS MATURES

(By Ross K. Baker, assistant professor of political science at Rutgers. Baker is an authority on Africa. In the preparation of this article, he had the help of his wife, a former Peace Corps volunteer)

Shortly after its establishment in 1961, the Peace Corps became the beneficiary of a Madison Avenue windfall when the Advertising Council agreed to give it free advertising. Early Peace Corps recruiting appeals were for young idealists to undergo two years of privation by living in primitive housing, subsisting on a daily bowl of rice and deriving their psychic income "by grooving with the people" of the developing world.

Most Peace Corps volunteers would readily admit that their two years overseas were no weekend at the Waldorf, but few ever lived in mud huts and fewer still have lived solely on rice. One of the first things that many volunteers learn is that a hair shirt is not necessarily part of the Peace Corps wardrobe.

Peace Corps teachers and community development, public administration and cooperative workers in places like Ghana, Liberia and the Ivory Coast often find themselves living in fairly substantial accommodations, some of which were formerly occupied by colonial or expatriate personnel whose living standards were supposed to be avoided like the plague under early Peace Corps dogma. There are, to be sure, countries where volunteers do undergo considerable privation, but this is by no means widespread.

If modest comfort in the form of running water, screened windows and indoor toilets has been the lot of so many volunteers, how does this comport with the self-abnegation and rigor popularly associated with the Peace Corps? The answer, no doubt, lies in the necessity for organizations to have sustaining myths. The Peace Corps' myth is the young college graduate armed only with a bachelor's degree and a heart full of compassion and dedication, teaching young Dayaks, Quechua Indians or Ethiopian farmers the gems of "American know-how," cooperation and diligence.

TEACHERS ON PEDESTAL

Almost anyone at Peace Corps headquarters (known to overseas personnel as "Peace Corps/Washington") would admit that the myth has long outlived the reality, although much of the relative opulence of Peace Corps life is no fault of the organization, if any fault there is.

The Ivory Coast provides a striking example of the host country's determination to accord the volunteers a status relevant to its own needs rather than to the lingering delusions of volunteer suffering. The Ivorian government has placed education in the forefront of its national goals and the position of teacher is an elevated one. Unable to meet its own educational needs, the Ivory Coast relies heavily on foreign teachers, principally

from France, who receive fat expatriation allowances and hardship differentials which allow them to live princely lives.

Peace Corps teachers, however, until very recently were required to live as closely as possible to the standard of the humblest Ivorian. While their French counterparts drove to their classes in automobiles, the volunteers trudged, hitchhiked or bicycled. The volunteers consequently were widely regarded as second-class teachers and their effectiveness as models of achievement was impaired. How successful could these teachers be, the Ivorians reasoned, if they could not afford even a motorbike? The motorbikes were not long in coming.

Peace Corps/Washington is not always that sensitive to the clash of myth and reality, however. A rural construction program in the Ivory Coast came to grief when volunteers were sent to villages of concrete houses to teach the villagers how to build concrete houses. In villages which still needed hard housing, other volunteers sat for weeks awaiting the shipment of supplies.

HOSTESS INSTRUCTION

In many ways, the Ivory Coast is a microcosm of the confrontation that is forcing the Peace Corps to tailor its programs more to the needs of the host country than to the images of its own public relations. Harold Fleming, the Peace Corps director in that West African state, says that volunteers expecting squalor and primitive conditions found instead a capital city with superhighways, supermarkets and luxury hotels which serve hamburgers.

Rather than teaching young children basic French in mud hut villages, they found themselves teaching the wives of government workers how to set a Western-style table and how to prepare the European foods that will impress their husbands' bosses. Ivory Coast volunteers tend to feel defensive when corpsmen from less-developed countries question the purity of their endeavor.

This type of situation might be anathema to early Peace Corps purists but it represents an effort to meet the "felt needs" of the host country rather than the altruistic fancies of Americans who see in the Peace Corps a sort of neomissionary endeavor. The changes have occurred in a rather undramatic fashion over the last eight years; the appointment of a new director, Joseph Blatchford, by President Nixon may signal a more radical change in direction for the corps.

To understand these gradual changes and assess the impact of the new director, one must remember that the Peace Corps bears a Kennedy administration birthmark; it was a Kennedy organization just as surely as the OCC was a Roosevelt organization. In the early days, the premium was on involvement and dedication. The technical skill of a volunteer was less important than his ability to establish rapport with people in the developing world.

It was strongly felt that a liberal arts graduate with enthusiasm could be taught any necessary skills. The principal Peace Corps effort was in teaching (as it continues to be with lesser intensity), and teaching could be imparted without unduly long training.

The Peace Corps has been chronically short of volunteers with agricultural and construction skills. Its recruiting personnel tended to aim at campuses where the much-beloved "generalist" with his potential bachelor's degree dwelt. The archetypal Ivy League recruiter had little credibility in the shops and factories of America.

A CLEVER SOLUTION

By 1964, The Peace Corps was up against the serious problem of how to meet the technical needs of the developing world with a recruitment base of liberal arts graduates, the only group to which the Peace Corps seemed to appeal. The solution

to the A.B. generalist's lack of expertise was an idea of such transcendental cleverness and public relations appeal that it revived the Peace Corps' flagging morale. It was also a manifestation of the cultural arrogance which had chronically affected the organization. Community development was the panacea.

Students of development had noted that one characteristic of an underdeveloped society was that its people had not mastered the ability to work together toward a common goal; that the area of personal concern usually did not extend beyond the bounds of one's own family. Peace Corps planners reasoned that a young American with his tradition of community endeavor, placed in such a static and atomized situation, could encourage the people to work together for the common good.

The focus of the community development effort was in Latin America, where it was sold as a natural corollary of the Alliance for Progress, which was itself an appeal for self-reform. The result was a qualified catastrophe.

Volunteers in the program tended more to be objects of curiosity than inspiration; their status in most villages was ambiguous in the extreme. They had no attachment to any official agency; they had no funds or equipment and possessed no visible technical skills. If they were able to overcome popular suspicion and the hostility of local politicians, they often had problems in divining precisely what the needs of the people were and how they could be met.

The object, after all, was not to dig the well but to convince the local people that the well was necessary and then to get them to dig it. In most cases, it was simply too much for a volunteer to cope with the suspicion and apathy of centuries. The failure of many of the projects embittered the volunteers involved.

QUICKLY TAUGHT SKILLS

The Peace Corps leadership under Jack Vaughn, Sargent Shriver's successor, continued to grapple with the problem of whether to tailor programs to fit liberal arts graduates or to tailor the graduates to meet the skill requirements of the developing nations. The idea was advanced by Brent Ashabranner, Vaughn's deputy, that generalists could quickly be taught certain skills which would enable the corps to continue its reliance on college graduates while providing a higher level of technical expertise and response to the needs of the host countries.

Poultry-raising was such a program. The attempt was moderately successful, as were programs placing volunteers with business administration backgrounds in government ministries and others with less definable skills in rural cooperatives.

Most Peace Corps country directors would probably admit that a good volunteer can succeed even in a weak program. Programs such as the rural cooperative venture in Ghana, which "turned off" some volunteers, have been molded by others into moderate success. Ghana is an interesting case in this regard.

Under ousted Kwame Nkrumah, there had been a major effort to organize farm cooperatives. The cooperatives, however, became ridden with graft and corruption, the organizers absconding with the farmers' money. The cooperative concept was thus in great disfavor among Ghanaian farmers.

Despite this, volunteer Ross Cox of Los Angeles, who lives in the town of Swedru, has managed to overcome the suspicions of local cocoa farmers and has established a cooperative for the purchase and culture of cocoa seedlings. He has also been the motive force behind the construction of two schools under the Peace Corps' School Partnerships Program, which matches local funds with money raised in American high schools.

Eugene Martin, the Peace Corps director

in Ghana, admits that Cox is an exceptional volunteer and suggests that the corps has not done enough to attract the blue-collar worker, the mid-career expert and the technician. This belief is shared by Blatchford, who said upon assuming his new post as Peace Corps director that the day of the generalist may be over except in teaching.

PROBLEMS OF MATURITY

The statement was greeted with a shudder by most old Peace Corps hands. If the corps puts a premium on maturity and expertise, they reason, how can it be differentiated from the Agency for International Development, which is in the business of supplying technical assistance? What, moreover, will happen to the corps' basic concept of volunteer service?

It is widely felt by Peace Corps veterans that older volunteers with skills needed by the developing nations will be unsuitable for a number of reasons. First, people of mature age and established position will simply not be able to leave their jobs for two years. Second, their decreased ability to make the severe cultural adjustments will render them ineffective regardless of their skills. The cost of supporting older volunteers with greater personal needs will be excessive, and even if the Peace Corps is willing to spend the money for more comfortable homes and cars, this will increase the gap between them and the people they must serve.

On the other hand, advocates of the generalist approach may be taking their "audience" for granted. The Peace Corps has never recruited under ordinary circumstances. For the first three years, it benefited from New Frontier glamour. After the death of President Kennedy, recruitment was sustained by the intensification of the Vietnam war with its attendant draft calls. The Peace Corps does not offer ironclad protection, but draft boards are usually loath to call a volunteer who has been chosen for a program. There is a strong probability that Peace Corps recruitment will be a casualty of peace in Vietnam.

Defenders of the expertise approach are also awaiting the results of a new program in Guinea, where a diverse group of older technicians, Job Corps graduates and amateur mechanics is attempting to restore public transportation in the capital, Conakry. The effort is being led by Henry Norman, who faces the difficult task of using volunteers with limited language skills in a politically sensitive environment.

Guinea expelled the Peace Corps in 1966. Norman did a selling job on both the government of Guinea and on the Peace Corps itself. Then he canvassed garages and union halls for enough recruits to put the program in the field.

LEFT IN MIDDLE

Other changes are making the Peace Corps a far different organization from what it was in 1961. Volunteers of today are more or less the same kind of people they were in the early days, but their position in the spectrum of American youth has changed considerably.

No longer are volunteers the vanguard of their generation. They are no longer the most activist or the most committed. Their entire generation has shifted leftward and has left the potential Peace Corps applicant somewhere in the vague liberal middle.

Few SDS members join the Peace Corps. Black volunteers are becoming more difficult to find. More volunteers proportionally are coming from small denominational colleges and fewer from the seats of campus radicalism. Activists who do go overseas for the Peace Corps often find themselves thwarted.

They are technically employees of the host governments, many of which are conservative. Volunteers who protest against the practices of the autocratic or oligarchic governments to which they are accredited tend to

find themselves out of a job. Feedback from campus revolts in the United States combined with program weakness overseas have given rise to dissident volunteer groups such as the Volunteer Action Committee in Liberia, which sought to increase volunteer participation in running that country's programs.

Unorthodox behavior or bizarre or even casual dress are frowned upon by many local authorities. At a conference at Bassa, Liberia, in June, the Liberian Secretary of Education attacked volunteer teachers for their shabby attire, charging that the students found their appearance at variance with the exalted status of teachers.

The Peace Corps has undergone a process of institutional maturation and runs the risk of any agency reaching maturity. The risk is that innovation becomes less attractive and routine replaces inspiration. The Peace Corps has been held back from bureaucratic old age by the youth of its staff. If it becomes less attractive to young staff personnel, its fate is sealed, for then it will be just another government agency with overseas operations.

THE ART OF CRUELTY

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BURKE of Florida. Mr. Speaker, man's inhumane treatment of man has been well documented, as has man's inhumane treatment, at times, to animals.

Today, I am joining with several of my colleagues in the House in cosponsoring a bill which was originally introduced in the Senate by Senator JOSEPH TYDINGS. The bill originally sponsored in the House is H.R. 12438.

I strongly concur in the purpose of this legislation aimed at eliminating the cruel practice of "soring" which is practiced widely on show horses and more particularly on the Tennessee walking horse. It defines the procedure of soring and makes it unlawful for anyone to ship or otherwise move such horses in commerce, for the purpose of showing or exhibition.

The so-called art of soring is one of the most flagrant inhumane acts of cruelty involving the mistreatment of animals.

It is an art, indeed—an art in the practice of cruelty.

The purpose of soring is to achieve a more pronounced, very sprightly gait or kick—known as "the big lick"—whereby the horse kicks out his front foot as he steps.

The most widely used method of soring a walking horse is the placement of oil of mustard, which is a blistering chemical agent, on the feet of the horse. Added to this, a chain is placed around its ankle for additional weight.

The chain scrapes against the area where the chemical has been applied when the horse attempts to throw the chain off and unless the horse is treated very carefully after being worked out, a more painful sore results, in addition to possible serious and permanent scarring.

It is understandable that trainers would like to achieve the big lick in the shortest possible time but this does not

give them license to practice soring, which is totally inhumane, merely to serve the interests, financial or otherwise, of those involved in the training and exhibition of horses.

The bill charges the Agriculture Department with the responsibility of inspecting the records of such commerce and sets penalties for the exhibition of horses which have been sored.

The truth of the matter is that soring is actually illegal in most States but I feel that the enactment of this legislation will provide the necessary impetus to bring about the elimination of soring practices.

The big lick can in fact, be achieved without undergoing the process of soring, although it may require a much more lengthy period of time which includes patient and diligent training, but the time element involved should be of no consequence when we consider the other question involved—namely, the manner in which the Tennessee walking horses are treated.

We are now forced to address our efforts to the moral, as well as the legal aspect of outlawing this inhumane practice.

REPORT ON A BILINGUAL PILOT PROJECT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, in 1967 the Congress passed the much needed Bilingual Education Act. That act, an amendment to the Secondary Education Act of 1965, was a searching attempt to resolve the difficult problems faced by students with language and cultural backgrounds different from and conflicting with those of their fellow students.

Recently, Dr. Francesco Cordasco, professor of education at Montclair State College in Paterson, N.J., provided me with a report of a pilot project undertaken to provide educational assistance to students speaking a foreign language and who had cultural conflicts. He also enclosed a review of the project which appeared in the Paterson News.

Since the report and the review will be of great interest to the many Members whose districts are concerned with problems of bilingual education, I am including the material for their consideration. The report and review follow.

MONTCLAIR STATE COLLEGE,

Upper Montclair, N.J., September 9, 1969.

The following abstract of "A Bilingual Experimental Project in Paterson"¹ has a two-fold crucial importance: it clearly establishes that the Project was undertaken in full observation of, and congruence with Congressional intents wisely expressed in the Bill-

¹ The Model Cities Division of the State Department of Community Affairs sponsored the bilingual experimental project in the City of Paterson in conjunction with the Educational Committee of INCCA (Inner-City Committee for Action) for a six-week period, from July 7 to August 15.

gual Education Act of 1967;² and it illustrates the success which derives from the application of the main tenets of the Bilingual Act.

The results of the *Pilot Project* graphically show that "The child with language and cultural conflicts will not progress noticeably in the existing structure of our school system unless his language and background are sufficiently employed by sensitive bilingual teachers. In fact, he will regress, reverse and retard himself in a classroom which is non-sensitive to his needs." If the criteria which governed the *Pilot Project* are widely applied, they will furnish a prototype for both educational reform and progress which promise great benefits to the thousands of Spanish-speaking children, and particularly Puerto Rican children, in American mainland schools.

Sincerely yours,

FRANCESCO CORDASCO,
Professor of Education.

SIX WEEK PILOT PROJECT SHOWS MARKED IMPROVEMENT OF SPANISH SPEAKING CHILDREN UNDER BI-LINGUAL SENSITIVE APPROACH

Under favorable bi-lingual learning conditions tests and methods used during this six week project proved that the children's capacity improved 20% in English and 30% in Spanish in just six weeks, a larger growth than similar tests showed in an all-year school situation.

Very high absenteeism, tardiness and educational retardation is in direct proportion to the emotionally charged social tensions of the ghetto. Where educational systems are not yet able to meet the serious language needs of the foreign-speaking child, the emotional conflicts are aggravated and prevent learning.

A teacher not sensitive or prepared for the child with a language conflict was shown by tests to help continue the educational retardation of the child.

Present educational trends of Spanish-speaking children in urban areas will produce a generation of severely educationally retarded students.

Eighty-four percent of the 12 year olds tested were not able to function in English at a 3rd grade level.

Ninety-four percent of the 11 year olds tested were not able to function in English above a 3rd grade level.

Eighty-two percent of the 10 year olds were functioning below a 3rd grade level.

Sixty-four percent of the 9 year olds were functioning below a 2nd grade level.

Under a favorable, sustained bi-lingual teaching approach, the educationally retarded child would take at least three years to achieve his age level potential.

RESULTS OF A BI-LINGUAL EXPERIMENTAL PROJECT IN PATERSON RELEASED

A. Background

Paterson Model Cities Agency with the cooperation of the State Department of Community Affairs, sponsored a bi-lingual experimental project in the City of Paterson in conjunction with the Educational Committee of INCCA (Inner-City Committee for Action) for a six-week period, from July 7 to August 15.

The Committee, aware of the great number of foreign-speaking families, especially those who are Spanish, in our urban areas, applied for funds to investigate and test

methods of dealing with the child suffering from language and cultural conflicts.

Two-hundred forty children were selected in cooperation with the Paterson Board of Education on the basis of language retardation, lack of experience needed for academic learning, aggressive behavior tendency to be slow in learning, lack of self-concept, feeling of rejection by society, and lack of interest in academic achievement.

A selected staff of 25 bi-lingual teachers utilized Public School No. 11 and employed both Spanish and English achievement, I.Q., as well as psychological tests under the guidance of selected consultants for the *Pilot Project*. The Education Committee of INCCA herein releases conclusions drawn from this most important project for the benefit of educators, counselors, and parents.

B. Attendance

Whereas in INCCA's 10 recreational type programs throughout the city of Paterson with 2,000 children the participation of the Spanish-speaking child went from 30% to 5%, the child in this special project, which was mostly educational, maintained a remarkable 91% daily attendance for the six-week period. Most of the participants had a history of tardiness, absenteeism, and general lack of interest in academic achievement in the City of Paterson. This Special Spanish Component maintained the highest daily average attendance compared to other components including the City's Title I Programs.

C. Testing

Academic and psychological tests were administered prior to and after the program. The following conclusions are stated:

1. Goodenough-Harris "Draw A Man" Test was used as a pre- and post-test drawing cautious psychological conclusions. From the figures in the pre-test, there is evidence of strong scenes of violence, badly fragmented life figures, and evidence of unusual sexual preoccupation. Many embellishments which are not called for in the administration of the test were added to the figures. This is an indication of the child projecting inner conflicts, fears, and tensions, which make learning highly improbable. The entire pre-test is suggestive of social, economic and educational deprivation.

Many psychological areas are suggested, but these would have to be investigated in context with other testing procedures. In the post-test application of this test the figures show a trend toward less bizarre presentations, less embellishment of objects not called for, diminished sexual preoccupations and scenes of violence. The life figures are less fragmented. Not all poor results have been eliminated, but the whole picture tends towards a more normal presentation. Considering the fact that about five weeks elapsed between the two tests, the upward shift and results are very encouraging. Possibly contextual and factual testing results will show a similar shift.

The child in a favorable learning environment will so diminish his emotional and psychological conflicts that learning will definitely be more possible.

2. The Inter-American Test of General Ability was also used in this project. Form AS was administered in Spanish at the beginning of the six-week period, and Form BS was administered in Spanish at the end.

The results of these tests showed an approximate 30% increase in the total scores, which is considered a notable improvement in such a short period.

Forms CE and DE respectively were administered in English at the beginning and end of the six-week period. The results of this test showed a 25% upward shift in the scores over the first testing results.

The only class where there was no significant growth was the result of a serious teacher weakness due to lack of control, lack of interest in presentation of materials and

sensitivity to the child. This factor became evident in all tests taken by these same children which indicated that a teacher who is not prepared or sensitive will help continue the educational retardation of students with language conflicts.

D. Observations

Nutritional deficiencies evident in the children at the beginning of the program had to be supplemented by a proper diet to improve the attention and response level of the children.

Parent participation is essential to the total learning process of the child and this can only be successfully achieved where the parent feels that the child's school is also his school.

Proper selection and judicious use of many texts and techniques are imperative on the part of the system and the teacher because of the varied ages and abilities of children with language conflicts.

E. Conclusions

The child with language and cultural conflicts will not progress noticeably in the existing structure of our school system unless his language and background are sufficiently employed by sensitive bi-lingual teachers. In fact, he will regress, reverse and retard himself in a classroom which is non-sensitive to his needs. He will likewise retard the progress of other students in the class who normally would function satisfactorily.

Diagnostic tests in the child's native language must be part of the system to measure more adequately the native ability of the child and his concept in his own language before testing or grading in English. Testing in English alone tends to categorize the child and prejudice the teacher against the student. The child must first be aware and proud of his own language and culture with a strong pride in himself before "integration" is possible with other conflicting cultures and traditions.

Of the many possibilities of teaching the child with language-cultural conflicts, the bi-lingual school technique for a period of a minimum of three years is judged the most beneficial. Where this is not possible a sufficient portion of the school space and curriculum should be allocated to the child in an ungraded class situation. In both situations his progress is not to be measured by standard classroom techniques, and the teachers should not be under pressure to make this child conform to a grade structure which is impossible and beyond his ability.

The Goodenough-Harris "Draw A Man" Test was used as a measure of intellectual maturity and as a pre- and post-test device. The pre-test scoring was very lenient in order to give the Spanish-speaking child the advantage of dubious scores.

All dubious scores were moved to the next highest category. In the post-test use the scoring was very rigid. All dubious scores were assigned the next lowest score. *In the CP comparison of the pre- and post-test results there is a significant shift in scores upward of approximately 20% improvement overall.*

A complete report will be made available upon request by writing to: INCCA Education Committee, care of 100 Fair Street, Paterson, New Jersey 07501.

[From the Paterson News, Sept. 8, 1969]
PILOT PROJECT BENEFITS SPANISH-SPEAKING CHILDREN

(By Pat Patterson)

Juan can read and make progress in school when the right kind of teaching techniques are used by the right kind of teachers.

This was demonstrated here this summer during a six week pilot project for Spanish-speaking children, conducted by the education commission of the Inner-City Committee for Action (INCCA).

²The Bilingual Education Act (1967) is an amendment to the Elementary & Secondary Education Act (1965). See F. Cordasco, "The Challenge of the Non-English Speaking Child in American Schools," *School & Society* (March 30, 1968), pp. 198-201; and F. Cordasco & E. Bucchioni, *Puerto Rican Children in Mainland Schools: A Source Book for Teachers* (New York: Scarecrow Press, 1968).

The bilingual program was sponsored by the Paterson Model Cities Agency with the cooperation of the New Jersey Department of Community Affairs. Results achieved were so exciting, there is a good chance this city could become the site for a full scale bilingual school that would serve as a model for all other cities facing the same problems in meeting the educational needs of large numbers of foreign speaking children with language and cultural conflicts. The state Department of Community Affairs has shown interest in staffing a bilingual school in this area if a building were to be made available.

Francesco Cordasco, professor of education at Montclair State College, was enthusiastic over the project and its accomplishment.

"If the criteria which governed (this) pilot project are widely applied," he said, "they will furnish a prototype for both educational reform and progress which promise great benefits to the thousands of Spanish-speaking children, particularly Puerto Rican children in American mainland schools."

The summer project developed as an outgrowth of the INCCA day camp as an educational experiment. Aware of the great number of Spanish-speaking children having difficulty in school, INCCA's education committee applied for and was given a grant through the Model Cities Agency to investigate and test methods for dealing with these children.

A specially selected staff of 25 bilingual teachers was recruited, headed by Miss Sheila Walters. Classes were set up in Public School 11 for 240 children selected in cooperation with the Paterson Board of Education. They were chosen on the basis of language retardation, lack of experience needed for academic learning, aggressive concept, tendency to be slow in learning, lack of self concept, evidence of feeling rejected by society and a lack of interest in academic achievement.

Academic and psychological tests were administered at the outset of the program and again at the end. Both Spanish and English achievement, IQ and psychological testing were done under the guidance of John Sepp, psychometrician, and Mrs. Janet Suci, consultant from Montclair State Teachers College.

The program ran from July 7 through Aug. 15, concurrent with INCCA's 10 recreational type programs throughout the city. In the recreation program, participation by Spanish speaking children showed a steady decline, from 30 per cent down to 5 per cent. But the children taking part in the largely educational pilot program, conducted inside a school building, maintained an unbelievable daily attendance record of 91 per cent throughout the entire period. These same children had histories of tardiness, absenteeism and general lack of interest in the regular school program. This Spanish component also maintained the highest daily average attendance in comparison to other components including the city's Title I programs conducted by the Board of Education.

In one of the psychological tests, the children were asked to draw a man.

At the outset, many of the drawings showed indications of violence, figures were badly fragmented, indicating the children's tensions, inner conflicts and fears and reflecting their social, economic and educational deprivation.

At the end of the program, the figures drawn by the children showed less fragmentation, fewer scenes of violence and more normal presentation, all within a space of little more than five weeks.

In general ability, in a test administered in Spanish, the children showed a 30 per cent increase in their total scores by the end of the program.

At the beginning of the program the children also were tested in English and again at the end, and showed a 25 per cent upward shift in their scores over the earlier testing results.

In scoring the initial tests, leniency was applied to move dubious scores to the next highest category. At the conclusion the process was reversed, with rigid scoring and all dubious scores assigned to the next lowest. A comparison of results showed a significant upward shift in all scores upward of approximately 20 per cent overall improvement.

Analyzing the achievements of the project, the INCCA committee reached the following conclusions:

That the child with language and cultural conflicts will not progress noticeably in the existing school structure unless his language and background are sufficiently employed by sensitive bi-lingual teachers. On the contrary he will regress, reverse and retard himself in a classroom non-sensitive to his needs, and will likewise retard the progress of other students in the same classrooms.

That diagnostic tests in the child's native language must be a part of the system to measure more adequately his native ability. He must first be made aware and proud of his own language and culture with a strong pride in himself before integration is possible with other conflicting cultures and traditions.

The committee also concluded that the educationally retarded child would require at least three years under a favorable, sustained bi-lingual teaching approach to achieve his age level potential, and that under present educational trends, Spanish-speaking children in urban areas will produce a generation of severely educationally retarded students.

Of the children in the project, 84 per cent of the 12 year olds and 94 per cent of the 11 year olds were unable to function at or above a third grade level; 82 per cent of the 10 year olds were functioning below a third grade level and 64 per cent of the nine year olds were functioning below a second grade level.

The program also proved that a teacher not sensitive to or prepared for the child with a language conflict will help continue his educational retardation.

The only participating class that showed no significant growth was one whose teacher showed lack of control, lack of interest in presentation of materials and lacked sensitivity to the child. This was reflected in all of the tests taken by these children, in comparison with others in the program.

Professor Cordasco, after analyzing the project and its results agreed with the committee, saying that its results "graphically show" that unless the child's language and background are sufficiently employed by sensitive bi-lingual teachers he will regress, reverse and retard himself.

He noted that the project was undertaken "in full observation of and congruence with the intent of the Congress expressed in the Bilingual Education Act of 1967 (an amendment to the 1965 Elementary and Secondary Education Act) and said it illustrates the success which derives from the application of the main tenets of (this) Act."

Professor Cordasco is the author of numerous source books and papers on the education of non-English speaking children, including: Puerto Rican Children in Mainland Schools, published last year.

COLUMBUS DAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CUNNINGHAM. Mr. Speaker, on Sunday, October 12, we observe the 477th anniversary of the discovery of

America by the intrepid Italian navigator, Christopher Columbus. Nearly five centuries have gone by since that historic event in human affairs which began a new era for all mankind, but most especially for us who live in the Western Hemisphere.

In the course of history, mankind has come to recognize Columbus as a great navigator, explorer, and dreamer, but also as a dedicated and religious man who by his exploits inspired countless generations to great deeds. I believe that much of our heritage of freedom and justice is due in large measure to the courage, the determination, and the ideals of Columbus.

It is to be regretted that to this day we have not yet given to Christopher Columbus the full recognition to which he is entitled. During the 90th Congress I introduced a bill to designate October 12 of each year as a legal holiday and that it be known as Columbus Day in recognition of the achievements of the great navigator. I also suggested that this day be observed as a day of rededication to the ideals of peace, justice, and democracy which have helped make America the great Nation that it is today.

I believe the time has come to make Columbus Day more meaningful, and for this reason I commend our fellow Americans of Italian origin for their efforts each year in observing this day in accordance with the ideals and dreams envisioned by Columbus. We join with them on this day in paying tribute to Columbus. We recall with pride and appreciation the magnificent contribution and the invaluable role of Italian-Americans in the growth of development of America. We salute them for their loyalty and their patriotism.

ST. THOMAS THE APOSTLE CATHOLIC CHURCH CELEBRATES ITS CENTENNIAL

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MIKVA. Mr. Speaker, it is an honor to bring to the attention of my colleagues the centennial celebration of St. Thomas the Apostle Catholic Church, Chicago, Ill. As a member of the honorary committee for the parish centennial, I commend this fine church for its contribution to the spiritual and social life of Chicago's Hyde Park.

During a time when many institutions have abdicated their responsibility to our central cities, it is heartening to observe the persistent ministry of St. Thomas the Apostle Catholic Church. For 100 years it has ministered to a unique international and interracial community and contributed to its growth and stability. In a recent letter to me, the Reverend Thomas J. Fitzgerald, pastor of the church, indicated how the parishioners view their role in Chicago:

We take pride in the unique quality of our parish, situated as it is in the shadow of the University of Chicago, in a community dis-

tinctively international and interracial in character. Being a Hyde Parker yourself, I'm sure you can understand how we feel as we complete our first hundred years here. During that time St. Thomas has sought to translate the Word of God into social action and community good, and we're still trying. The parish has had an unusually large share of distinguished parishioners. But from the beginning, as now, it has constituted a broad cross section of society: God's people in extraordinary variety.

I pay tribute to the church and extend to its parishioners my best wishes on the occasion of their parish centennial.

COAST REDWOOD BICENTENNIAL
DISCOVERY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, tomorrow, October 10, marks an anniversary of great significance to the people of my district and the entire 15-county redwood region of California and Oregon. On that date 200 years ago, the exploring party of Don Gaspar de Portola first recorded the existence of the tree that has since come to be known as the coast redwood.

It was a foggy morning two centuries ago when the bold Spaniards set out to continue their search for Monterey Bay. At a point near the present-day town of Watsonville, Fray Juan Crespi wrote in his diary that the group had come across "Tall trees of a red color, not known to us. In this region there is a great abundance of these trees and because none of the expedition recognizes them, they are named palo colorado (redwood) from their color."

The discovery ranks with that of the better known discovery of gold in 1848, for the economic value harvested from our renewable redwood forests over the years has far surpassed the value of all the gold ever mined in the Golden State. In addition, these most famous of trees provide the basis of an increasingly important tourism and travel industry. And in their tangible values, the coast redwood forests, both old growth and young, offer inspiration that is without price.

The Portola party of 1769 returned to San Diego in defeat. They had failed to find Monterey Bay. But unknowingly, they had discovered the tree that is the tallest of all species, the fastest growing of American conifers and the largest plant on earth with an economic value.

Today, after 200 years, the redwood industry manufactures products worth a quarter-billion dollars annually. It employs 20,000 people directly. And with the application of modern forestry practices, we know that this level of production can be maintained for many centuries in the future.

In view of this historic anniversary, I am inserting into the RECORD at this point California State Assembly Resolution No. 243, and a resolution from the

board of forestry in the State of California relative to Redwood Discovery Day:

ASSEMBLY CONCURRENT RESOLUTION NO. 243—
RELATIVE TO REDWOOD DISCOVERY DAY
(Filed with Secretary of State, Aug. 9, 1969)

Whereas, The coast redwood of California is the tallest and most famous of trees and in combination with the redwood of the Sierra has been declared the official tree of the State of California; and

Whereas, Sequoia sempervirens is also the largest useful plant on earth, providing more than a quarter-billion dollars worth of products each year, direct employment for 20,000 persons, and economic stability to many communities in the 15-county redwood region; and

Whereas, Outside the 175,000 acres of Sequoia sempervirens forever saved in governmental parks and reserves, the commercial forests are being managed by enlightened practices that will assure a supply of redwood timber in perpetuity at the present annual level of harvest; and

Whereas, The recent creation of a Redwood National Park has focused the attention and concern of peoples around the world on the need to both wisely use this great renewable resource and to carefully preserve outstanding specimens; and

Whereas, The year 1969 is being observed as the bicentennial of the beginnings of many events of historical, cultural and economic significance to the State of California, including the discovery of the coast redwood in Santa Cruz County by Fray Juan Crespi, diarist and chaplain of the Don Gaspar de Portola expedition; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members urge Governor Ronald Reagan to proclaim Friday, October 10, 1969, as Redwood Bicentennial Discovery Day in honor of the bold men of the Portola party and in recognition of the continuing bounty, esthetic and economic, provided to all citizens by our official state tree; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Governor Ronald Reagan.

RESOLUTION

Whereas, The official tree of the State of California, the coast redwood, (Sequoia sempervirens), was first identified on October 10, 1769; and

Whereas, this most useful of trees has made important contributions to the cultural, economic and spiritual lives of our citizens, presently supporting a dynamic industry employing 20,000 workers who annually turn out products worth more than a quarter-billion dollars; and

Whereas, this most famous of trees has been deserving of the unequalled program of cooperative preservation that today accounts for one hundred seventy-five thousand (175,000) acres of Sequoia sempervirens in public parks and reserves; and

Whereas, this fastest-growing of commercial conifers is capable of regenerating itself naturally, and with the application of modern forest management practices may be expected to provide for man's product need for limitless centuries into the future;

Now, therefore, be it resolved, the California State Board of Forestry, in regular session this 18th day of September, 1969, in the City of San Diego, does hereby give recognition to the bicentennial year of the discovery of Sequoia sempervirens, and extends greetings to the men and women of the redwood timber products industry, the Save-the-Redwoods League, the California Department of Parks and Recreation, the California Division of Forestry, and the many other citi-

zens who have made possible the continuing bounty of aesthetic and economic values from the redwood forests; and

Be it further resolved, that copies of this resolution be forwarded to the Governor, the Director of Conservation, the Secretary for Resources, the Save-the-Redwoods League, the California Redwood Association, and the Director of the Department of Parks and Recreation, the Congress of the United States, the Secretary of the Interior, and the Secretary of Agriculture.

Approved.

W. B. CARTER,

Chairman, State Board of Forestry.

Attest:

F. H. RAYMOND,

Executive Secretary, State Board of Forestry.

Dated San Diego, Calif., September 18, 1969.

GEN. CASIMIR PULASKI

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MINISH. Mr. Speaker, it is my honor to pay tribute to the memory of Gen. Casimir Pulaski, the Polish nobleman who fought and died in America to help the colonists gain their freedom and liberty.

Pulaski was born in Podolia, Poland, the eldest son of Count Joseph Pulaski, in 1748. When he was a very young man, Poland underwent a severe internal political battle, and Pulaski threw himself into the struggle. In 1769 he joined his father in the Confederation of Bar, which consisted of a group of Polish noblemen who had pledged themselves to the salvation of Poland. Pulaski rose to become a leader in the movement, and at 25 years of age was a hero to his countrymen. When a proscription was placed upon his head, Pulaski was forced to leave Poland.

It was in Marseilles, France, that he met Benjamin Franklin, then U.S. Ambassador to France. Franklin wrote to General Washington about the young man when Pulaski decided to participate in America's struggle. Pulaski arrived in the middle of July 1777 and within 2 months was elected by Congress as "Commander of the Horse, with the rank of Brigadier." The following March Pulaski requested permission to organize an independent corps, which was granted. The corps was later known through the Colonies as the "Polish Legion." The horsemen in this corps bore the famous Polish lance, a new weapon on this continent. Pulaski fought with great valor and distinction in the battles of Brandywine, Warren Tavern, Germantown, Trenton, and Haddonfield. The Polish Legion in the battles at Little Egg Harbor, Charleston, and other engagements were most noteworthy.

Perhaps Pulaski's most distinguished service was rendered in the siege of Savannah, after having been made commander of the entire cavalry, both French and American. During an ebb in the battle, Pulaski hoped to rally his men and rushed into the thick of the action. Wounded in his right thigh, he was car-

ried from the field of battle fatally wounded, and died on October 11, 1779. Thus at the age of 31 years ended the life of a nobleman who left a life of ease and complacency for a career of hardship. This gallant son of Poland had enthusiastically espoused the American cause. He served that cause with zeal, ardor, and fidelity. He was known as the founder of the American cavalry, and his corps of lancers and light infantry has since become famous under the name of Pulaski's Legion.

Since the American Revolution, many Poles have immigrated to the United States. They have given their lives and their energy for the freedom and development of our country. They have become an integral part of America, fighting as soldiers, working in factories and at essential jobs, becoming farmers, miners, and lumberjacks. They hold all kinds of positions in the civic, social, political, and cultural life in America. I hope that our Nation, in recognition of the services rendered to us, not only by General Pulaski but by many others of Polish descent, will give Poland all possible assistance so that she may again attain her liberty and freedom, which rightfully belongs to her. We must not rest until the promises of freedom and independence for Poland are redeemed.

CIVIL DEFENSE ROLE IN HURRICANE CAMILLE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CONTE. Mr. Speaker. The damage that Hurricane Camille inflicted upon the gulf coast has been recorded throughout the Nation. It took a very heavy toll both in lives and in property.

However, as a result of advance disaster preparations, many lives were saved. And efforts taken in the aftermath of the storm helped to bring order out of chaos.

Civil defense units deserve a great deal of credit for the work they performed before, during, and after Hurricane Camille. At this time, I include an article that appeared in the Civil Defense Information Bulletin for September 1969. The following article discusses the role played by civil defense units during the crisis:

THE CIVIL DEFENSE ROLE IN HURRICANE CAMILLE—DIRECTOR DAVIS INSPECTS THE DEVASTATION

In the wake of the greatest storm ever to smash into the Gulf Coast, John E. Davis, National Director of Civil Defense, made a personal, on-the-scene inspection of the devastation and of the efforts underway to cope with it.

He returned convinced that advance disaster preparations had saved thousands of lives even though the 200 mile-an-hour winds, floods, and killer tornadoes from Hurricane Camille had taken a heavy toll of life and property.

Four days after Camille pounded into Louisiana and Mississippi, Director Davis flew into Gulfport, Mississippi, to confer with

Mississippi Governor John Bell Williams at the governor's temporary disaster headquarters in the National Guard airport building, and tour the stricken Gulf areas.

With Governor Williams, an Army Air Corps veteran of World War II, directing the flight pattern of an Army helicopter, Director Davis "hedge hopped" over the disaster area from Gulfport to Pass Christian, Bay St. Louis, and Biloxi . . . over the smashed remnants of what Dr. Robert Simpson, head of the National Hurricane Center in Miami, termed "the greatest storm of any kind that has ever affected this nation.

—Homes flattened or wrenched from their foundations, often just a bare outline of where a building had been.

—Huge sea-going freighters grounded or lifted onto levees like toy ships.

—Tall pines, live oaks, magnolia and palm trees uprooted, split in half, and sprawled across powerlines.

"Unbelievable. Just unbelievable," commented Director Davis as the helicopter flew over the damage.

But from the air, and again back on the ground, there were signs everywhere of the huge and complex recovery job.

Air Force, Navy, Army, and Civil Air Patrol planes airlifting emergency supplies of food, clothing, medicine, heavy equipment, including civil defense generators.

Bulldozers shoving aside debris to open key roads.

Buses and trains lined up to move more of the injured and homeless inland.

And people—civil defense, Red Cross, Salvation Army, National Guard and regular military personnel, volunteers—people working to help other people.

"We need help and we need advice," Governor Williams told Director Davis as they worked their way through the debris on what a few days before had been the main street of Pass Christian. "We are trying to coordinate communication services and search and rescue operations. It must be done now and can be done with the resources we have here now. The big task right now is to pull it all together."

One of the many people working to "pull it all together" was Wade Guice, Civil Defense Director of hard-hit Gulfport. At the Gulfport civil defense emergency operation center, Mr. Guice, weary from hours without sleep, described local disaster problems for Director Davis.

"The biggest immediate problem," Mr. Guice said, "is lack of managers—trained people—for the magnitude of a disaster like this one."

He stressed the great job performed by the Gulfport Chapter of the National Defense Transportation Association, citing examples of NDTA members commandeering and driving taxis, buses, "anything on wheels with a motor," to evacuate people from the lowlands.

Mr. Guice said that, despite early warnings hours before the hurricane reached the coast, many people flatly refused to leave their homes.

"They had lived through other hurricanes, and just didn't believe this one was any different," he said. "You can bet that those who survived won't take that chance again."

As he conferred with Director Davis, Mr. Guice received word that the Gulfport water system was back in service. It was one of the few pieces of good news he had received in a week of tragedy.

"We're up on our knees now," he exclaimed. "Things are beginning to look up a bit."

Upon his return to Washington, Director Davis said he was convinced the advance disaster preparations made by civil defense authorities in the Gulf area were responsible for saving thousands of lives.

"Sure, mistakes were made," he said. "They always are in anything as overwhelm-

ing as Camille. But I just want to say that those people on the scene did one terrific job. And they're still doing it."

The next day Director Davis flew to southwestern Virginia to inspect flood damage along the James River, and meet with General George Lincoln, Director of the Office of Emergency Preparedness, Virginia Governor Mills Godwin and other State and local officials for a firsthand report on recovery actions being taken after the flash flooding that hit parts of West Virginia and Virginia before Hurricane Camille finally swirled out into the Atlantic.

MIDDLE-ROAD POLICY

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RHODES. Mr. Speaker, there are those in this country who would integrate all our schools today at the point of a bayonet if necessary.

There are others who oppose integration of our schools with equal fervor, regardless of the law of the land.

Fortunately, President Nixon is aware that either course can foment trouble, stir resentments to the point of violence, and, in so doing, defeat the goal of integration.

The Arizona Republic recently commented on the President's "middle course" in an editorial which I commend to my colleagues:

MIDDLE-ROAD POLICY

At his recent press conference, President Richard Nixon convincingly defended his approach to school desegregation as a practical middle course steered between two extremes—one demanding "instant integration," the other seeking "segregation forever."

No matter what approach the administration chose, there would be criticism. Therefore, the only question worth considering is what policy offers the best prospect of long-range success.

Viewed in that manner, the answer is that the administration's middle-road approach is the most promising. For, as Asst. Atty. Gen. Jerris Leonard recently said, even a Supreme Court order demanding instant integration could not speed it up.

It has been 15 years since the U.S. Supreme Court ruled that racially segregated school systems were unconstitutional. To the "instant integrators," this was viewed as a green light to force racial integration in every school district along precise racial and ethnic lines. To them, education was—and is—less important than a precise racial mix.

Yet while the Supreme Court's 1954 ruling outlawed segregated school systems, it has since done little to clarify whether an end to segregation meant that school districts must actively pursue compulsory integration.

Congress, in the 1964 Civil Rights Act, noted that desegregation "shall not mean the assignment of students to public schools in order to overcome racial imbalance." It specifically rejected federal efforts to force busing of students, or requiring students to attend schools against their choice, or their parents' choice, in order to overcome racial imbalance.

Many Southern communities are still resisting desegregation efforts. And extremists on the other side—the most outspoken critics of the administration's policies toward school segregation—are demanding compulsory integration.

Yet if we have learned anything in recent years about racial relations, it is that harmony cannot be achieved by forcing people together against their will. Many Northerners continue to criticize Southern segregation. But already in this new school term, there has been bitter conflict between blacks and whites in schools in Pittsburgh, Chicago, Boston, Kansas City, Riverside, Calif., and New Brunswick, N.J.

In persuading a federal court to give 30 Mississippi districts more time to complete their desegregation, the administration was persuaded that cutting off federal educational funds to recalcitrant school districts harms both black and white students.

It understands that even though Congress or the courts might order instant integration, it could—and would—still be thwarted by litigation, school closings, and boycotts.

It realizes that any "victory" won at the point of federal bayonets would be a hollow victory indeed.

In questions of racial harmony, as in so many other questions, moderation—no matter how much that word is despised by militants—remains the one course that promises genuine success. For people must be led by government, not pushed or cajoled. And it is clear that the majority of parents, in the North as well as in the South, are opposed to compulsory integration.

The administration understands this. That is why it has tailored its policy on school segregation to a moderate middle course which alone can insure justice and equality for all Americans.

TWO SCORPIONS IN A BOTTLE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MORSE. Mr. Speaker, since the mid-1950's when the United States and the Soviet Union both achieved a strategic nuclear arms capability, it has been the principal object of political leadership on both sides to avoid using these weapons. The arms race has been politically stalemated from the very moment this point was reached. Yet in the 15 years this stalemate has existed, strategic contingency plans and weaponry has escalated in vast proportions.

As top adviser to two previous administrations, McGeorge Bundy has observed these developments at close hand. In his article in the current issue of *Foreign Affairs*, Mr. Bundy has charged that this escalation has persisted because our political leaders have lacked the public political support to take a position to the contrary.

As a recent editorial in the *Boston Sunday Globe* notes, however, Mr. Bundy believes that "it has fallen to Mr. Nixon to come to terms with the politics of parity," and that, to his enormous credit, the President has taken up the task, despite a tenuous political base for this position. It is a reflection of the President's determination and commitment to peace that he has urged, as McGeorge Bundy reports, strategic parity as both "inescapable and acceptable."

In June, the President invited the Soviet Union to take part in the strategic arms limitation talks with the hopes of moving ahead on this front, and I am in-

deed hopeful that a U.S.S.R. response will be forthcoming soon.

The commentary in the October 5 *Boston Globe* is an encouraging indication of progress, and I am including it here in my remarks for the careful attention of my colleagues:

[From the *Boston Sunday Globe*, Oct. 5, 1969]

TWO SCORPIONS IN A BOTTLE

Secretary of State William P. Rogers and Soviet Foreign Minister Andrei Gromyko after several recent meetings have not yet, as this is written, reached agreement on a date to start the arms reduction talks which both their countries have off and on been saying they wanted for the past year and a half.

Yet surely a date should and will be set soon. That is the only possible conclusion to be reached from reading a brilliant article in the current "Foreign Affairs" magazine by McGeorge Bundy, who was a top adviser to Presidents Kennedy and Johnson. It would be hard to find a man who knows more than he about the demands—and limitations—of the nation's security.

A year ago, Mr. Bundy was admitting that he had been very wrong about the war in Vietnam. His latest statement, entitled "To Cap the Volcano," will remind many a reader of the little child in the fable who first broke the news that the emperor had no clothes on.

"The neglected truth," he writes, "about the present strategic arms race between the United States and the Soviet Union is that in terms of international political behavior that race has now become almost completely irrelevant. The new weapons systems . . . will provide neither protection nor opportunity in any serious sense. Politically the strategic nuclear arms race is in a stalemate. . . ."

"In light of the certain prospect of retaliation there has been literally no chance at all that any sane political authority, in either the United States or the Soviet Union, would consciously choose to start a nuclear war. This proposition is true for the past, the present and the foreseeable future. For sane men on both sides the balance of terror is overwhelmingly persuasive."

Think-tank analysts who write about "acceptable" damage and the loss of dozens of great cities, are, writes Bundy, "in an unreal world." He adds that we have somehow forgotten "that already 15 years ago we were scorpions in a bottle, able to sting each other only at the price of death."

"Beyond a point long since past," Bundy continues, "the escalation of the strategic nuclear race makes no sense for either the Soviet Union or the United States," and it would not even if the nuclear strength of the two nations were reversed: "A stalemate is a stalemate either way around."

It is not that Mr. Bundy downgrades those in charge of our strategic forces; he says they "place us all in their debt." But he denies that their necessary contingency plans are seriously considered.

"The object of political men—quite rightly—is that these weapons should never be used. I have watched two Presidents working on strategic contingency plans, and what interested them most was simply to make sure that none of these awful events would occur."

And yet there is a rub. "Presidents and Politburos may know in their hearts that the only thing they want from strategic weapons is never to have to use them . . . but they do find it prudent to expose them for the political irrelevance they are."

"The same political leaders who know these terrible weapons must never be used . . . still do not hesitate to authorize system after system . . . I know of no escape from the conclusion that both in his sensible abhor-

rence of nuclear conflict and his persistent attachment to still more weapons systems the political leader is reflecting his constituency. The fault is less in our leaders than in ourselves."

How to overcome this situation? To Bundy, the strategic arms limitation talks (SALT) presented the great opportunity for both realists and sophisticates on both sides to become convinced that "enough is enough." It cannot be a one-way street, he writes, but each side "must move from a zealous concern for its own advantage to a sober acceptance of parity."

For "any war between serious nuclear powers would be as bad to 'win' as to 'lose,' so that relative numbers of weapons have never been decisive . . ."

Mr. Bundy believes that "it has fallen to Mr. Nixon to come to terms with the politics of parity," and in an interesting comment he says that "according to informal 'ut authoritative reports from Europe he (Mr. Nixon) has been eloquent in reminding friends abroad that strategic parity is now both inescapable and acceptable." Mr. Bundy suggests, however, that the President does not yet see any solid political base for this position here at home.

If this is so, then the people themselves must create such a base, by speaking out and letting Congress know about it. Mr. Bundy is right in believing there would be "solid support for the kind of reassessment that could lead to a decision that the United States, on its own will take a small step away from the nuclear arms race."

And we liked very much Mr. Bundy's last sentence: "That small step, too could be a giant leap for mankind." Now the question is, "Will Mr. Nixon take it?"

CONGRESSMAN RODINO AIDS CONSTITUENT MARASCO

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FASCELL. Mr. Speaker, in connection with the recent incident involving eight Green Berets, I think it is important to note the major role played by our distinguished colleague, Congressman PETER RODINO.

As we all know, the Green Berets were accused of murdering an alleged South Vietnamese double agent. When the incident first occurred the Secretary of the Army, Stanley R. Resor, announced his decision that a trial of the charges of murder and conspiracy to murder would be held. Several weeks later, in an unusual reversal, the Secretary ordered the dismissal of all charges against the men on the ground that they could not receive a fair trial.

One of the men involved in this unfortunate incident was Capt. Robert F. Marasco, a resident of the 10th Congressional District of New Jersey, which is most ably represented by Congressman RODINO. Each of us can well understand the extreme difficulties involved in handling a military case of this nature—but Congressman RODINO immediately acted in behalf of his constituent and was largely responsible, in my judgment, for bringing to light the inequities of the charges and the manner in which the Army handled the entire situation. Congressman RODINO took every possible

action in behalf of Captain Marasco, and exemplified the acute sense of duty which motivates him.

I congratulate Congressman RODINO for his perseverance in this important case and thank him for the role he played in reversing the Department of the Army's decision.

MINNESOTA EXPERIMENTAL CITY

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. QUIE. Mr. Speaker, for the past 3 years the idea of building an experimental city to serve as a focal point in testing technological and social changes applicable to urban areas has been nurtured in the minds of a group of distinguished Americans.

With the help of the University of Minnesota, the State and Federal Governments and the business community, the concept of an "instant city" has been honed and polished until it has come into sharper focus.

Guiding light behind the idea since its inception has been Mr. Otto A. Silha, executive vice president and publisher of the Minneapolis Star and Tribune Co., and chairman of the steering committee for the experimental city project.

He has been capably assisted by Prof. Walter Vivrett of the University of Minnesota School of Architecture, project director.

The first phase of the project, concluded in June, was financed jointly by the Department of Commerce, the Department of Health, Education, and Welfare and the Department of Housing and Urban Development with 12 private firms contributing 25 percent of the \$320,000 cost.

Reporting on the work of a University of Minnesota project team in completing phase 1 of the project, Mr. Silha addressed a public conference at the University on June 6.

Everyone interested in finding solutions to the national urban crisis will be intrigued by the concept of an experimental city as he describes it. I am pleased to insert his speech in the CONGRESSIONAL RECORD, as follows:

THE EXPERIMENTAL CITY AND ITS PARTNERSHIP FOR PROGRESS
(By Otto A. Silha)

Today marks a significant milestone for what many now consider one of the most important and far-reaching undertakings ever launched in America—the planning and eventual building of an experimental city for the United States.

This first public conference is also the occasion for release of the Phase I "Progressive Report" on the Minnesota Experimental City and we are pleased as well to make several announcements of considerable significance for the MXC project in the months ahead. But more on these points later.

Let me express the hope that your day here will prove to be a valuable experience and that you will leave with a greater appreciation for the project and—especially—for what it can mean for Minnesota, the Midwest, and indeed for our entire nation as a

partial but vital solution to many of our rural and urban problems.

Since mid-1966, when an experimental city was initially proposed, the energies of the University of Minnesota, the State and Federal governments, and of our business community have been harnessed in developing, during Phase I, the theoretical foundations of this entirely new kind of city.

The project has maintained from the beginning a certain magnetic quality, attracting the brainpower, experience, and talent of more than 170 workshop participants from all over America and symbolized today by our Steering Committee. I would like to digress for a moment to introduce those members of the Steering Committee who are with us this morning:

Gaylord W. Anderson, Director, School of Public Health, University of Minnesota.

Dr. James C. Cain, Professor of Clinical Medicine, Mayo Clinic, Rochester, Minnesota.

Max L. Feldman, Engineer, G. E. TEMPO (Center for Advanced Studies) Santa Barbara, California.

Mrs. Rita E. Hauser, U.S. Representative, Human Rights Commission of the United Nations, New York, N.Y.

Walter W. Heller, Regents' Professor, Department of Economics, University of Minnesota.

Martin E. Marty, Professor, Divinity School, University of Chicago.

Malcolm C. Moos, President, University of Minnesota.

Joseph A. Pechman, Director, Economic Studies, Brookings Institution, Washington, D.C.

Roger Revelle, Head, Center for Population Studies, Harvard University, Cambridge.

General B. A. Schriever, U.S.A.F. (ret.), B. A. Schriever Associates, Arlington, Virginia.

Mrs. Muriel S. Snowden, Associate Director, Freedom House, Inc., Roxbury, Massachusetts.

Wayne E. Thompson, Vice President, The Dayton Corporation, Minneapolis.

Walter K. Vivrett, Professor, Architecture and Planning, University of Minnesota.

William L. C. Wheaton, Dean, College of Environmental Design, University of California, Berkeley.

Other Steering Committee members unable to be with us today include:

Walter M. Beattie, Jr., Dean, School of Social Work, Syracuse University.

Harrison Brown, Professor, Geo-Chemistry, California Institute of Technology, Pasadena.

Arthur S. Flemming, President, Macalester College, St. Paul.

R. Buckminster Fuller, Engineer and Professor, Southern Illinois University, Carbondale.

Harvey S. Perloff, Dean, School of Architecture and Urban Planning, University of California, Los Angeles.

Athelstan Spilhaus, President, Franklin Institute, Philadelphia.

O. Meredith Wilson, Director, Center for Advanced Study in Behavioral Sciences, Stanford University, Palo Alto.

Paul N. Ylvisaker, Commissioner, Department of Community Affairs, Trenton, New Jersey.

Whitney M. Young, Jr., Executive Director, National Urban League, Inc., New York. (I'm glad to say Gleason Glover of the Urban League is representing Whitney Young here today.)

As a result of nearly three years of counsel and direction by these prominent Americans, and the work of a competent staff at the University, the State of Minnesota is in the forefront of an effort to find workable alternatives to the solution of our national urban crisis. No other large scale study of the potential of a new kind of city is currently under way in the United States. The importance of this effort is further underscored by the fact that the Minnesota Experi-

mental City is the first research project in our nation's history to receive joint funding from three departments of the Federal Government—the Department of Commerce, the Department of Health, Education and Welfare, and the Department of Housing and Urban Development. In addition, twelve private corporations, nine of which are headquartered in Minnesota, have demonstrated their commitment to the City by contributing more than 25% of the \$320,000 required to complete Phase I of the project.

At the outset, to give greater focus to the project, let me briefly review with you the 1969 nomenclature of "the cities."

The Minnesota Experimental City is frequently confused with the Model City program, which is essentially a much-needed extension of what we have come to know in previous years as urban renewal, a super coordination effort involving the many departments of government which deal with the problems of the city.

Let me emphasize that the Model Cities program basically involves the replacing of slum areas with new construction, along with attempting to deal simultaneously with the overwhelming "people problems" in these dense urban settings.

A second designation for urban development which has come into the vocabulary recently is the "New Town." There are now in construction or on drawing boards, more than 250 "New Towns" in the United States. The two with which you are probably most familiar are Reston and Columbia, both of them in the greater Washington, D.C., areas. Jonathan in Carver County is the nearest counterpart in this part of the country.

Actually, in oversimplified terms, the New Town is a real estate development. They are all primarily in the private sector and many of them are spearheaded by large corporations.

Interestingly enough, almost all of these planned "New Towns" are located around the "rims" of the United States. You can trace the concentration starting from the Boston area in New England down along the East Coast into Florida, across the Gulf Coast into Texas, through Arizona and then up the West Coast of California. Very few of them are mapped out for the Midwest.

I want to make the distinction now between the Model Cities, the New Cities and the Conference subject—the Experimental City. The key phrase which I prefer to use in describing the Experimental City is that it will comprise an *overleap* in research and in seeking more alternatives in dealing with the problems of the city.

This experimental overleap would offer an opportunity to start anew rather than deal with the entangling restrictions of every sort—power, transportation, sewer lines, to name a few—which are ever present when we attack the problems of the established city or even the environs of an established metropolitan area.

The Minnesota Experimental City has been conceived as a totally new city in which innovations—technological, social, economic, and physical—could be developed, experimented with, and evaluated. Such a city concurrently could lead the way to a more humanized order of urban living. In short, the objective of the Minnesota City is to improve dramatically the quality of life by providing a major advance in man's ability to shape his environment.

We know that today's urban systems are complex and interacting; thus only through a new city is a total systems experiment possible. The Minnesota Experimental City, located some 100 to 150 miles from any existing urban center and housing eventually some 250,000 people, will provide that opportunity.

The fragmented experiments possible in existing urban settings are no substitute for what we envision here. Tradition and the

status quo can be—and frequently are—deadly enemies of human progress but, in a new city, it will be possible to experiment in a coordinated way with a wide myriad of human and environmental factors.

Thus, we look upon the Experimental City as a national proving ground for demonstrating our social, economic and physical capabilities for building cities that can be truly responsive to man's changing needs. The real premise of the City, then, is that 1) man can creatively mold his environment; 2) that we can uniquely unite the technological resources of the private sector with the authority of the public sector; and, finally, that we can do much more to serve people by harnessing and reorienting the social, economic and physical forces about us.

And, what is the great force compelling us to forge ahead . . . people. Dr. Patrick Moynihan, President Nixon's urban adviser, has repeatedly spoken of the need to deal boldly and imaginatively with the American population explosion. America's population trend is irreversible—despite a birthrate of only one per cent, the United States will grow by 100 million people in the next thirty years.

We must find the means to locate these Americans in other than existing urban centers. In short, as Dr. Moynihan says, we need to build in the United States one city the size of Tulsa, Oklahoma each month for the next thirty years just to keep pace with our population explosion.

The question of numbers aside, we are also rightfully concerned with the "quality of life" for our people.

The MXC project proposes to create near the geographic center of the North American continent a new city which will serve in 1976 as a symbol of the progress of two hundred years of an evolving democratic society—its people, institutions, and technology.

In several of our MXC workshops, participants stressed the importance of the City subscribing to a set of community and human values consistent with these principles:

(1) That citizen participation in evaluation and change be encouraged so as to develop mechanisms for achieving further progress.

(2) That social interaction within and among age, religious, racial and ethnic groups and subgroups be fostered.

(3) That personal integrity, individuality and freedom of choice be upheld.

(4) That protection and security be assured; and

(5) That the City will provide for creative and renewing experiences for its inhabitants.

Hence, the search for innovation will not be limited to physical hardware and physical arrangements; equal significance will be given to the need for genuinely new and progressive social institutions and social arrangements.

The Minnesota Experimental City, by its very nature, would have a number of inherent advantages, including:

(1) Lower land costs, particularly if the ultimately selected site is removed from an area currently under development or if it were already in the public domain.

(2) Housing of diverse types and sizes could be built into the communities to accommodate the full life cycle, and to experiment with intermixes of different income, age, and ethnic groups.

(3) Fewer legal and regulatory restrictions would deter innovation in construction technology; and

(4) Community attitudes would be more conducive to change and experimentation; far fewer economic or socio-psychological commitments would manifest themselves as barriers to change.

As an instant city, defined to mean a ten-year development effort from the beginning to substantial completion, the Experimental City would permit a coordinated application of social and physical know-how in a work-

ing demonstration of what man can achieve if he so desires.

Later today you will be receiving a progress report on the work accomplished during Phase I. For the first time in the history of man, we are advancing the concept of building a complete city from an ecological base. In reading the report, you will note that our past Steering Committee deliberations and MXC workshops have generated some exciting concepts for intensive investigation, research and/or development during Phase II. Here are but a few of the ideas:

The feasibility of free public mass transportation being built into The City the way an elevator is built into a building.

The possibility exists for co-ordinated testing and experimentation with MXC ideas in the near-term future. We find an emerging interest in conducting experiments wherever possible in existing communities, including our central cities. For example, certain experimental ideas may be suggested for the Model City area of Minneapolis.

The whole concept of research on "the new" and people's capacity to absorb new ideas and new things. The "marketing" aspects of new ideas constitute a whole new field for concentrated research.

A "situation room" or an "information transfer" room may be constructed for use in the planning and design stages of The City, but also as an experiment for early application in existing cities.

Development of the first air world transportation center for the United States.

The educational possibilities of the project itself. Can a new kind of university "without walls" be built into the project as it unfolds? We believe so.

What new horizons can be explored in supplying food to a city?

Again, these are only some of the interesting thoughts which have developed in the first planning stage of MXC. Many more are discussed in the formal report.

Minnesota has demonstrated a traditional concern for the quality of life. Thus it is fitting that we should be instrumental in leading the way toward a new and better environment. However, the tasks ahead are enormous. Only through a level of cooperation unique in our nation's history can the Minnesota City come into fruition. The cornerstone of this cooperation has already been set in the project's unique tripartite partnership of private enterprise, the academic community, and government evidenced during the first phase.

Many major companies joined the University and the Federal agencies in providing the funding needed to complete Phase I. The following contributed \$10,000 or more toward the initial research:

The Dayton Company; The H. B. Fuller Company; Honeywell, Inc.; IBM; Minneapolis Banks' Clearing House Association; Minneapolis Star and Tribune Company; Northern Natural Gas Company; Northern States Power Company; Northwestern Bell Telephone Company; Polaroid Corporation; Boise-Cascade Corporation; and Control Data Corporation.

Even greater support and cooperation will be necessary as we now move into Phase II which encompasses actual experimental and development work . . . work designed to evaluate untried concepts and systems in a laboratory environment, to experiment with small scale models, and to investigate anticipated operational problems. Phase II is roughly estimated to cost some four million dollars and the Steering Committee is rightfully encouraged by the continuing high level of interest in both the public and private sectors and by the financial commitments already secured from private industry.

We have every reason to be encouraged. This morning I publicly announced that the Minnesota City project has received grants from the private sector totaling \$500,000 for

Phase II work—including a \$100,000 cash grant from the American Gas Association in conjunction with an additional AGA grant of \$250,000 in stipulated research. Most of the companies mentioned previously have already contributed \$25,000 each for Phase II.

As you can see, the private sector has played and will continue to play a major role in the conception and development of the Minnesota City. But, more than that, our business community is demonstrating a steadfast commitment to a better life for all our people in the years to come.

In addition, I understand that the Ford Foundation has poised for approval the University's grant request for \$46,000 to conduct an on-site research evaluation of the evolution of the new town of Jonathan in Carver County. Surely such research efforts there will provide many insights and improve our capability to deal with the manifold problems to be encountered in building the Minnesota City.

Developments in the public sector also have been impressive and encouraging. Before adjourning last week, the 1969 Minnesota Legislature, by concurrent resolutions of the House and Senate, authorized an interim legislative study of the Minnesota Experimental City, its needs and requirements, to be undertaken by a standing committee in each respective body. Such a study, to be underwritten by legislative funds, will be the first of its kind in the nation and will be instrumental in getting positive legislative action in the 1971 session. Important areas such as the formation of a semi-public corporation—with both public and private financing—to actually build the city, the granting of condemnation and bonding powers to the corporation, insurance ratings, building codes, school aid payments and taxation, and innumerable questions affecting the public health and safety need to be researched with recommendations made.

In directing its standing committees to report back these legislative recommendations by January of 1971, the Legislature has taken a major stride in advancing the feasibility of the Minnesota City. Only through a positive legislative response can we ultimately succeed and this 1969 action is a significant breakthrough with far-reaching ramifications.

We are gratified by this interest and cooperation shown by the members of the Legislature and by the considerable assistance given to us by Minnesota's Executive Branch. The Governor, the Attorney General and the operating departments have been most helpful and we are assured of their continuing support during Phase II.

At the Federal level prospects are equally bright. Since taking office, Vice President Agnew—the President's liaison with the cities of America—has held two sessions with the nation's leading urban experts on the topic of "new towns." I was privileged to have been invited to the May session and it appears to me that we are witnessing in Washington a greater awareness than ever before that the new cities concept can be a viable solution to many of our current ills.

In Washington the MXC project enjoys the support of our congressional delegation. And, in addition, we have visited with several cabinet-level officials as well as with the Vice President to discuss the City and our plans for Phase II. We are now in the process of preparing our Federal grant applications and, hopefully, we can look forward to broadened Federal support in the months ahead.

From this brief overview I hope you will conclude with me that we are well on the way toward the day when people will live in the Minnesota City. To those who have so generously and enthusiastically supported the project, we can only say "thank you" with the hope that it will continue to merit your confidence and support in the future;

to the "doubters" we must also express a certain gratitude for, throughout history, they have impelled man to think the unthinkable and conquer the unconquerable. And, so it is with the Experimental City.

In less than two months Americans will witness the culmination of our multi-million dollar lunar program with the landing of our astronauts on the moon. Once again, man will have achieved the impossible.

If American technology and know-how can overcome this incredibly complex and difficult challenge, surely we can grapple more successfully with our people-problems here on earth. What we so desperately need is the resolve to do so . . . and that means we must re-examine our priorities.

Vice President Agnew, writing in the foreward of *The New City*—just recently published for Urban America by the National Committee on Urban Growth Policy—commented:

" . . . the problems faced by American cities seem an unending chain of crises. Not only are suggested solutions few, but the general ability to think through the intricate maze of political, technical and geographic relationships is almost totally lacking.

"Everyone concerned knows that something must be done. Without cities of a new kind, cities which exist to serve human life and not detract from it, our complex civilization cannot survive. . . ."

Let me conclude by observing that, with the completion of Phase I, we have begun to cut through this intricate maze and we are proposing, by the creation of the Experimental City, one real alternative to the decay of urban America and the decline of our civilization.

At the close of today's conference, I trust you will agree.

Thank you for coming.

A MEMORABLE MAN HAS GONE TO REST

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FLOWERS. Mr. Speaker, my hometown of Tuscaloosa and the entire State of Alabama lost one of its most valued and respected citizens in the death of Luther Davis, Sr., on October 3. Fortunately for us, he was able to live a long and useful life which stands as an example of service that should be brought to the attention of the House and to others. Therefore, it is my privilege, under unanimous consent, to offer for insertion in the RECORD the following article from the Tuscaloosa News:

A MEMORABLE MAN HAS GONE TO REST

His hair had turned to silver long ago. His eyes had dimmed. His shoulders stooped slightly to reach his walking cane. But Luther Davis, Sr., still had that dapper look, that friendly disposition, that softness of voice that marked him as a memorable man.

Now Luther Davis, ex Tuscaloosa mayor, ex Tuscaloosa druggist, one of Tuscaloosa's longest and most faithful boosters is dead at 88.

In 1967 he retired after serving as a druggist 66 years. In 1949 he stepped down as Tuscaloosa's mayor, a position he held against all comers for 25 years.

A born philosopher, a natural vote-getter, a man rich in the knowledge of human nature . . . a pretty fair doctor without being one . . . a typical gentleman of the old

school . . . a gentle and kind man. That was Luther Davis.

In 1901 he left a cotton field in Hale County and came to Tuscaloosa. In 1906 he went into partnership with Dr. Sidney Leach and opened a drugstore downtown. He was elected to the City Commission in 1926.

"I gave up politics," said he, "because I got tired of hearing folks ask for more than we could possibly do."

His philosophies of life are as memorable as he.

"We're all better off than we think we are."

"We all give and provide things to make life easier for our children when we shouldn't do it for their own sakes."

"It is best to let the young folks have a few obstacles to overcome. It makes better men and women out of them."

"I have always respected the right of the other man to have his own opinions and I have always hoped he would also give me that right. It has worked out pretty well."

Luther Davis will long be remembered in Tuscaloosa. Many will miss his everyday walks along the sidewalks, his friendly wave as he passed store windows.

Two years ago he went home "to rest awhile."

Now he's gone to rest forever.

But his memory lingers.

POSTAL CLERKS MARK GOLDEN JUBILEE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, I should like to take this opportunity to join in tribute to the members of Locals 511 and 575, United Federation of Postal Clerks, Fall River and New Bedford, Mass. The Fall River Herald News expressed the appreciation of all the citizens of Greater Fall River on the occasion of the 50th anniversary celebration of this outstanding group of Federal employees. I certainly concur with the sentiments of this editorial and submit it for the attention of my colleagues:

POSTAL CLERKS MARK GOLDEN JUBILEE

A group of men who work behind the scenes to expedite the delivery of mail will observe a golden jubilee here Saturday.

The members of Locals 511 of this city and 575 of New Bedford will mark the 50th anniversary of their association with the United Federation of Postal Clerks. They plan to meet aboard the USS Massachusetts, to visit the Marine Museum and to enjoy dining and dancing at White's.

National union officials will join in paying tribute to the clerks on this happy anniversary.

President James C. Simpson of the Fall River local points out that the public's contact with postal clerks is minimal because the few who serve at the windows of the main post office represent an extremely small portion of the staff. Behind the scenes there are scores of well-trained men seeing to it that the letters dropped into the corner mailbox or the parcels weighed, insured and stamped in the post office, are properly and speedily dispatched into the main stream of the department's delivery system so they will reach the addressee safely and without delay.

Simpson and his associates have reason to mark the golden jubilee of their association with the United Federation of Postal Clerks

for they have served their nation, their home communities and their fellow citizens well.

All Greater Fall Riverites are appreciative of these federal employes' efforts and on this gala occasion say to them—well done.

AMON G. CARTER FOUNDATION,
FORT WORTH, TEX.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the other day representatives of the Amon G. Carter Foundation of Fort Worth, Tex., appeared before the Senate Committee on Finance to testify in behalf of their foundation. Under leave to extend my remarks in the RECORD, I wish to include a copy of the statement of Mr. Amon G. Carter, Jr., president of the foundation, as follows:

STATEMENT TO THE COMMITTEE ON FINANCE,
U.S. SENATE

(Submitted by Amon G. Carter Foundation,
Fort Worth, Tex.)

Amon G. Carter Foundation, a non-profit Texas corporation organized and operated for charitable, religious, literary, and educational purposes, sometimes hereinafter styled "Foundation," hereby respectfully requests modification of certain provisions of H.R. 13270 dealing with the taxation and regulation of "private foundations," as defined in said H.R. 13270. H.R. 13270 will sometimes hereinafter be referred to as "the Bill" or "the House Bill."

The provisions of the Bill as to which such modification is urged are:

Those limiting the percentage of the total voting stock in a business corporation which may be owned by a private foundation, requiring the disposition of so much of said stock as is in excess of the specified limit, and imposing penalties and sanctions for failure to comply with these requirements, whether or not it is legally impossible for the private foundation to dispose of the stock.

FACTS

Amon G. Carter Foundation was incorporated as a non-profit Texas corporation in 1945. It has no capital stock. It was organized to support charitable, religious, literary, and educational undertakings. Shortly after its organization, it was classified as an organization exempt from Federal income taxes under what is now Section 501(c)(3) of the Internal Revenue Code of 1954, and it has continuously maintained that exempt status and its right so to do has never been questioned.

At its organization, Foundation received substantial gifts from Amon G. Carter, Sr. and his former wife, Mrs. Nenetta Burton Carter, from whom he was then divorced. Foundation functioned primarily under the direction of Amon G. Carter until his death in 1955.

By his will, which was duly admitted to probate in 1955 and which has never been in any respect contested or modified, Amon G. Carter bequeathed and devised to the Foundation all of the stock which he owned at his death in Carter Publications, Inc., under provisions which prohibited the Foundation from in any manner disposing of the stock so devised except under specified circumstances for the length of time shown in the excerpt from the will hereinafter set forth. The pertinent provisions of the will are as follows:

"2. The Foundation shall not sell, exchange,

mortgage, or pledge, or in any manner dispose of, encumber or hypothecate my stock in Carter Publications, Inc. for the length of time hereinafter set forth, except with the unanimous consent of all who are then directors of Foundation.

"(a) Foundation may, at any time, join all other stockholders in Carter Publications, Inc., in a sale of all of its capital stock; or

"(b) Foundation may join with the number of other stockholders then required by law in completely liquidating Carter Publications, Inc., if it has sold substantially all of the assets directly employed by it in its business. If, but only if, my stock in Carter Publications, Inc. is disposed of by Foundation in accordance with either of these exceptions, then the purchase rights granted in the subsequent paragraphs of this Article shall be completely extinguished without any right to compensation from or claim upon the proceeds of such disposition inuring to any of those to whom such purchase rights are hereinafter given.

"3. The restrictions set forth in the preceding paragraph 2 shall continue in full force and effect until June 23, 1994, or until twenty (20) years after the death of the last survivor of such of the following named as are living at my death: Amon G. Carter, Jr. (my son), Ruth Carter Johnson (my daughter), James M. North, Jr., B. N. Honea, and Harold V. Hough (all of Fort Worth, Texas, and now stockholders in Carter Publications, Inc.), and any child of any of these five (5) who may be living at my death, whichever period is shorter, and for six (6) months thereafter, but no longer; which six months' period is hereinafter referred to in this Article as the 'option period.'"

The stock in Carter Publications, Inc. so received under the Amon G. Carter will, with stock dividends subsequently received amounts to 26,257 shares, which is more than 20% of the authorized, issued and outstanding capital stock of Carter Publications, Inc. of 120,000 shares. The restrictions on disposition cannot be expected to expire prior to 1994.

Carter Publications, Inc. is the owner and publisher of the Fort Worth Star-Telegram, one of the important newspapers in the State of Texas, and also owns and operates a television and radio station. It was developed from a very small beginning into a successful and valuable organization under the direction and control of Amon G. Carter, with the assistance of a small group of individuals who were actively connected with its operation and who were minority stockholders in Carter Publications, Inc. For many years prior to his death, Amon G. Carter and members of his family, including his former wife, Mrs. Nenetta Burton Carter, had complete stock control of Carter Publications, Inc. All of those associated in the development of the enterprise, except B. N. Honea, have died and their stock holdings have been acquired by Carter Publications, Inc. and retired.

The present capital stock of Carter Publications, Inc. consists of 120,000 shares of a par value of \$100 each. 29,951 of these shares are owned by Foundation; 69,043 by members of the Carter family, which term includes Mrs. Nenetta Burton Carter, Amon G. Carter, Jr. and Ruth Carter Johnson (the children of Amon G. Carter and Nenetta Burton Carter), and the children of Amon G. Carter, Jr. and Mrs. Ruth Carter Johnson. B. N. Honea and members of his family own 21,206 shares of the stock; the attorney for Carter Publications, Inc. owns 148 shares; and another employee and director owns 12 shares. All of the shares owned by Foundation were acquired under the will of Amon G. Carter except 2,000 shares which Foundation acquired prior to the death of Amon G. Carter

from the estate of a deceased daughter. Eliminating this 2,000 shares and the increases therein by stock dividends, the remainder of the Carter Publications, Inc. stock held by Foundation, which was acquired under and was subject to the provisions of the Amon G. Carter will, exceeds 20% of the outstanding capital stock of Carter Publications, Inc.

Since shortly after the death of Amon G. Carter, Sr., Foundation has been managed and controlled by a self-perpetuating board of three directors, consisting of Amon G. Carter, Jr., Mrs. Ruth Carter Johnson, and Mrs. Katrine Deakins, who, during the lifetime of Amon G. Carter, Sr., was his confidential and executive secretary and who is more familiar with his plans and wishes than any living person.

No member of the Carter family has ever received any compensation or other financial benefit of any kind or character from Foundation. Amon G. Carter, Jr. and Mrs. Ruth Carter Johnson serve without compensation and devote a considerable portion of their time to its affairs.

The book value of the assets of Foundation at the end of the first period after it received the residue of the Amon G. Carter Estate was approximately \$25,000,000. The book value of its assets on July 31, 1969, was over \$33,600,000, and the market value of these assets at that time was between \$45,000,000 and \$50,000,000. Since its organization, the Foundation has made gifts and grants of approximately \$16,500,000, and in addition, has about \$5,000,000 in assets in Amon G. Carter Museum of Western Arts and its contents. The establishment of this museum was required by the provisions of the will of Amon G. Carter. It is operated for public use and without any admission charge and will ultimately go to the City of Fort Worth. The recipients of the gifts made by Foundation are churches, educational institutions, hospitals, and similar organizations such as the Carter Blood Center in Fort Worth, Texas, and numerous other qualified and worthwhile recipients. The Foundation's activities, both financial and charitable, have been conducted with a minimum of expense. The Foundation has consistently disbursed, for charitable and related purposes, all or more of its income than present laws direct it to disburse. It has no accumulation of such earnings.

The Carter Publications, Inc. stock bequeathed to Foundation was valued for estate tax purposes at \$1,125,000. The company has regularly paid cash dividends for many years. Its present dividend rate is \$8.37 per share. During the period of administration on the Amon G. Carter Estate, it received \$501,244 in cash dividends on the stock owned by the decedent at death, and the total cash dividends received by Foundation on Carter Publications stock from 1956 through 1969 amounted to \$2,398,103. This stock was valued at \$81.00 per share at Amon G. Carter's death, so the present cash dividend rate is more than twenty per cent (20%) per year on the value of the stock at Carter's death.

Foundation's holdings of the stock in Carter Publications, Inc. acquired from the Amon G. Carter Estate cannot, as shown by the excerpt from the Amon G. Carter will quoted above, be disposed of for a great many years except under the limited circumstances specified in the will, which, in effect, would require the disposition by all stockholders in Carter Publications, Inc. of all of their stock in that company or the sale by Carter Publications, Inc. of all of its assets and its complete liquidation. The properties of Carter Publications, Inc. are very valuable with necessarily a very limited number of possible purchasers, and even if its stock or its properties could be sold, the prospective purchasers would probably be limited to one of the several newspaper chains which in the past have

acquired newspaper properties in various sections of the country. To place the ownership of the Fort Worth Star-Telegram and the television and radio station associated with it in the hands of any such purchaser would deprive North Texas and West Texas of an enterprise which has for almost half a century been devoted primarily to the development of those areas, and promote further an undesirable concentration of the ownership of news media throughout the United States. Further, any such disposition would require the cooperation of all of the stockholders in Carter Publications, Inc. and it is entirely beyond the power of the Foundation to secure such cooperation.

Foundation has been advised and believes that it would be impossible to secure a judicial determination which would remove the restrictions contained in the Amon G. Carter will upon the disposition of Carter Publications, Inc. stock which was bequeathed by said will to Foundation. Such a judicial determination would, in effect, be a rewriting of a plain and unambiguous will which was admitted to probate approximately fifteen years ago and the provisions of which have never been contested or in any respect modified. For the same reasons, it appears impossible for Foundation to dispose of any portion of the stock in Carter Publications, Inc. received under the Carter will within the two-year and five-year periods specified in Section 4943(c) (4) (B) and (C) of the Bill. Thus, the Bill, as presently drafted, would not only impose very severe sanctions and penalties on all concerned, but would destroy this very worthwhile organization.

SUGGESTED MODIFICATION

It is believed that if there is added to Section 4943(c) (4) (D) the following provision:

"No holdings of a private foundation shall be classified as 'excess business holdings' for so long as, by the terms of the applicable instrument (in effect on January 1, 1969) by which the private foundation acquired such holdings, it is prohibited from disposing in any manner of such holdings without the consent of a person or persons who are not 'disqualified persons,' as defined in Section 4946(a), if, in a proper judicial proceeding to which the highest law officer of the State having jurisdiction is a party, it is determined that such prohibition cannot be modified so as to permit such disposition without such consent," it will remedy the existing situation which, as aforesaid, would accomplish very inequitable results not intended by the authors of the Bill.

The provision above quoted is submitted without pride of authorship, and any other provision which would accomplish the intended result would be satisfactory to the Foundation and to any other foundations similarly situated.

The relief suggested is substantially similar to the relief presently afforded by the Bill in those provisions of the Bill dealing with accumulated income and affording relief in those cases where the governing instrument provides for the accumulation of a part of the foundation's income over an extended period. See in connection with this relief provision the statement of Hon. Edwin S. Cohen, Assistant Secretary of the Treasury for Tax Policy, found on Page 32 of the government publication entitled "Statement of the Hon. David M. Kennedy, Secretary of the Treasury," where Assistant Secretary Cohen said:

"There is, however, a permanent exemption from the income pay-out rules of those organizations which are required by their governing instruments to accumulate income and which find it impossible to effect a change. It appears that the provision pertaining to disposition of business holdings is too stringent and should be changed to conform to the income pay-out rule."

WITHDRAWAL NOW

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ROSENTHAL. Mr. Speaker, 14 Members of the House today introduced a resolution calling for withdrawal now from Vietnam with the pace of departure to be limited only by the need to protect our forces.

Our resolution also expresses our conviction that the United States should assist in the protection of those South Vietnamese who are endangered by our disengagement.

A similar resolution was also introduced today by Senators ALAN CRANSTON of California, GEORGE MCGOVERN of South Dakota and ABRAHAM RIBICOFF of Connecticut.

House sponsors of the resolution, the text of which follows, were:

GEORGE BROWN of California; DANIEL BUTTON of New York; PHILLIP BURTON of California; SHIRLEY CHISHOLM of New York; JOHN CONYERS of Michigan.

DON EDWARDS of California; BOB ECKHARDT of Texas; DONALD M. FRASER of Minnesota; ANDREW JACOBS of Indiana.

ROBERT KASTENMEIER of Wisconsin; ABNER J. MIKVA of Illinois; ARNOLD OLSEN of Montana; WILLIAM F. RYAN of New York; BENJAMIN S. ROSENTHAL of New York.

HOUSE CONCURRENT RESOLUTION 403

Whereas, the war in Vietnam has resulted in the loss of more than 40,000 American lives, in some 250,000 American casualties, and in the depletion of American resources to the extent of over \$100 billion, and inestimable destruction to Vietnamese life and property.

Whereas, the war stands today as the greatest single obstacle to efforts to focus the country's financial, human and spiritual resources upon urgent domestic needs, and

Whereas, spokesmen for the present Administration have recognized that military victory cannot be achieved in Vietnam and have specifically defined United States policy to exclude that goal, and

Whereas, the painful history of United States involvement in Vietnam exposes the futility of external attempts to create and sustain a viable, indigenous government, particularly when its leaders resist political and social reforms aimed at inspiring popular confidence and support, and

Whereas, the leaders of South Vietnam have indicated, by action and deed, that their ambitions conflict with the interests of the United States in a prompt settlement of the conflict, and that they are unlikely to adopt a negotiating posture which might end the war so long as they are assured of all the United States support they need to prosecute it, and

Whereas, the dominant result of policies relating the level of American presence to the capability or willingness of the South Vietnamese to fight the war themselves can only be the continued daily loss of life and limb by American servicemen, with no foreseeable conclusion.

Now therefore be it resolved by the House, and the Senate consenting, that it is the sense of the Congress of the United States:

That all United States forces should now be withdrawn from Vietnam, the pace of the withdrawal to be limited only by steps to insure the safety of our forces, and that the

United States should assist in the provision of asylum in friendly countries for those Vietnamese who might be endangered by our disengagement.

NEWSPAPER-OF-THE-AIR

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. HOGAN. Mr. Speaker, WETA/channel 26, Washington's public television station, should be congratulated for their immediate and excellent response to the recent Washington newspaper pressmen's strike.

On the evening of Thursday, October 2, as the House remained in session to debate military appropriations, WETA-TV launched a revolutionary new program entitled "Newspaper-of-the-Air" in response to an emergency community need. The program was broadcast in color from 7 to 8 p.m. and again from 10 to 11 p.m.

Fortunately for the residents of the Washington metropolitan area, the pressmen's strike was resolved late that same evening. However, WETA-TV was prepared to continue the program on a daily basis for the duration of the strike.

"Newspaper-of-the-Air" was coordinated and programed with the aid of editors and reporters from both the Washington Post and the Washington Star.

On the October 2 program, 13 experienced newspapermen covered the full gamut of the day's most important news events in the fields of foreign and national news; District of Columbia, Virginia and Maryland news; entertainment, sports and other features. Reporters also contributed incisive news analyses and special reports.

I commend WETA-channel 26 for arranging such an excellent broadcast on such short notice. It is even more remarkable in view of the budget limitations which characteristically distinguish public television broadcasts from commercial operations. The entire staff deserves our thanks for their dedicated efforts.

The only real problem encountered with this experiment in television programming was that of communicating its availability with such little leadtime. Although press releases and telegrams announcing the program were sent to all government leaders, it was virtually impossible to notify the general viewing public of the broadcast in advance of air time.

I have been informed by WETA-TV staff members that if such a communications emergency should ever arise again channel 26 will resume this news program. They are already formulating plans to have time available to make immediate announcement of the program in case of a news emergency.

It is particularly appropriate today, as the House opens debate on additional funding for educational television, that WETA-channel 26 and the Washington Star and Washington Post staffs be con-

gratulated for offering this public service.

STATEMENT OF JOHN G. GIUMARRA, JR., GENERAL COUNSEL, GIUMARRA VINEYARDS CORP., EDISON, CALIF.

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MATHIAS. Mr. Speaker, John G. Giumarra, Jr., one of my constituents, on September 30, 1969, presented testimony before the Senate Subcommittee on Migratory Labor. I believe his remarks present a fair appraisal of the activities of the United Farm Workers Organizing Committee in raising the issue of pesticides to bolster its presently sagging grape boycott.

The remarks follow:

STATEMENT OF JOHN G. GIUMARRA, JR., GENERAL COUNSEL, GIUMARRA VINEYARDS CORP., EDISON, CALIF., BEFORE THE SENATE SUBCOMMITTEE ON MIGRATORY LABOR, WASHINGTON, D.C., SEPTEMBER 30, 1969

I am John G. Giumarra, Jr., a resident of Bakersfield, California, and General Counsel of Giumarra Vineyards Corporation. We are grape growers in the Arvin and Delano regions of Kern County and are one of the many targets of the United Farm Workers Organizing Committee boycott effort.

Despite that boycott effort and intensive efforts by UFWOC to organize our workers and other farm workers in California and across the nation, our crops—and the total crop of the table grape industry—have been harvested and marketed in each of the past four years. Our 1969 crop is similarly flowing to market right now as Mr. Cesar Chavez and UFWOC trumpet their strike and boycott calls before this committee and in the marketplace of the nation.

This crop is moving because UFWOC has failed in each and every phase of its campaign and is now resorting to cynical and desperate tactics to keep its cause alive.

UFWOC has failed in the fields where it has been unable to win over the workers and unable to halt the production or harvest of grapes.

UFWOC has failed with the boycott because the consumers of America want grapes and will eat them if they are for sale. UFWOC has further failed in the marketplace because the stores of America have stood up under the worst kind of coercion, refusing to serve as arbiters in a dispute which is not of their making and refusing to deny freedom of choice to the consumer.

Now, as this hearing has established beyond doubt, Mr. Chavez and UFWOC, in a last ditch effort to buoy up their cause, have recklessly leveled the false charge that the grape growers are poisoning the American people. Mr. Chavez has come to Washington to testify before the highest legislative body in the land in an attempt to use this revered place as the staging ground for an effort which could well destroy the table grape industry and the livelihood of the farm workers for whom he professes such deep concern.

That tactic has failed because of the diligence this Subcommittee has shown in pursuing the truth. His defamatory charge against this industry is based on the flimsiest possible evidence—Mr. Chavez' single laboratory analysis and one four-pound sample from nearly a billion pounds of California table grapes. And indeed even this test was demonstrated to be inaccurate.

Let us look at that evidence:

Dr. Paul E. Porter, a world renowned chemist and unimpeachable expert in pesticides, has refuted beyond question the charge that California table grapes are contaminated by aldrin. His scientific expertise brought down to language everyone can understand proves that the test cited to this committee on August 1 was either in error, or that the grapes were deliberately doctored by someone.

Even disregarding for the moment the scientific technicalities of the matter, the irrefutable fact is that aldrin is not used on California grapes.

Anthony A. Bianco, Jr., who grew the grapes in question, swears he has never used aldrin on any crop.

Mr. Allen Lemmon of the California State Department of Agriculture showed that aldrin isn't used on grapes and that his department's tests of grapes on the farm, in the transportation process and in the markets, have never turned up aldrin.

The people who apply pesticides for the growers, and the agricultural commissioners of every county in California state that aldrin isn't used on grapes.

Finally, the Food and Drug Administration, with its broad scale tests and its widely recognized array of technical experts, processes and equipment have totally cleared the California table grape crop of charges that it is contaminated by aldrin—or that it is contaminated in any way whatsoever by pesticides, herbicides and what Mr. Chavez calls "economic poisons" of any kind.

This then is the evidence that disposes of UFWOC's pesticide and which destroys the credibility of Mr. Chavez' own testimony before this committee and the dangerously irresponsible propaganda he is spreading in his travels about the country.

But this is only part of the story. The contrived pesticide issue represents a final desperate move in Mr. Chavez' campaign to grab control of the nation's food production. The pesticide scare was obviously launched to shore up UFWOC's sagging boycott. UFWOC's stated concern for the farm worker and consumer is no more than a cynical weapon in its arsenal of trickery and deceit.

The first I personally heard of pesticides as an issue between the growers and UFWOC was about a year ago from Mr. Cohen himself. We were litigating a matter in Superior Court in Bakersfield, California, when Mr. Cohen warned me that UFWOC was considering launching the pesticide campaign which has now materialized. At that time, however, he stated that UFWOC was being restrained from doing so by the AFL-CIO because such a campaign might destroy the industry. Mr. Cohen insisted that UFWOC could raise the issue in the future if the industry continued its refusal to negotiate with UFWOC and that if UFWOC did, the grape industry would be faced with another cranberry situation. And he warned that we couldn't beat this tactic because, he said, in the cranberry situation every time the Food and Drug Administration or the industry advised the public that cranberries were safe, sales of that commodity plunged even lower.

The ironic part of all this is that apparently not only the AFL-CIO but Mr. Chavez himself opposed the use of this tactic by his followers.

On June 10, 1969, Mr. Cohen walked into the office of the South Central Farmers Committee in Delano, California, and engaged in a conversation with Mrs. Eleanor Schulte, the committee's office manager.

(At this point, Mr. Chairman, I would like to submit for the record Mrs. Schulte's affidavit regarding that conversation.)

Mrs. Schulte notes therein that Mr. Cohen said his purpose was for Mrs. Schulte to pass along to the growers the conversation that took place between them.

I will also quote three brief paragraphs from Mrs. Schulte's affidavit:

(Quote) "The Board of UFWOC (He [Cohen] mentioned the names of Larry, Dolores and Phil whom I assume to be Larry Itlong, Dolores Huerta and Phil Veracruz [All UFWOC officials]) had met the previous night and voted to mount an all-out campaign this year on the boycott, including the pesticide issue. Cesar did not want to push the pesticide issue, and tried to restrain the others but finally agreed to go ahead with it if necessary. The only alternative to this intensive campaign will be for the growers to negotiate. Cesar wants to avoid this intensification because it will be so destructive to both sides." (End quote)

(And quote) "He spoke of the 'cranberry scare' and said that every time the Department of Agriculture issued a bulletin denying pesticide poisoning in cranberries, it only made the situation worse. He said we couldn't fight the pesticide issue . . ." (End quote)

(And again I quote) "He said that the union had had conversations in the past with John Glumarra, Jr. and that 'we told him we would make the boycott a national issue and he laughed. Then we told him that we would bring up the pesticide issue, and he laughed, but we did all these things'."

Yes, Mr. Chairman and members of the committee, they did do all these things and more.

They have lied to the American people. They have deliberately distorted fact. They have libeled this industry and this commodity. And they have demonstrated the most vicious irresponsibility the agricultural community of this nation has ever witnessed.

For example, consider the next document I will ask to be made part of this record. It is a handbill put out by UFWOC urging "Don't Eat Grapes." This handbill and thousands like it are flooding the country in a deliberate effort to frighten the American consumer and to destroy this industry.

In it, UFWOC charges the growers with using pesticides of a kind, and I quote, "developed by the Nazis during World War II" which "works just like war gases in its effect on human beings."

I am not a technical expert in pesticides but I do read the English language and I understand deliberately misleading propaganda when I see it. The same handbill says "There are no inspection procedures and no safeguards to protect consumers from dangerous pesticide residues remaining on grapes." The testimony before this committee yesterday and today demonstrate the utter falsity of UFWOC's claims.

By the way, if UFWOC wants to talk about gases, I'd like to tell you of an incident in our vineyards near Delano on August 26. A picking crew reported to a field for work and within a few moments many of the workers complained of feeling ill. Their eyes were watering and they were coughing. One worker attempted to use a portable field toilet which is provided for our workers, but was driven out in several seconds, tears streaming from his eyes.

The Hornkohl Laboratories of Bakersfield, chemical and testing engineers, were asked to analyze the problem because we fully anticipated that UFWOC would charge the incident up to pesticides in some fashion. A Hornkohl chemist, L. H. McAuley, said he was unable to remain in the toilet building for more than three seconds because of what he described as "a very pungent odor and burning effect of the eyes."

Laboratory tests (And I am submitting the Hornkohl certificate for the record, Mr. Chairman) showed that the portable toilet had been sprayed with an organic chemical with an aldehyde base. Aldehyde, I am told, is an abrasive agent, a basic ingredient in tear gas.

When Mr. McAuley attempted to leave the

area with his sample, he was accosted by UFWOC supporters on the road outside the vineyard and warned to get rid of his sample. He refused, however, and was safely escorted from the area by one of our ranch officials. Moreover, while Mr. McAuley was taking his samples, the same UFWOC group harangued the workers in the field with shouts asking: "Do your eyes burn?" "Do you have tears in your eyes?"

All I can say, Mr. Chairman, is that before Cesar Chavez and UFWOC came to the valley, our workers were not tear gassed in the fields.

Mr. Chavez knows that the pesticide issue is false. He is completely willing to have it go away—even without resolution on his terms—if he can whip the growers into submission and take his first step toward control of America's food production.

Proof that he is willing to throw away the pesticide issue is evidenced in the next document I now submit for the record.

In June and July of this year, 12 table grape growers entered into negotiation with UFWOC under the supervision of the Federal Mediation and Conciliation Service. Those negotiations failed. The evidence stemming from those negotiations demonstrates beyond question that UFWOC was willing to throw away the pesticide issue to get its first contracts with the table grape industry.

The document I submit is an August 6 press release by the labor relations consultant who represented the 12 growers in the negotiations. It states that UFWOC submitted an offer in writing through the Federal Mediation and Conciliation Service which read as follows:

"That we are prepared to give a moratorium to the whole industry on the pesticide campaign for a limited time in exchange for an acceptable contract covering all workers, all crops."

Mr. Chairman, in closing I would submit the following:

The United Farm Workers Organizing Committee purports to represent the farm workers yet the majority of those workers have not chosen UFWOC as their collective bargaining agent. The charges by UFWOC on wages, working conditions, pesticides and the rest only obscure the real issue.

We, the growers, favor federal legislation that would allow the farm workers in the vineyards of California, and, indeed, the nation, to state whether they want UFWOC as their representative, or some other union, or no union at all. This should be part of a comprehensive legislative program dealing with the whole issue of employer-employee relations in agriculture and the right of the American consumer to the free flow of food from the farm to market.

Only if the Congress takes action can this controversy be ended forever.

WHY WE SHOULD GET OUT OF VIETNAM

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. KOCH. Mr. Speaker, I have read with great interest a statement made by our colleague, PETER N. KYROS, which has appeared today in the *Maine Times*. Because I believe it will be of equal interest to our colleagues, I am setting forth a copy of it:

WHY WE SHOULD GET OUT OF VIETNAM

Whatever our motive may have been and may be for having committed half a million troops to a military struggle in Vietnam, we

must face an excruciating reality. The military struggle has not simply become a stalemate, it is a war which we can never win.

Above and beyond all discussion of firepower, kill ratios, destruction of Vietcong infrastructure, and pacification, we are faced with a very basic fact: the North Vietnamese and the Vietcong are dedicated to the struggle, one which they are prepared to fight to the last man. We are not, thank God.

Let no one say that we have not fulfilled our commitment. Half a million troops sent, 38,000 lives lost, and 100 billion dollars spent are evidence enough of our steadfast commitment.

A second basic fact is our inability to eliminate guerrilla insurgency. It is possible to defeat guerrillas in countries such as Malaya, the Philippines, and Bolivia, where infiltration can be successfully dealt with and where there is no continual supply of local recruits. Vietnam, however, is a country where young men are not afraid to die in fighting the Saigon army, known for decades to be corrupt. It is also impossible to stop North Vietnamese from going South, in what they believe to be a continuation of Ho Chi Minh's campaign to unify Vietnam and drive out foreign troops.

It is estimated that between ten and fifteen men trained in counterinsurgency are required to secure an area from one guerrilla. Unable to prevent the recruitment and infiltration of these guerrillas, we are also unable to make the overwhelming manpower commitment necessary to secure the countryside from insurgency.

North Vietnam and the Vietcong will continue to have the option, should they suffer heavy losses in unit warfare, to return to Stage I of insurgent tactics—a return to guerrilla operations alone. We would be unable to match such a development, just as we would be unable to match a second option available to the insurgent forces: expansion of the war into Laos and Northern Thailand.

We have learned several military lessons from the conflict in Vietnam, and history may judge that the costs were not excessive, if the lessons are remembered. We have learned that we cannot indefinitely commit our men to a far-off struggle, against dedicated opponents who believe they are fighting for their very survival. We cannot commit half a million men indefinitely to one small military theatre, and continue to be prepared for other global confrontations. And we have learned that power is not synonymous with capability, nor firepower a guarantor of victory.

There is no question as to the courage of our men, or as to their performance and heroism under fire. But this is not the kind of war for them to fight, and we should not ask them to continue.

We can rain bombs upon the factories of North Vietnam—and their factories will be dispersed and rebuilt in untargetable units. We can attack petroleum supplies, cutting down on motor vehicle traffic—and the North Vietnamese will walk. We can crater roads—and labor gangs will have the holes patched in several hours. We can close the Ho Chi Minh trail for several hours—until the tide of infiltration and supplies resumes its flow.

It is time that people understand what many of our best military people already know: we cannot successfully wage a guerrilla war against men who are fighting in their own land for their own beliefs, and who have since their earliest years been fighting against corrupt governors and foreign troops. For us to lose such a war is no cause for shame. But it is inevitable.

If the war is futile—and it is—then why do we continue? We must stop. 38,000 lives, a quarter of a million injuries, and 100 billion dollars will not be vindicated by more lives, more wounds, and more money. Almost 300 young men from Maine have died. There

must be no more—no "reduced" casualty rates of 100 or 150 deaths a week, 5,000 or 8,000 men per year.

We have admitted that South Vietnam may never become a viable democracy, worthy of all the blood shed on that sad country's soil. But we have fought on, believing the struggle necessary to buy time for our efforts to stabilize a Southeast Asia emerging from colonialism. It is time we also recognize the error of these assumptions.

We may talk of fighting for the South Vietnamese people's right of self-determination. But to the vast majority of Asians, we are Westerners killing Orientals. We may have the support of certain governments in the war—the Thais, the South Koreans, and some Laotians and Malaysians. But we are slowly alienating the two nations in Asia with true future potential: Japan and India.

While we will never exhaust the North Vietnamese, we could succeed in making Chinese-style communism, and possible offers of help, increasingly more attractive to them. The continued war, then, is not only militarily futile; it is also increasingly more damaging politically.

It is difficult, if not excruciating, for us to face the fact that we may have lost a war. If this were a conflict in which our national security were truly at stake, I am sure all Americans would fight on, regardless of the odds. Fortunately, our nation will suffer no permanent damage by admitting that we are unable to fight indefinitely a guerrilla war in a far-off corner of the world.

It is obvious that mainland China is unable to embark upon expansionist policies at a time when that nation is faced with chronic disintegration of its domestic rule. While the Communist government of mainland China will no doubt find satisfaction in the withdrawal of American forces, the leaders and people of Vietnam are not about to enter into a stellite relationship with China replacing the once-dominant Western influences. The historical antagonism between Vietnam, Cambodia, and Laos will also militate against any pro-Chinese, anti-Western alliance of these nations.

The nations of Southeast Asia have for centuries been dealing with China, and we can expect that they will be able to continue this balancing act in the future, even should Vietnam be united under a Communist government. By continuing to support an elitist, military government in Vietnam, however, we only retard the movements in other Southeast Asian nations towards broadly-based governments capable of dealing with the realities of mainland China.

The realities of Vietnam are such that we should get out, now. The issue is not whether to get out, but how.

Essentially, we get out by getting out. Even if we are only now recognizing the futility of remaining, our adversaries have known since the first Tet offensive that victory is in their grasp. The prospect of compromise, so basic to our own principles in resolving conflicts, is alien to the other side. Why should they surrender by negotiation anything which they can accomplish by fighting? We must bite the bullet, and realize that our hopes for compromise are delusions born of our incurable optimism.

We have, however, an obligation to the South Vietnamese who fear for their lives at the hands of the Vietcong. While recognizing that the present Saigon government will never reach accommodation with its enemies while we are supporting this government, we also owe this government a chance to do what the South Vietnamese should have had the opportunity to do years ago: negotiate for their own future, without unrealistic reliance upon U.S. military support.

We should immediately take the only action which is morally acceptable to the young men who are courageously fighting at our nation's behest: end all offensive operations,

and take every military action with only one goal in mind: keeping casualties to a minimum. If this means withdrawing from exposed positions in the northern tier of South Vietnam, so be it. Our air and artillery power can be used to full advantage for protective purposes, but protective purposes alone.

We should, in order to protect those who fear reprisal, establish protectorates, or enclaves in Saigon and possibly Danang, Hue, or several other urban areas. The Vietcong should be advised, however, that these protectorates are for protection alone, and that U.S. military presence will be withdrawn entirely should there be effective guarantees against such reprisals.

We should halt offensive operations immediately, and we should advise the Saigon government of our firm intention to withdraw all military forces, except those needed for the protectorates, within a brief period—60 to 90 days. During this time, we should do everything possible to see that the Saigon government meets with nationalist and Vietcong groups to establish the future of the country. We should not involve ourselves in these discussions at all, and should make every effort to see that the North Vietnamese are not involved either. In this way we can hope, although perhaps not expect, that the future of South Vietnam can be determined by the Vietnamese themselves. In order to promote such an arrangement, we can make clear our willingness to provide economic assistance—an offer in which the Vietcong have shown interest. Should it be obvious that these discussions are really headed in a direction which will provide for a peaceful Vietnam we could extend our withdrawal date by a slight margin if warranted.

We should insist on one sole non-negotiable condition from North Vietnam, a condition on which we can expect unified public opinion in the United States and the world. We should insist that as we leave Vietnam, all our prisoners of war held by Hanoi and the Vietcong leave also. At the same time, we should do everything possible to see that North Vietnamese presently held as prisoners are permitted to return to their own homes as well.

As we withdraw from Vietnam, and withdraw we must, we come to the end of an era, an era in which we believed it possible to impose a Pax Americana upon local insurgencies, even 10,000 miles away. It is also, however, the beginning of a new age, an age in which the forces of nationalism emerge not only against Western-oriented elite governments in Asia, but against Soviet domination in Eastern Europe.

The United States should, and will, remain a Pacific power. Since the beginning of this century, our nation has accepted the fact that we must not simply seek commercial advantages in trans-Pacific trade, but that Hawaii, the Philippines, Australia, and other Pacific lands are destined to have close relations with the United States, Hawaii having now become a part of this nation. We must realize, however, that to oppose nationalist forces in Vietnam is to oppose the tide of history.

We need not fear nationalist, revolutionary movements in Southeast Asia. Less than 50 years ago, revolution took place on our own borders, in Mexico. President Kennedy was later to return to Mexico to stress our common revolutionary heritage, and the harmony which has grown up between our neighboring countries.

An even more recently example of successful accommodation to revolutionary nationalism has been France's experience with Algeria. After long years of fruitless struggle which had divided the French nation as the war in Vietnam divides ours, the French withdrew. A government came to power spouting Marxist slogans, but one which was

nonetheless willing to find accommodation with France.

We should remember that we fought our own "war of national liberation" less than 200 years ago. During that war, the British statesman William Pitt sought to convince his country of its folly: "You cannot conquer America," he said. He continued: "If I were an American, as I am an Englishman, while a foreign troop was landed in my country I would never lay down my arms,—never! never! never!"

We, as Americans, should realize that the Vietnamese nationalists will never lay down their arms. Just as we have not forever remained enemies to the British, so we will not always be enemies to the Vietnamese, if we will only stop killing each other.

I hope most fervently that President Nixon will adopt a course of action similar to that which I have described, and I will give the President my fullest support should he do so. After all, he has inherited our nation's war, not of his own making, which he has committed himself to bring to an end.

I believe there is no other course of action which will halt the loss of life and bring our nation together once again. The President still has the opportunity to avoid the divisiveness which has surrounded our Vietnam involvement in recent years, and I want to do everything possible to make our withdrawal possible for him.

TESTIMONY ON TAX REFORM: PART II

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PRICE of Texas. Mr. Speaker, yesterday I inserted in the RECORD the first of a series of excerpts from the testimony on tax reform I submitted to the Senate Finance Committee. Today I am inserting the second installment in this series, an installment concerning the proposed revisions in the tax treatment of capital gains.

I believe that the traditional tax treatment of capital gains has proven to be a key underpinning in our national economic development. Since the early twenties, Congress has based its capital gains tax policy on the belief that it is the national economic interest to encourage individuals to invest in productive enterprises. This is but a reflection of the basic economic fact that capital must be encouraged to flow into new commercial ventures if society is to benefit from new technological trends and more efficient modes of production and distribution.

Through the years, the capital gains tax structure has been an integral part of the genius and the guiding force of our Capitalist system. Due to its position of economic importance to our national health, I do not think that it should be revised at this time.

I insert in the RECORD, at this point, that portion of my testimony to the Senate Finance Committee which relates to capital gains:

CAPITAL GAINS

Mr. Chairman, as passed by the House of Representatives, the provisions of the Tax Reform Act of 1969 dealing with the treatment of capital gains affects substantial

changes in the present law. I feel that these changes, on the whole, will weaken our economic structure under the guise of reforming it, and their operation could cause irreparable damage to the nation's capacity for economic growth in coming years.

It is fundamental that an adequate level of investment must be maintained as a necessary precondition to continued national prosperity. What is not settled, however, is what the proper level of investment should be under varying economic conditions, and what combination of federal restraints should be utilized to insure that the proper level of investment is reached and maintained.

In recent testimony before this committee, Secretary of the Treasury David M. Kennedy made some pointed observations about the capital gains provisions of the Tax Reform Act of 1969. Secretary Kennedy noted that the Act is, "weighted in favor of consumption, to the potential detriment of the nation's productive investment." He concluded that the House passed version could impede economic growth in the years ahead by curtailing the incentive to make productive investments.

I fully agree with Secretary Kennedy's assessment of the impact to the national economy that would be caused by the new capital gains tax structure. In my view, the negative effects of the changes would manifest themselves in three ways.

First, the incentive for the businessman to take commercial risks would be reduced; and the supply of essential investment funds would be seriously curtailed. Since the early twenties, Congress has acknowledged through its taxation policy that there are distinct differences between ordinary income and income realized on true capital assets. The Congress has based its policy on the belief that it is in the national economic interest to encourage people to invest in productive enterprises. Capital must be encouraged to flow into new commercial ventures if society is to benefit from new technological trends and discoveries. This is part of the genius and the guiding force of our capitalist system.

It is axiomatic that the willingness of an individual to assume commercial risks depends to a considerable extent upon the prospect he sees for a suitable return on his investment. Obviously, then, if higher tax rates were levied on the gains an individual derived from his investments, the incentive of the individual to even get involved in a risk enterprise would be reduced. Consequently, if the tax treatment of capital gains is altered so that capital gains received less favorable treatment as is contemplated in the House passed Tax Reform Bill, then the flow of investment capital to new ventures will be reduced. This would not be in the interest of the consumer, the businessman, or the nation.

Second, if the changes in the treatment of capital gains become effective, the investment in modern plant and equipment would decline. This is not a desirable consequence from a view of long term, national economic growth. As I mentioned earlier, the Administration has expressed the view that the tax reform bill involves too great an allocation of tax benefits to consumption and not enough tax benefits to investment in productive equipment and capacity.

It is well settled there is a clear need for an adequate level of investment to promote long-run economic prosperity. At present, the Federal government has available an adequate array of fiscal and monetary tools by which it can attempt to influence and control the level of aggregate private investment. It does not need more investment controls, especially of the type contained in the House passed tax reform bill.

Third, any increases in the taxation of capital gains would adversely affect both the

national level of investment and the allocation of investment funds. Economists generally agree that in order to achieve the optimum allocation of our economic resources, the mobility of investment capital should be encouraged. Accordingly, if investment funds are to be allocated among various commercial ventures with maximum value, it is essential for investors to have access to and be able to transact business in a liquid and orderly market. For this reason, tax measures which hamper investment liquidity and impair capital mobility are clearly undesirable. Moreover, in our free enterprise system, individuals should not be deterred from making desirable shifts in the composition of their asset holdings as their needs and expectations change.

In looking at capital gains in perspective, it is clear that in coming years, new capital and new investments must be generated if our economy is to meet the demands placed upon it by our growing population and our expanding technology. In the face of these demands, the traditional structure of incentives which has proven itself through the years should not be casually or hastily dismantled.

THE PRESIDENT'S ERROR

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BINGHAM. Mr. Speaker, I agree with those who say that the kind of national commitment that led to a landing on the moon is what we need for the achievement of more important goals here on earth.

But it is quite something else to suggest, as President Nixon has, that the dazzling success of the Apollo 11 mission signals a new capability in us mortals to solve the problems of mankind.

The following pithy comment by Reinhold Niebuhr, which appeared in the September 15 issue of *Christianity and Crisis*, is worth pondering:

THE PRESIDENT'S ERROR

(By Reinhold Niebuhr)

After the successful moon shot, the triumphant President, speaking at a White House reception for foreign exchange students, exulted: "Any culture which can put a man on the moon is capable of gathering all the nations of the earth in peace, justice and concord." He was so persuaded by this conclusion, weighted with error, that he repeated this hope and promise in all the capitals of Asia.

The error of the President has persisted in Western culture since the 18th century. Quite simply, it is the error of identifying the self with the mind. When the mind considers, studies and conquers nature, then it is pure mind. The self with its pride, passion and interests does not enter when man frees himself from the limitations of nature. But when there is the problem of relating man to man and nation to nation, then the mind becomes the servant of the self's hopes, ambitions, pride and fears. Reason cannot simply annul or reduce the self's ideologies. An ideology is, in fact, a corruption of the reasoning process in the interest of self, individual or collective.

The bright young students, insofar as they numbered many foreigners, could not help but observe critically that the President's fond hopes betrayed an American ideology. Was it not the USA that placed a man on the moon; and did not his hopes and ambitions

suggest that it would be this nation, accoutered with this newfound "redeemer" status, that would lead all the nations to a triumphant "peace and concord"? Was this but another version of the "American Century"? No doubt there were as many skeptics in the capitals of Asia as among the foreign students at the reception.

We are unquestionably a powerful nation. And we also may be a virtuous one, even though our virtues may be more ambiguous than we can imagine in our inveterately high self-esteem. But surely we cannot assert our leadership by the constant reiteration of a long-exposed error about the self and its mind. For social and moral progress is more difficult than the mere conquest of nature.

The histories and social studies of two centuries prove the vanity of a hope and promise that has become the cornerstone of the "American Century."

THE GROWING USE OF VIOLENCE AS A POLITICAL TACTIC

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ASHBROOK. Mr. Speaker, the use of force and violence which our Nation has experienced in recent years has had a snowballing effect due largely, I believe, to refusal of involved authorities to call upon the laws and enforcement facilities available to them. Every school administrator who allowed his offices to be occupied, every clergyman who permitted his services to be disrupted, every official who acquiesced in the face of threats of violence—all, in my opinion, encouraged inadvertently the use of unlawful coercion, or the threat thereof, to gain desired ends.

The October 1969, issue of Religion and Society carried an excellent example of how violence has been adopted in various areas of our society in an article entitled "The Growing Use of Violence as a Political Tactic." Authored by Allan C. Brownfeld, a lawyer, lecturer and writer, this account puts to rest the proposition that the term, "law and order" is but a code phrase to be used for political advantage. As Mr. Brownfeld's treatment amply illustrates, the malady is very real and will not be cured by semantical dodges. Only an aroused public will effect corrective action, and articles such as the above-mentioned should be constantly called to their attention until conditions in this area change for the better. For this reason I insert "The Growing Use of Violence as a Political Tactic," by Allan C. Brownfeld in the RECORD at this point:

THE GROWING USE OF VIOLENCE AS A POLITICAL TACTIC

(By Allan C. Brownfeld)

Violence, in a short period of time, has moved from an occasional aberration and disturbance to a political tactic, endorsed by many leaders of the New Left, by leaders of the new black nationalist movement, and by others who feel disaffected and disillusioned.

This tactic has resulted in many overt and covert acts, the full import of which is yet to be understood and assimilated. There are, of course, the major incidents, such as the take-over of Columbia University and the

disorder which was precipitated in Chicago. These bear careful analysis. But there are many, often unreported, incidents, of what their perpetrators term "sabotage."

The Institute of Science and Technology at the University of Michigan was rocked by an explosion late October 14. The bombing was the thirteenth to hit the Detroit area since August and came only two weeks after extensive damage forced the closing of a semi-secret C.I.A. recruiting office in a downtown Ann Arbor office building.

Ann Arbor Police Chief Walter Krasny has claimed the series of bombings may be the work of "anti-establishment militants" at the University of Michigan, while Detroit officials blame "hippies" for the explosions. *The National Guardian* reported that "Reaction to the bombings in the Ann Arbor radical community has ranged from quiet amusement to fantasy to increased discussion regarding the nature and timing of revolutionary chaos and terrorism and their possible relation to politicization of young people and/or mass repression of the radical movement. While some feel that such violence will help increase the consciousness of students, others feel that the level of awareness is now so low that the bombings will do little . . ."

The Cleveland riots of July 1968, according to federal investigators, were the product of a black nationalist conspiracy. Key figure in the conspiracy, the experts say, was Fred "Ahmed" Evans, a local black power leader who has been linked with the pro-Peking Revolutionary Action Movement. In May 1967, Det. Sgt. John Ungvary, head of the Cleveland police department's subversive squad, said that terrorists under Evans' direction were plotting a "black revolution" to coincide with "a war between Red China and the United States."

Evans, who was arrested during the riots, was charged with shooting to kill. "If my carbine hadn't jammed I would have killed you three," police quoted him as saying. "I had you in my sights when my rifle jammed." Evans told police that he and seventeen others had organized the sniper attacks that resulted in the deaths of three policemen. Told that three of his snipers had been slain, Evans said, "They died for a worthy cause." Phil Hutchings, militant head of the Student Non-Violent Coordinating Committee, told newsmen that the Cleveland outbreaks were "the first stage of revolutionary armed violence."

This was confirmed by negro mayor Carl Stokes who viewed the violence this way: ". . . it was not at all related to any kind of honest reaction to an environment, not at all. This was a planned, deliberate and previously contrived plot to damage . . . The acts of the people the other night were just deliberately contrived lawlessness and determination to commit violence among this small group."

Violence is often proclaimed as the only means by which society can truly be cleansed. The Rev. William Sloane Coffin, convicted last summer of conspiring to violate draft laws, delivered his first sermon of the academic year at Yale University in praise of change, even if change comes in violent ways. He told three hundred persons, mostly students, that "life is change, growth, love and readiness to suffer." The Rev. Coffin warned that the current condemnation of violence by political leaders may also be condemnation of change. He stated: "Jesus, when he threw the money changers out of the temple was no more violent than (Columbia radical student leader) Mark Rudd."

The day before the 1968 election about three hundred white and negro students seized the Administration Building at San Fernando Valley College about four hours. Several youths with knives held prisoner about thirty-five administrators, including the college president. Shortly after the elec-

tions, plainclothes police halted a brief outbreak of violence at San Francisco State College. Two arrests were made after members of a small gang wearing stockings over their heads ransacked offices and set small fires in the restrooms of several buildings. A strike by an extremist minority of the eighteen thousand students closed down the campus as a protest against suspension of Black Panther George Murray, English department instructor, who had called on black students to carry guns on campus.

Courses in how to stage community demonstrations and how past revolutions have been planned and carried out are listed in the curriculum of evening adult education classes advertised for Junior High School 271 in the controversial Ocean Hill-Brownsville School district of New York. Among the teachers listed for the courses is Herman B. Ferguson, who is in jail awaiting appeal of a prison sentence for conspiring to murder moderate civil rights leaders. Another instructor is Robert Carson, head of the Brooklyn Chapter of the Congress of Racial Equality. He withdrew the chapter from the national CORE because he considered the parent group insufficiently militant.

Student protestors, emulating black power militants, are turning from non-violent demonstrations to "Che Guevara-like tactics of organized guerrilla warfare." Dr. Edward E. Sampson, associate professor of psychiatry at the University of California campus in Berkeley, told a national symposium on violence. He said that on college campuses as well as in the ghetto, militant leaders are turning from the spontaneous violence of a few years ago and now are using violence as a carefully planned political tactic. He stated: "The tactics here are to force the police or the national guard into an area ostensibly in order to prevent violence. What actually occurs, of course, is that their presence easily provokes spontaneous violence."

Following the teachings of Mao Tse Tung and Guevara, the militants find in violence "a radicalising effect on predisposed but otherwise as yet uncommitted or barely committed people." Guerrilla warfare has already started on college campuses. "Several burnings have taken place at Stanford University and at Berkeley. These may be the work of small bands of organized protestors. This move to more secretive hit and run guerrilla warfare is definitely the future direction of protest in this country. Things are going to get much worse before they get any better."

For some time, negro extremists have urged a Castro-like revolution in America. Castro's newspaper *Granma* quoted Stokely Carmichael that "Brothers, we see our right connected with the patriotic struggle of the peoples of Africa, Asia and Latin America against foreign oppression, especially United States oppression." *Granma* published an interview with Carmichael in which he said that "Fidel Castro is a source of inspiration" and that Cuban communism has a special importance "because it is the nearest system." Carmichael said that "We are moving toward urban guerrilla warfare within the United States" and linked the purposes of his guerrilla warfare to communist objectives: "When the United States has fifty Vietnams inside and fifty outside, this will mean the death of imperialism."

A long distance call between H. Rap Brown in New York City and a Castro functionary in Havana was broadcast throughout Latin America on August 13, 1967. Brown told Havana, "Our rebellion is against the power and structure of white America." He bragged that black power now is proficient in the terrorist urban tactics of the Viet Cong, and said of the summer: "Each city in America which has a large Negro population can predict with confidence that it will have a rebellion. . . . We live in the stomach of a monster and we can destroy him from within."

Ex-convict Eldridge Cleaver, the presidential candidate of the Peace and Freedom Party, did not hesitate to state that violence was his goal. In a talk before a group of San Francisco lawyers he stated: "... you're all chasing dollars, but there are other people who are chasing dollars to buy guns, to kill judges and police and corporation lawyers. ... We need lawyers today who have a law-book in one hand and a gun in the other ... so that if he goes to court and the case doesn't come out right, he can pull out his gun and start shooting. ... I hope you'll take your guns and shoot judges and police. Kill some white people or make them act in a prescribed manner."

Violence has been defended by groups and individuals who had been generally respected in their communities. Washington, D.C. provides a case in point. The Black United Front, an organization of negro leaders, issued a statement describing the slaying of a district policeman as a "justifiable homicide." The statement said, in part: "The methods of self-defense used by the family charged with the alleged slayings of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide."

Several hours later, Mayor Walter E. Washington, himself a negro, asserted that "The Black United Front resolution with respect to the slaying of Officer Stephen A. Williams ... is inflammatory, irresponsible and unfortunate. ... If this community is to thrive and prosper, it must do so within the framework of law. As citizens we must continue to work together—black and white, policeman and civilian—so that law and order, with justice will be the code for all."

Director of Public Safety Patrick V. Murphy called the Black United Front's resolution "very dangerous" and "not well founded." He said the resolution could not "help but be inflammatory," and he said he did not think it spoke for "any significant number of citizens." Murphy asserted that police department evidence suggested nothing like justifiable homicide and that anybody with different evidence had a responsibility to come forward. "I think it's tragic that such a statement should be made concerning a policeman who has given his life protecting other citizens."

The Black United Front statement was adopted unanimously in July, 1968, by about 450 persons at a meeting at Douglas Memorial Church. The group was formed in January, 1968, as a civil rights coalition of moderates and militants by Stokely Carmichael, now its co-chairman. The Rev. Channing Phillips, the Democratic National Committeeman from Washington, D.C., and a board member of the Front was asked whether he approved of the front's statement. "Well, I was there and the vote was unanimous," Mr. Phillips said. "Both the officer and the citizen deserve protection from this system that provides for the deaths of both."

The Rev. Walter E. Fauntroy, vice chairman of the City Council and a member of the board of the Black United Front, also refused to repudiate the statement.

If violence has become an acceptable tactic for black extremists, it has also become an essential part of the tactical approach of the New Left, made up primarily of middle class, white college students.

Steve Weissman, a student leader speaking at Stanford University, stated: "What the University has done is to get us to think for a number of years that social problems can be solved by rational discussion. ... There's no conversation between us and C.I.A. We're on different sides. I hope people will now see that force is a part of this world. ..."

Steve Kindred, a member of the Students for a Democratic Society at the University of Chicago, noted that "This University owes quite a lot of reparations. This whole society

owes quite a lot of reparations. With what the University's done, and the way it's followed in the footsteps of the other major institutions of this society, it may burn some day. It doesn't deserve not to burn."

Joel R. Kramer, President of the *Harvard Crimson*, expressed the view that "... if students are to have any of the real power, they know they must take it forcibly, or at least use force to focus public attention on their claims. ... Force is becoming a popular student tactic because students are learning that it works."

A leaflet prepared in Toronto, Canada, and reported to have been distributed to chapters of Students for a Democratic Society throughout the country contains instructions on how to make Molotov cocktails and incendiary time bombs.

Urging sabotage as "the next logical step toward obstruction and disruption of the U.S. war machine," the leaflet says that it is ludicrous to think that demonstrations closing down an induction center for a few hours will really hurt Selective Service. "On the other hand," the leaflet says, "is there anyone who doubts that a small home-made incendiary device with a timing mechanism planted in a broom closet at the Oakland induction center could result in fire and smoke damage to the entire building, thus making it unusable for weeks or months? One person with a fair knowledge of chemistry could build a device easily and cheaply and could plant it with almost no chance of being detected."

S.D.S. has between 250 and 300 chapters at colleges and universities and claims a membership of 35,000 to 45,000.

In the violence at Columbia University private papers representing ten years of research were taken from the files of Orest A. Ranum, an assistant professor of modern history, and burned.

Supporters of the strike are said to have been antagonistic toward Mr. Ranum since he issued a paper opposing the student position early in the crisis when five buildings were occupied by student demonstrators. Leaders of S.D.S. disavowed the destruction of Mr. Ranum's research. "We deplore the burning of the professor's papers," one S.D.S. leader said, "but we deplore the provocation of the University even more." Of the burned papers, Mr. Ranum said: "All of this is personally irreplaceable."

Discussing the motives and tactics of the radical students, Professor Robert Lindsay Schuettinger of Catholic University, said this: "These people ... do not wish to communicate. They are uninterested in reason, or reform, or betterment or progress or democracy or freedom of speech. They are interested in making war. Their war is not the civilized warfare of our traditions; they do not attempt to exempt women or children; they do not hesitate to lie, to break treaties, to steal private property. What occupying army, for instance, would have treated President Grayson Kirk's Columbia office as did the hooligans who broke in and destroyed his personal books, papers and paintings? The Nazi and Communist armies as a general rule did not act like that; we would have to go back to the Vandals, the Huns and the Mongols for precedents. ... There is a real question, in fact, whether demonstrations ... have a place in a well-run university at all; a demonstration, after all, cannot say, 'On the other hand.'"

The New Left's leading philosopher, Professor Herbert Marcuse of the University of California, has made a case for what he terms "socially useful destructiveness." It is his thesis, expressed in his book, *The One Dimensional Man*, that by providing man with an abundance of food, clothing, and material comforts, this society robbed the individual of his desire for intellectual growth and self-expression. Since it is obvious that a socialist revolution will not be brought about by the

now docile masses, Marcuse abandons the proletariat as the medium for the desired social upheaval. Instead, he finds much promise in students and the "oppressed" minorities. Using what he terms "socially useful destructiveness," they will apply the pressure necessary to obliterate our bourgeois-industrial state. What would come after the revolution? It would be rule by an elite, for Marcuse would replace democracy with a dictatorship controlled by those who rigidly adhere to his Marxist views. According to the professor, majority rule would be replaced by the "morality" of a presumably infallible minority.

The violence which occurred at the Democratic National Convention in Chicago provided a case in point. As far back as November 16, 1967, the *Village Voice* reported the leader of the Youth International Party, Jerry Rubin, as saying: "See you next August in Chicago at the Democratic National Convention. Bring pot, fake delegates' cards, smoke bombs, costumes, blood to throw and all kinds of interesting props. Also football helmets."

Early in 1968 the National Mobilization Committee Against the War in Vietnam headed by David Dellinger organized a Chicago project committee and placed Rennie Davis in charge with instruction to work closely with Tom Hayden, leader of S.D.S., and Jerry Rubin, of the Progressive Labor Party and also of the Youth International Party, more commonly known as Yippies.

Dellinger and Hayden held a press conference in New York on June 29 and were quoted by the *National Guardian* as saying: "We are planning tactics of prolonged direct action to put on the Government and its political party. We realize that it will be no picnic but responsibility for any violence that develops lies with the authorities, not the demonstrators."

Early in August, Rennie Davis appeared before a meeting of the Chicago Peace Council held at the Lawson Y.M.C.A. He displayed two large three foot by three foot maps of the area surrounding the International Amphitheater, noting locations where police, National Guard, F.B.I. and other security forces would be situated during the proceedings. He stated that if trouble starts at the convention, among other things "The Loop will fall," implying the demolition of the downtown Chicago area.

The violence which occurred in Chicago was predicted almost precisely by the August 9 Intelligence Division Report of the Chicago Police Department. That report concluded with this statement: "Due to the talk around the office of the National Mobilization Committee and the general attitude of Rennie Davis and Tom Hayden, the reporting investigator feels that the night of 28 August 1968 there will be widespread trouble through efforts of Davis and Hayden. It is felt that there will be trouble in the Loop area and possibly on the South and West Sides. This would be done in an effort to draw the police away from the Amphitheater."

Chicago was just the beginning. Addressing a rally in Grant Park, Tom Hayden urged youths to go home and create "100, 200, 300 Chicagos." He cried: "If they want blood to flow from our heads, the blood will flow from a lot of other heads around this city and around this country. We must take to the streets, for the streets belong to the people. ... It may well be that the era of organized, peaceful and orderly demonstrations is coming to an end and that other methods will be needed."

Those other tactics discussed by Tom Hayden have already become a reality in the fall of 1968. A new publication, *Mayday*, has appeared. Making light of the violence which has shaken a number of campuses, it led off its fourth issue with this verse: "Sabotage: This is Number One and the Fun Has just

Begun." Edited by Andrew Kopkind, James Ridgeway, and Robert Sherrill, its November 8, 1968, issue included the following: "The war began last winter on the Western front, in the rainy season. The guns of February were four Molotov cocktails, thrown at the Naval ROTC building on the Berkeley campus of the University of California. The shots were not heard round the world . . . But 'war' is not always a recognizable object . . . The first attack on the Berkeley ROTC building was followed by the burning of a similar center at Stanford. At about the same time, electric power cables strung over the Berkeley hills were cut. Then, three giant electric towers in Oakland were blown to the ground, leaving about 30,000 houses without power and stopping work at the Lawrence Radiation Laboratory at Berkeley. A few days after the tower was destroyed, a University of Colorado drop-out student turned himself in to publicize his 'crime.' 'I had to do something to stop their machines—so maybe they would listen, so that this war would be stopped,' he said."

The violence has mounted. The Stanford ROTC building attacked last winter was hit again a few months later and destroyed. On September 18, a Naval ROTC hall at the University of Washington in Seattle was blasted, with damage estimated at \$85,000. Five days previously, a Naval ROTC building at Berkeley was dynamited and an ROTC hall at the University of Delaware was hit by a Molotov cocktail. In Eugene, near the University of Oregon, a series of explosions destroyed the Naval and Marine Corps Training Center in late September. Damage was put at \$106,000; trucks, a personnel carrier, a crane, and a radio tower were destroyed.

The mounting violence in American cities and on American campuses caused Canadian Prime Minister Pierre Elliott Trudeau to express concern over the possibility of large scale rebellion in the United States and the fear that disturbances might spread into Canada and Mexico.

Trudeau, making his first major statement on relations with the United States since he took office, said North America is more threatened by internal disorder than external pressure. "I am not predicting what the outcome will be, but I am saying that in my scale of values I'm less worried about what might happen over the Berlin Wall than what might happen in Chicago, New York and perhaps our own great cities of Canada," the Prime Minister said.

Addressing students at Queens University, Trudeau said that strife in American cities "might seriously lead to large rebellions and large disturbances of civil order and social stability in North America. And I believe that if in the next half dozen years or so there were to be great riots, beginnings of Civil War in the United States, I'm quite certain they would overflow the borders and they would perhaps link up with the underprivileged Mexican and the underprivileged Canadian."

The growing acceptance of violence as a tactic by black militants and new left activists poses threats to the democratic values of dissent and free speech. One man's freedom has traditionally ended where another man's freedom began. One man cannot use his freedom to deny that same freedom to other men. Where violence takes the place of dialogue and debate, the very concept of freedom and democracy is in serious jeopardy.

One of the most eloquent replies to the advocates of violence came from Dean Clarence Ferguson of the Howard University Law School. Speaking to the students at this predominantly negro institution, Dean Ferguson stated: "I feel our system is amenable to change with less than a confrontation. I believe within the system are the resources for alleviation. . . . Unlike every revolution throughout the world, this revolt, of both

poor people and of students, is a revolt to get in, not out. It is a revolution that appreciates the good things of the American system. It still believes the American dream is a valid dream. . . . They want in. They insist on a sharing role—in curriculum planning, discipline, distribution of aid. They are saying they are excluded from the system and they want to be part of it. . . . Instinctively they know there is a wide gap between what we say and what we practice. Many of them make it plain that reforms have to go beyond law and technique to a reorientation of our values and a change in attitudes. . . . The students know that if you enforce every civil rights bill up to the hilt tomorrow morning, you wouldn't change the ghetto situation. The social changes needed are beyond the power of mere legalisms and minor renovations in the present system."

But whatever changes are needed, either in the cities or on the campus, they must come about through the democratic process, when the will of the majority has been made known, or when the responsible officials have acted. They must not come through coercion, through threats, and through violence.

Unless we understand the use of the tactic of violence, and unless we oppose it forcefully, refusing to permit it to succeed, we may yet face the upheaval predicted by Prime Minister Trudeau. Thus far, all too often, we have compromised with it, and apologized for condemning it. A society of law cannot exist if citizens take the law into their own hands and violently coerce their fellow citizens into particular courses of action. Violence is no more acceptable as a political tactic than is a social aberration. In both instances, it is harmful both to those using it and to those forced to endure it.

IUD PRESIDENT STRESSES LABOR UNITY

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Pittsburgh Press, Sept. 28, 1969]
IUD PRESIDENT ABEL WINS PRAISE OF 61 AFL-CIO UNIONS—STRESSES LABOR UNITY, MAPS FUTURE GOALS

(By Edward Verlich)

ATLANTIC CITY.—Crimson flooding his cheeks, a smiling, embarrassed I. W. Abel rose halfway out of his chair on the podium at Trimble Hall in the Claridge Hotel here and made a half bow.

It was about all the acknowledgment the humble molder from Canton, Ohio, could muster.

The action was in response to 400 cheering, standing, clapping delegates—leaders of 61 international unions—who unanimously resolved:

"The delegates to this convention join with the Industrial Union Dept. Executive Committee and Executive Board in expressing to our president, I. W. Abel, our deep gratitude for leading the department out of its darkest depths to the threshold of its greatest achievements."

Less than two years ago, the president of the 1.2-million-member United Steel Workers didn't want the job as president of the 5.6 million-member Industrial Union Dept. (IUD) of the AFL-CIO.

In his own words, "I did not welcome the development that resulted in my selection as

president (of the IUD). I would have preferred—and I still prefer—a completely united labor movement."

REUTHER PULLOUT

Mr. Abel's reference was to the pullout by Walter Reuther and his United Auto Workers (UAW) from the IUD presidency and AFL-CIO.

But, in the words of Nicholas Zonarich, a former steelworker from New Kensington and the IUD's longtime director of organization, "The job sought the man."

Mr. Zonarich said the IUD was about in the same shape after the UAW pullout as that McKeesport steelworker's house that was blown down by a tornado a few years ago.

The steelworker came to union hall and announced, "The wind blow my house down. What CIO do for me now?"

Faced with a treasury that depleted from \$3½ million annually to \$650,000 due to Mr. Reuther's exodus, Mr. Abel cut financial corners. But he managed to maintain essential services such as co-ordinated bargaining, the elaborate method by which the old CIO unions that make up the IUD—balance the increasing power of conglomerate companies.

He induced four international unions to return to the fold. That picked up the treasury and the membership ranks.

Now, as chairman for the first time of the IUD convention, he had to provide leadership and direction for the 5.6 million workers represented by the industrial unions.

"TOO MUCH DIVISION"

"There has been too much division in the labor movement," Mr. Abel said in his keynote address. "We must never forget that we are an arm of the AFL-CIO . . ."

With the stage set, he charted the course for the industrial union.

"There has been a growing concentration of corporate wealth, as signified in the creation and growth of conglomerates. And I say that this constitutes a real threat to the collective bargaining process," the IUD chief declared.

"It does so because it tilts the balance scales in favor of industry," he said.

Merging companies into conglomerates is the type of structure that lends itself to "strike-breaking and union-busting," he added.

Mr. Abel said workers are not sharing adequately in the fruits of their labors.

In the last nine years, corporate net profits have increased 94 per cent—corporate dividends up 78 per cent. Yet, weekly wages went up only 33 per cent and in terms of real buying power, only 10 per cent.

Ironically, Mr. Abel said, workers now are being told there has to be trade-off in jobs to slow down inflation.

"The worker, who has been denied his share of profits, now is being told he must continue to lose ground by being laid off from work," he added.

The Abel leadership could be seen in the resolutions passed by the convention.

In his keynote address, he called for Federal legislation on occupational health and safety. He cited the figures—14,500 workers killed annually on the job; 2.2 million workers disabled; 7 million more injured; more than \$1 billion in wages lost; 225 million man days of productivity.

"We need Federal standards because the states are completely ineffective," he said.

SAFETY PUSH

The delegates unanimously passed a resolution of occupational health and safety after lengthy floor debate on the need for action and no more lip service as far as worker safety is concerned.

On health care, Mr. Abel said a national health insurance system financed out of the Federal Treasury is needed.

He said he doesn't care what the Amer-

ican Medical Assn. (AMA) calls such a program. He asked the AMA, "If you call such a program to provide medical care for people socialized medicine, what do you call it if you deny such care to people?"

IUD has scheduled a conference for November on the crisis in health care.

The IUD, Mr. Abel said, is insisting Congress extend the Voting Rights Act of 1965 for another five years when it expires next August.

If the act isn't extended, some states again would try to "subvert Democracy," he added. Nixon Administration proposals would allow states to make it impossible or at least "very difficult for Negroes to register and vote," he charged.

One of the greatest challenges of our time is the "spread of automation and technological change," Mr. Abel said.

"Spurred by tax concessions, industry has been modernizing the means of production at a fantastic rate. New automated plants are replacing vast and complex operations with a corresponding reduction in needed workers," he said.

To prevent "jobless chaos" he called for a four-day, 32-hour work week with no loss in pay, he emphasized. He asked the 61 IUD unions to make the shorter work week their primary objective in bargaining and legislation.

HO CHI MINH—A REALISTIC VIEW

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MARSH. Mr. Speaker, the late Ho Chi Minh has been referred to by some as "father of his country."

Whatever descriptive appellation history may assign him, there is not likely to be any bracketing with George Washington, whose attributes and achievements earned that honored designation in the United States of America.

The contrast is set forth effectively in an article by John P. Roche which appeared in the Boston, Mass., Record-American on September 16, 1969. As I believe it will be of interest to the House, I include it in these remarks, as follows:

A WORD EDGEWISE—THE TRUTH ABOUT HO CHI MINH

(By John P. Roche)

The death of Ho Chi Minh has touched off a lot of absurd rhetoric. One Congressman suggested he was the Vietnamese equivalent of George Washington and Abraham Lincoln, while a favorite description leaned heavily on the word "mystic." As far as Ho's mysticism was concerned, I am not prepared to argue—provided those who use the term would also apply it to Adolf Hitler, Sirhan Sirhan, and the organizers of the Spanish Inquisition.

However, I do find the analogy with George Washington and Abraham Lincoln too much to take. Without for a second denying Ho Chi Minh's dedication, courage, and strategic genius, the stark fact is that he became the "Father of His Country" by murdering the other candidates. The Stalinists pre-empted the cause of Vietnamese nationalism by their ruthless willingness to destroy non-Communist competition, particularly Marxist revolutionaries who rejected Moscow.

If George Washington had operated differently, he might have been a model for Ho. If, for example, in 1765, Patrick Henry had been found dead in a ditch with a bullet hole in the back of his neck; and in 1767 Thomas

Jefferson had been found hanging from a barn rafter, an apparent suicide; and in 1771, John Adams had been found drowned in Boston harbor; and in 1775, Alexander Hamilton and James Madison—on their way to a secret meeting at Mt. Vernon—had been captured by the British—if our colonial history had been highlighted by such incidents, George Washington could have been an excellent preceptor for Ho Chi Minh.

For this was the basis of Ho's "mystical" commitment to Vietnamese nationalism. It was brought home vividly to me a few years ago when a friend introduced me to a Vietnamese who was on the lam from everybody. At that point in time, both Ho Chi Minh and President Diem had a price on this man's head. He was an authentic Vietnamese nationalist, a one-time leader of the Cao Dai resistance to the French in the Mekong delta. His story was incredible—but verifiably true.

In early 1947, after Ho broke with the French, the top leadership of the Viet Minh (which then had substantial non-Communist forces) was allegedly called to a meeting near Hanoi. The word came to Dr. Xuan (a pseudonym) and he set out on the long, dangerous journey. Shortly before he reached the secret meeting place, French security agents seized him. French intelligence officers told him he had been betrayed by the Communists and tried to get him to sing. He thought it was a trick, refused to reveal anything even under torture, and was sentenced to death.

On the day of his execution, a French officer appeared with a squad of Senegalese. The French officer looked at him and suddenly called him by his real name. They had been classmates and friends at the famed Ecole Polytechnique in Paris! The officer instructed him quickly: "Everything is chaotic around here; we will march you down towards the place of execution. When we reach a certain corner I will distract the soldiers and you take off. Good luck."

To make a long story short, he escaped, and keeping what the French intelligence officers had told him in mind, made no contact with the Viet Minh. Later in Paris he met others who told him there had been no meeting, that he had been deliberately led into a trap. One of those who had set the stage was now himself a refugee from General Giap's secret police (Giap was then Minister of the Interior); he had been denounced as a "Trotskyite."

The best estimates are that in 1946-47 about 10,000 key non-Stalinist Vietnamese nationalists were murdered. When it came to being the Father of His Country, Ho Chi Minh took no chances on paternity suits. And what makes the New Left acclaim for "Uncle Ho" savagely ironic is that they are precisely the sort of undisciplined, unreliable, talky types who were featured on the execution lists as "Trotskyites." In pragmatic terms, however, one has to hand it to Ho: after 1947, he had very little trouble with his intellectuals.

BIRDS IN A GILDED CAGE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. GALLAGHER. Mr. Speaker, the announcement yesterday that the Pentagon has funded a \$600,000 study to determine the effectiveness of birds as an instrument of modern warfare should caution all Pentagon watchers. Those who have tried to impose fiscal control over the Pentagon now realize they have

budgeted budgies. Alfred Hitchcock, who directed "The Birds," will be named Assistant Under Secretary for the Office of Ornithology Operations and I can reliably report to the House that Burt Lancaster is now under contract to four-star as "The Bird Man of the Pentagon." The American eagle really has something to scream about this time. When we are budgeting birdseed for the ghettos and hanging an albatross around the neck of those who continue to urge innovative social action programs, the "gilded cage" across the Potomac continues to feather its nest and hatch such bird brain schemes. Research leading to a mynah bird conducting search and destroy missions is no more absurd than a massive funding for an SST to go from Watts to Harlem in 2 hours. They both represent a tragic waste of national resources at a time when we are alleged to be restructuring our priorities.

Mr. Speaker, unless the Washington Post story is a hoax, this is no laughing matter. All of us, hawk, dove, and owl, have an equal stake in an effective Department of Defense. Until the nations of the world are truly ready to beat their swords into plowshares, military preparedness, including advanced research and development, needs the full support of the Congress.

Mr. Speaker, in the name of sanity, the Pentagon must clip the wings of this contract at once. It is not "old fogeyism" to insist that this pilot project be promptly grounded. To protect the necessary solid steel in the Pentagon, the "bird in the gilded cage" must not be allowed to cast discredit on the whole operations of the Department of Defense.

The article describing this incredible plan appeared in the Washington Post of October 8, 1969, and I insert it at this point:

BIRDS ALERTED FOR WAR

(By Thomas O'Toole)

Would you believe that war is for the birds?

So much so that hawks and doves might fight side by side or that parrots, ducks, chickens, pigeons and even mynah birds could be drafted to help defend the flag in some future war?

Whatever you might think of the scheme, the Pentagon is all for it. Consider the description of the \$600,000 contract the Defense Department has with the Psychology Department of the University of Mississippi:

"This program is based," the contract reads, "on the supposition that birds will eventually replace humans for activities that are dangerous, difficult, expensive or boring."

Among the activities the Pentagon has in mind are "aerial photography, gunnery, steering of missiles, detection of mines and search and destroy operations."

Just how the Pentagon plans to get birds to do all these things is anybody's guess, but it does mean to try.

"Much of the research will relate to complex forms of stimulus control," the contract with the University of Mississippi reads, "for example, visual search, auditory pattern recognition, pursuit and tracking, controlled locomotion and operation of manipulanda while flying."

"This is not a development contract," explains a Pentagon spokesman. "What we're trying to do here is to see if birds can be trained to do certain things."

The Pentagon admits it won't be able to use all birds in its research but it would like to train most species of wild birds for combat

flying. "Especially crows, ravens, jays, hawks and vultures," the contract goes on, including "doves, parrots, mynahs, chickens and pigeons."

The use of warbirds is not a new one, though its past is hardly glorious.

The most serious attempt to use bird-like creatures was in a program called X-Ray, in which bats carrying incendiaries were to be flown into Tokyo during World War II. The idea was to get the bats to roost in the eaves of Tokyo's wooden buildings, where the bombs would go off when the bats flipped upside down to sleep.

"The trouble with that one," said one scientist who worked on Project X-Ray, "was that it almost burned down an Air Force base in New Mexico." X-Ray never made it to Japan.

The latest scheme for warbirds came to roost when the Pentagon circulated a letter advertising for ornithologists to work on it.

"I read it, I re-read it, and I read it again," one scientist said, "and I still couldn't believe it. It's insane."

Critics notwithstanding, the Pentagon is going ahead with its bird scheme.

"This program is just getting started," it says. "Hopefully, it will go on for 10 or 20 years."

The project is supported by a three-year "Project Themis" contract, at \$200,000 a year. Project Themis is a program aimed at beefing up basic research in universities that have not had strong science programs.

REPUBLIC OF CHINA CELEBRATES 58TH ANNIVERSARY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. WOLFF. Mr. Speaker, tomorrow marks the 58th anniversary of the founding of the Republic of China. In honor of this important anniversary of a close and dear friend of the United States, I feel we should recall the courage and tenacity which has marked the 58 years of this nation.

On October 11, 1911, Dr. Sun Yat-sen and a courageous band of followers lit the spark of revolution which led to the overthrow of the Manchu dynasty. After the tides of revolution had subsided, these dedicated and hearty souls set about to establish a nation which embodied the precepts of liberty and justice. In effect, the Republic of China began in much the same way that the United States had—sparked by courage and reared in compassion.

The Republic of China, as we know, has continued its fight against slavery and injustice. In its 58 years, it has continually demonstrated that its foundations are built on a truly universal concept of freedom and justice. Living in the shadows of communism, it has stubbornly and admirably flourished with a strongly anti-Communist ideology, an ideology which refuses to be intimidated by brute forces of communistic evils.

Evil, slaughter and intimidation have never diminished the country's convictions or prevented it from showing the world that it is determined to live up to the highest ideals it has set for itself.

This nation has grown and prospered imbued with the convictions that it can triumph over the greatest of odds.

Mr. Speaker, it is with great satisfaction that I have the opportunity to pay

tribute to the Republic of China on its anniversary. I am sure that I speak for all of us when I wish them continued brightness and a future which will bring the ideals of humanity and courage within the grasp of all mankind.

A FREEZE ON SHIPMENT OF REPLACEMENTS OF VIETNAM COULD BREAK THE PRESENT IMPASSE ON PEACE TALKS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PUCINSKI. Mr. Speaker, during the month of October, the United States will have to send approximately 49,099 replacement troops to Vietnam.

In November, it is estimated we will have to send another 45,298 and in December, 45,020. Thereafter, if there is no break in Vietnam, we will be replacing American troops at the rate of roughly 40,000 a month.

I believe that a "freeze" on the shipment of all new troops to Vietnam, without replacing those troops that are rotated back home at the conclusion of their 1-year tour in Vietnam, could capture the imagination of the rest of the world and serve as a new basis for meaningful peace discussions in Paris.

In other words, as our soldiers complete their 1-year tour of duty in Vietnam and are sent back home, I would suggest that we announce a policy of not sending replacements to Vietnam for those soldiers who are returned home.

It occurs to me, Mr. Speaker, that this sort of an announcement by the United States would convince the free world and our adversaries that the United States does indeed want to disengage as rapidly as possible. It should bring pressure on Hanoi to agree to a cease-fire and commence meaningful peace talks.

If the North Vietnamese Government refuses to enter into meaningful peace negotiations within the framework of this sort of a "freeze" on shipment of new troops, then of course the United States would have to review, within a reasonable time, other means of bringing this conflict to a successful military conclusion.

We have tried all other means to get peace talks moving. But we have never said we will stop sending troops to Vietnam.

I believe that such a total freeze is possible and practical. The Defense Department is already embarked on a limited program of freezing troop shipments to Vietnam.

In an Associated Press dispatch from Saigon earlier today, the U.S. Command announced that five Air Force units in Vietnam are being demobilized and that the transfer of two units to Vietnam is being called off.

The headquarters said this would reduce the Third Air Force's manpower authorization in Vietnam by 2,541 men, but an Air Force spokesman said that about half of these represents the two F-4 Phantom fighter-bomber squadrons that are not being sent to Vietnam.

The Air Force said that as with all

other units being pulled out of Vietnam under President Nixon's withdrawal programs, only those men who have completed their normal year's tour in Vietnam will be sent home. The rest will be transferred to other units in the country.

I believe this last point, Mr. Speaker, is very important.

Mr. Nixon has announced the withdrawal of 65,000 troops from Vietnam, but this announcement has not brought any support from a single nation in this world and has only given the Communists a propaganda vehicle to denounce our sincerity.

The world has not responded to the President's withdrawal announcement because everybody knows that while we are withdrawing troops from Vietnam, we are at the same time sending replacements. I have previously made this point and I am making it again today that if the President really wants to capture the imagination of the world and force the major powers to take an active hand in bringing meaningful peace discussions to Vietnam, we ought to, at least for a reasonable time, completely freeze the shipment of new troops to Vietnam.

If the Communists fail to respond and if they should launch a new offensive in the wake of the President's freeze announcement, he can always cancel the freeze and send emergency troops to Vietnam as replacements.

At the conclusion of my remarks, I shall include a table of estimates on the number of soldiers whose tour of duty will be completed in the next 12 months and who will have to be replaced by fresh troops if the conflict continues.

We will have to send to Vietnam approximately 53,861 replacement troops in the 12-month period beginning October 1.

It is true that under my proposal, in 12 months there would be no American troops left in Vietnam.

But this is only if we were to continue to freeze for 12 months with no response of a similar withdrawal program from North Vietnam. I believe President Nixon ought to take this one more risk for peace. If, after a reasonable time, there is no meaningful similar response from the Communists, then the President will have to make whatever judgment is necessary to bring this conflict to a successful military conclusion. This could well mean the resumption of the bombing of the north to remove the pressure from South Vietnam as we reduce our ground forces. But it would be my hope that with a genuine offer of disengagement incorporated into a freeze on shipment of new American troops, hopefully we might find the basis for a peaceful solution without the need for further escalation.

It is quite apparent from our present policy in Vietnam that those troops being withdrawn are not necessarily being replaced by fresh troops in the same units. There is now a substantial consolidation going on in Vietnam and as soldiers complete their 1-year tour of duty and are sent home, their remaining units are being consolidated with other units to maintain a level of military efficiency.

My plan in effect would mean that we

are willing to risk a freeze on 49,000 new troops to Vietnam in October to test whether or not the Communists are willing to meet on some middle ground for a meaningful peace solution in Vietnam.

In the announcement by the Associated Press from Saigon today, a spokesman for the Air Force said that 100 positions of airmen who have served 1 year and are being rotated back home will be eliminated at the 7th Air Force Headquarters in Saigon. It is obvious from this dispatch that the United States could risk a freeze on 49,000 new troops during the month of October without doing any violence to our security in Vietnam.

I would hope that if the President would announce such a freeze, we would demand that the Soviet Union, the other major powers, the Security Council of the United Nations, and all other inter-

ested parties would impress upon North Vietnam the necessity for meaningful negotiations in Paris with no further delay.

Following is the best available estimate on the number of troops that will have completed their tour of duty each month for the next 12 months and who will have to be replaced under our present policy of replacing those who are rotated home at the completion of their 1-year tour in Vietnam.

I want to emphasize that we in no way want to interfere with the orderly return of these soldiers who are entitled to come back home at the conclusion of their 1-year tour. It is the freeze on replacements that I believe is a risk we ought to take to get the Paris Peace Talks off of dead center.

Table of replacements necessary in Vietnam:

	Army	Navy	Air Force	Marine	Total
1969:					
October.....	32,105	1,316	10,219	5,459	49,099
November.....	31,530	1,013	7,461	5,294	45,298
December.....	25,727	2,053	10,131	7,109	45,020
1970:					
January.....	25,246	991	7,803	7,172	41,212
February.....	21,047	1,863	10,590	5,318	38,818
March.....	24,603	1,450	6,214	8,033	40,300
April.....	28,144	1,279	5,832	7,545	42,800
May.....	34,805	1,152	5,651	6,345	47,953
June.....	30,028	1,557	7,034	7,716	46,335
July.....	32,652	2,059	1,547	7,240	43,498
August.....	19,028	1,850	8,154	7,327	36,359
September.....	33,880	1,866	15,931	5,492	57,169
Total.....	338,795	18,449	96,567	80,050	533,861

RURAL DEVELOPMENT CENTER AT TIFTON, GA.

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. HAGAN. Mr. Speaker, oftentimes problems come before us which we recognize but are unable to change. Therefore, when it was learned that some learned and conscientious people understood the need for dealing more effectively with problems of the Georgia coastal plains and the people residing in that region, I thought their efforts merit my colleagues' attention. This group of people, the regents of the university system of Georgia, on July 1 of this year established the rural development center at Tifton, Ga. Although this center is not within my congressional district, I earnestly believe its purpose and goals will go far in helping to bring better living conditions, improved cultural facilities and a better life to our rural population.

The rural development center is administered by the College of Agriculture of the University of Georgia. The concept was developed by the regents of the university system in an effort to underscore the need for dealing more effectively with problems of the Georgia coastal plains and the people residing in that region. Programing for the center will be of a cooperative nature involving the facilities and resources of the University of Georgia, Abraham Baldwin Agricultural College, and other units of the university system.

Dr. S. E. Younts, associate dean of the College of Agriculture, University of Georgia, is director of the center. He comes to the position from the American Potash Institute with offices in Atlanta where he served as regional director and vice president.

The programs of the center are to be directed toward the full development and utilization of the vast resources existing in the coastal plains area. The idea for such a center grew from recognition of conditions as they currently exist in both the rural and urban society of the State of Georgia and of our Nation. The term "rural development" came into being to emphasize the needs for giving attention to agricultural efficiency, agri-industry, community development, and manpower training.

Rural America is the scene of declining population. Some 70 percent of the people in this country live on 1 to 2 percent of the land area. Many of those in the rural areas cannot find alternatives to moving to the large urban areas. For the most part this migration is costly in that it represents a loss to the rural community in terms of earning and purchasing power and, in many cases, a loss in leadership.

There have been vast technological changes in agriculture and dramatic increases in the amount of capital employed in farming along with extensive consolidation of farms and increased automation. With this has come a rapidly decreasing demand for farm labor. These have all changed the structure of rural America.

Other technological changes outside of agriculture have also had a very pro-

nounced effect on the rural communities. New modes of production, transportation, and communication have greatly increased the market areas served by the industrial complex. For example, an economically viable community today needs to be about 100 times as large as was the case 50 years ago.

Advances made in the last two decades have been of such nature as to very effectively destroy jobs in the rural areas. The result has been massive migrations of people from the farms and the small villages to the larger urban areas. These people are often poorly trained and poorly educated. Therefore, they find themselves almost totally helpless in being able to cope with their new urban environment. Yet it appears that they have no other alternative than to move to the urban centers.

Georgia population approximates 4,470,000. There are some 83,000 farms where 300,000 people live—6.8 percent of the total. Rural means more than farming and when we include people in the small towns and open areas not engaged in farming we find that about half of the State's population is classified as rural. As is the case in many other areas of America, the balance is shifting rapidly in favor of urban numbers.

Three-fourths of Georgia's urban population resides in six metropolitan areas. In cities social problems are intensified with crowding of people on limited land areas. In these urban areas traffic jams become more of a problem with each passing day, pollution problems intensify, more crime and to a great extent more of just plain malcontent is resulting. The solution to these is fast becoming one of the supreme challenges of this century. Billions of dollars will be spent in cities in this country over the next few years trying to solve problems of housing, poverty, slums, welfare, education, health and recreation. Many of which have their genesis in the rural community.

Rural problems include below average production for many crops, low per capita income, shortage of dynamic leaders, lack of opportunity, poor public facilities, meager services, weaknesses in local governments, lack of adequate education, and poor housing. All of these work together in causing rural people to look elsewhere for something more desirable.

The rural and urban segments of our society have long been at odds but are being dramatically intensified. Billions will be spent to improve urban conditions, but it may prove to be equally important to look to conditions in the rural areas for answers to some of the problems. With population densities in some of our urban centers reaching 15,000 people per square mile, it seems that one of the solutions to the urban crush would be for more people to live in the rural areas. Governmental leaders are stressing the need to strengthen rural and smalltown communities. Rural development on a planned basis seems to be a more practical solution to unplanned urban explosion. In helping to develop the rural development center concept, Mr. J. W. Fanning, vice president for services

at the University of Georgia, made this statement:

For the past three decades everybody was trying to go to town. During the next three decades, they are all going to try to move back to the country.

The authors of the rural development concept have been labeled as dreamers. The doubters are asking, "How can the strong tide toward urbanization be reversed? After all going to town has an aura of excitement that lures the young, the old, the poor, and the well-to-do." Dreamers have scaled the seemingly impossible before, and the rural development center has been given a foundation for a program that has favorable odds for success. If there is a principal goal it would have to be to make the rural communities more attractive as places of residence for more people. This would serve to bring a better balance between the rural and urban populations of the State of Georgia. Perhaps a better way to state the primary goal is "to provide an alternative." Forcing people to live in urban or rural areas, for that matter, is not good. There should be attractive opportunities in both locales to allow a person to make intelligent and soundly based choices in where he wishes to live and work.

Four initial thrusts will comprise the program of the rural development center. These are:

First. Agricultural and forestry production efficiency;

Second. Marketing and utilization;

Third. Community development; and

Fourth. Manpower training and utilization.

On the basis of current knowledge and information the need for additional and more intensive research and educationally oriented programs for the coastal plains area of Georgia becomes apparent. The coastal plains area comprises almost two-thirds of Georgia's land area and 51 percent of the farms are located in this region. In terms of total farm sales for the State 57 percent occur in this region and if poultry is excluded total farm sales in the region amount to 78 percent of the total sales of farm products in the State of Georgia. On a per capita basis there is a large income gap—\$1,000 per person, or a total loss of \$1.828 billion per year to the coastal plain of Georgia.

In order to initiate and undertake the program activities for the rural development center there is to be constructed at Tifton, Ga., in conjunction with Abraham Baldwin Agricultural College and the Coastal Plain Experiment Station, a facility that will provide office space for necessary staff, laboratory space, equipment, meeting and conference rooms, mass communication, information storage and retrieval, land area and other necessities for training, for applied research and for demonstrations. It is expected that the building program will be accomplished in two steps. The initial building is expected to be finished for use by mid-summer of 1970.

In addition to a director, the center will have three assistant directors; a program specialist; specialist in animal and plant production; marketing and utilization, supported by specialists in sociol-

ogy; economics; community development; industrial development, particularly as it relates to the agricultural economy; communications; data handling and processing; conference and short-course planning and coordination; and liaison with other elements in the College of Agriculture, the university and the university system.

The rural development center concept is the product of many fine minds. The task now is to fit all of the ideas, dreams, and hopes into a workable and effective program. Time is of the essence. The tempo of the past must be quickened if rural Georgia and rural America is to be moved forward toward the wish of the dreamer—to get a bigger share of the good life in the form of better schools, better communities, improved cultural facilities and just plain pleasant living.

The rural development center program represents a gigantic hope. The center will be staffed with competent specialists, but they alone cannot do the job. It must be a cooperative venture, a venture that captures the fancy, the energy and the involvement of the total populus of the coastal plains region of Georgia.

HEARINGS TO BE HELD ON ECONOMIC PROBLEMS

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MINISH. Mr. Speaker, I am most gratified at the prospects that the Banking and Currency Domestic Finance Subcommittee, on which it is my honor to serve, will conduct a series of hearings across the country on the general economic problems over which it has jurisdiction: Interest rates and monetary policy, housing, the availability and price of mortgage credit, consumer prices, and small business problems.

Our distinguished chairman, the Honorable WRIGHT PATMAN, that redoubtable champion of the public interest throughout his long public service, wisely recognizes the need to obtain data and opinions firsthand from the recipients of Washington policy decisions and to allow them to be heard and to participate in establishing economic policies. The people are unhappy and uncertain, weighed down by a disquieting sense of being buffeted by impersonal forces, unable any longer to be the masters of their own destiny. High taxes, high interest rates, the high cost of food, housing, medical care, and other basic items bear most heavily upon low- and middle-income groups. The average factory worker's "real" income has declined \$1.09 per week in the past year, and, with the unemployment rate now at 4 percent the specter of being thrown out of work looms large before him. The American people are too knowledgeable to accept the discredited "trickle down" policies that cause recessions and depressions. They demand realistic and decisive steps to stop inflation and serve the public interest.

George Mason at the Constitutional Convention declared that the House of

Representatives was "to be the grand depository of the democratic principle of the Government." That is precisely the point of these proposed hearings. The people, who are so largely excluded from the decisionmaking processes, would be able to speak their minds to their representatives on these vital issues. I urge our colleagues to alert their constituency to the planned hearings and to encourage them to respond to this rare opportunity to voice their opinions on the problems that directly affect their present and future well-being.

ABUSE OF TAX EXEMPTIONS

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BLACKBURN. Mr. Speaker, this morning I testified before the Senate Finance Committee on the subject of the abuse by some tax-exempt organizations of their privileges.

So that this matter may be called to the attention of all Members of the Congress, I place my testimony in the RECORD at this point:

STATEMENT OF THE HONORABLE BENJAMIN B. BLACKBURN, A REPRESENTATIVE IN CONGRESS FROM THE FOURTH CONGRESSIONAL DISTRICT OF GEORGIA

Mr. BLACKBURN. Thank you Senator, I appreciate that kind of welcome.

Mr. Chairman, I appreciate your affording me the opportunity to appear before your committee. Of course, I have submitted my principal statement for the record and I will try to shorten it in my verbal testimony and only hit the highlights.

We, of course, have been hearing a great deal of testimony this morning relative to abuses of tax exempt organizations. The field in which I wish to direct my attention is the use of tax exempt funds for partisan political activities, and I would like to include in my discussion not only foundations but all tax exempt organizations, whether they be for religious or labor activities.

Many of these organizations engage in political activities which, by reason of their tax privileges, are being subsidized by the Federal Treasury. My purpose in being here today is to call the Congress' attention to some examples of political activities which I personally and many others consider to be improper by groups enjoying special tax privileges and to suggest possible ways of preventing future abuses.

I would like to discuss those funds under Section 501(c)(3) and Section 501(c)(5).

The Internal Revenue Code provides that "no substantial part" of the activity of any such organization is to be used to carry on propaganda or otherwise attempt to influence legislation. Many organizations avoid this language because there is some ambiguity in the definition of the term "substantial part." As an example of this misuse of privilege, I would like to direct the attention of the committee to a group which was recently formed to actively lobby against the Anti-Ballistic Missile proposal, the Coalition on National Priorities and Military Policy. This organization is supported primarily by contributions from religious organizations. Its headquarters are located in a building here in Washington. This group has lobbied against the proposed ABM system. A few days ago a representative from this group came to my office and presented my staff with further information concerning its opposition to the

1969 Military Authorization Bill. I am attaching as an exhibit a copy of the material that I received. The business—

Senator TALMADGE. Mr. Chairman, may I ask a question at this point?

Mr. BLACKBURN. Yes, sir.

Senator TALMADGE. Was that organization financed by a foundation?

Mr. BLACKBURN. It is financed by a number of religious organizations, which themselves, are classified under the same section of the Internal Revenue Code.

Senator TALMADGE. And the language of the House bill precludes their lobbying activity?

Mr. BLACKBURN. No, sir, it would not. The House bill, as I recall, and you understand I am not on the Ways and Means Committee so I am not as intimately familiar with it as I would like to be, would permit appearing before Congressional committees but it would prevent propaganda, that is attempting to sway public opinion.

Senator TALMADGE. Your point is you don't think the Ways and Means Committee language goes far enough in preventing political activity and lobbying by tax exempt groups?

Mr. BLACKBURN. No, sir, I do not. I think that I draw a distinction between lobbying in the sense of making appearances before members of Congress in their offices or before Congressional Committees and presenting a view. I think that any group should have that right as a matter of the extension of free speech. But to use tax exempt dollars to propagandize the American public is a radically different thing and I think this should be definitely prevented.

I would like further to invite the attention of the committee to the National Student Association. Gentlemen, if you want to see tax returns which reveal very little I would suggest that you look into the returns which have been filed by this group. I am attaching some copies to my testimony. In fact this group—

Senator TALMADGE. How is that group financed?

Mr. BLACKBURN. Primarily by foundation grants.

Senator TALMADGE. For what purpose, do you know?

Mr. BLACKBURN. Promoting educational activities among the students of the country. Of course, they have no reluctance in taking positions on partisan political matters. In fact, this National Student Association has recognized that its blatant political activity would cost it its tax-exempt status, so now they have set up a parallel organization known as the National Student Institute, which will be the tax-exempt organization. It will solicit the funds as a tax-exempt organization, and then we strongly suspect that the funds that are contributed to the National Student Institute will then be funneled into the National Student Association to be used for political and—

Senator TALMADGE. Do you know which foundations are making those grants?

Mr. BLACKBURN. I think the Ford Foundation is one of their major contributors but I don't—I can get the information.

Senator TALMADGE. You could get it and supply it for the record, I presume?

Mr. BLACKBURN. Yes, sir, I will.

One of the things I would like to call to the attention of the members of the committee is the fact that looking over the list of the recipients of National Student Association's funds, we found listed numbers of organizations which have no identities. No one can find—the Library of Congress has done extensive research and they can't find—who these organizations are that have been receiving \$25, \$30, \$40,000 a year from the National Student Association. And you understand for the last two years they haven't even bothered to file a tax return which is a matter that I think should direct itself not only to this committee, but to the Internal Revenue Service.

Now, the reason I make such a point of this is the fact that the whole reporting procedure for tax-exempt organizations is, not to say, deficient but wholly inadequate. They can list the name of an organization, and we don't know who the principals are. Some of them may well be principals in the donor organization. The purpose for which the money has been granted doesn't appear on the tax return of the organization. So we know from looking at the returns that money is given to a group that may bear any name, XYZ Charities, whatever you want to call it. But we don't know what the purpose of the grant is and we don't know who actually handles the money or what it actually goes for. So if there is one grave area in which the Congress must give further attention it is in the area of requiring more complete reporting from recipient as well as donor organizations to show who handles the money by name, and the purpose for which the money was granted. Then if it is found, as a matter of fact, that the recipient organization and the managing individual have used the money for other purposes, in my opinion, there should be criminal sanctions.

Some feel perhaps that loss of tax privileges or perhaps civil penalties would be enough against the organization. But I frankly feel that some criminal sanctions would be required because if a person takes money and abuses it, he should be held accountable under the criminal laws.

Senator FANNIN. Congressman, so far as money I am certainly in agreement with you. But also isn't it true that many of these organizations use vast manpower, staffs that work on these programs and they are just as much in violation as if they contributed money.

Mr. BLACKBURN. Well, I can give you a current example. In Atlanta, Georgia, we just had an election for mayor and for school board. The National Education Association, which again is a tax-exempt organization enjoying special tax privileges, organized for the purpose of promoting education among the teaching profession and promoting the teaching profession which are worthy objectives. I have attached a copy of the return of that organization, and it doesn't bother to even list the funds that it has received or spent or who they went to or anything else. It is practically a blank piece of paper. But in a news story appearing in the *Atlanta Constitution* within the past week, a report filed or issued by the National Education Association was highly critical of some of the individuals who are incumbents on the Atlanta school board. Well, obviously, this report is going to have political repercussions in the sense that here is a report which supposedly has been issued by a non-partisan, non-politically oriented organization which is highly critical of some individuals who are running for office.

Without question the staff people who were working for the National Education Association were being paid with tax-exempt dollars; they were being paid for supposedly educational purposes. But a staff member admitted, as quoted in the paper, that the report was issued with political implications. In other words, they were telling the people of Atlanta, "don't re-elect certain members of the school board because they are not doing the proper thing in our opinion."

In my opinion this is clearly political activity, and one of the—and I recall the testimony of the gentleman preceding me from Illinois in which he stated in his opinion the use of tax exempt dollars for political purposes is very small by these organizations, I would have to differ with him very greatly. In fact, I would have to differ with him on two scores. First of all, nobody really knows to what extent staff personnel are used for political purposes and, second, the biggest functioning political organizations in this country are the labor unions, and if I recall from—and they make no bones about this,

they don't attempt to cover this up. It is just that the Internal Revenue Service completely ignores their political activity.

Senator FANNIN. And the Congress.

Mr. BLACKBURN. And the Congress has been ignoring it. But I don't think the Congress should be ignoring it.

Senator FANNIN. I agree with you, and I have introduced a bill in that regard.

Mr. BLACKBURN. Senator, I have read your bill, and if you will forgive me for being presumptuous, I don't think your bill goes far enough.

Senator FANNIN. You stated that in the first part of your testimony and I will agree with you.

Mr. BLACKBURN. I would like at this point to read into the record the provisions which I would suggest relative to prohibitions against partisan political activity by a tax exempt organization. And here again I want to be sure that everyone understands that when I use the term "tax exempt organizations" I mean all tax exempt organizations, whether they be foundations, religious organizations or labor unions. I would prohibit the promotion of political candidates. I would define, any organization described in section 501(c), which, (1) endorses (you understand that the labor unions have no reluctance to endorse political candidates, in fact they have no reluctance to endorse candidates for the Supreme Court or oppose them) or opposes, directly or indirectly political candidates or (2) expends directly or indirectly (and this would attack the use of staff personnel) any part of its funds to promote the candidacy of any political candidate or (3) provide goods, services or anything of value to any political party or political organization, shall not be exempt from tax under Section 501 for the taxable year in which it so endorses or so expends funds and for the three succeeding taxable years, provided further that activities prohibited by this section shall not be exempted from these prohibitions by being termed "education." Of course, that is the guise under which many political activities are carried out.

Senator FANNIN. This would also include registration, where, of course, we realize they just go into districts they desire and it is not a blanket registration, it is a specialized registration. That would also be included under your recommendation?

Mr. BLACKBURN. I would strongly recommend that the language be clear that that would be prevented because we do know that the registration drives are channeled in certain areas of the cities.

Senator FANNIN. Thank you.

The CHAIRMAN (presiding). Thank you very much, sir.

Senator GORE. Could I ask one question?

Congressman, could I ask you to exercise your imagination a bit?

Mr. BLACKBURN. I do it rarely.

(Laughter.)

Senator GORE. Well, change parties and you will be encouraged to do so more.

Mr. BLACKBURN. We are finding out it requires it when we are in control.

Senator GORE. I really want to ask you a serious question: Could you imagine the possibility that a family who was associated with and in indirect ways had control of, distribution of, a fund from a multimillion dollar foundation might very well succeed in identifying themselves with good and worthy causes in one important state after another, one rich state after another, might very well succeed to public favor in almost direct proportion to the distribution of the funds from a multi-billion foundation.

Mr. BLACKBURN. Senator, I can well recognize that possibility. I suspect the possibility might exist.

Senator GORE. It is possible for a common man, whether a Republican or Democrat, to recognize this, isn't it?

Mr. BLACKBURN. It certainly is and no matter what the partisan flavor of the individ-

ual or family concerned, I don't think it is a proper use of tax exempt dollars. In fact Representative Rooney—I don't know if he has appeared before your committee or not, but he appeared before the Ways and Means Committee, pointed out how Mr. Richmond, whose family controlled the Richmond Foundation, ran against him in the Democratic primary and it turns out that the staff of the Richmond Foundation was also the campaign staff of Mr. Richmond. The Foundation would make it a point to go into certain areas of the city and perhaps purchase a building and donate it to the residents of the area for charitable purposes and, of course, Mr. Richmond, the political candidate, would be very prominent there in handing over the keys to the building, and otherwise participating in the ceremonies. I think that no matter whether you are a Democrat or Republican, you will concede Mr. Rooney was facing unfair competition in the funds that the foundation controlled.

Senator GORE. It might even be possible for scions of such a family to move to sparsely settled states and become political figures.

Mr. BLACKBURN. I have heard it speculated. Senator BENNETT. Sparsely settled like New York.

(Laughter.)

Senator GORE. Or Arkansas or West Virginia.

Mr. BLACKBURN. It is entirely possible, Senator.

Senator TALMADGE. Congressman, will you file for the record as part of your testimony the specific instances of any further specific charges of political activity on the part of these exempt organizations?

Mr. BLACKBURN. I will, and I want to thank you, Senator. Your questions were well put, Senator Gore.

The CHAIRMAN. Congressman, while you are at it some man told me of a situation that may have happened or might not, it is hearsay, but he thought he was familiar with it. Here were two men who set up foundations and part of their charitable purpose was to give young people a chance to get a college education. Let's say one is Mr. Black and the other is Mr. White, so Mr. Black sends Mr. White's son to college and Mr. White sends Mr. Black's son to college. Abe Ribicoff has been trying to get some kind of tax advantage for the ordinary American so he can deduct some of the expenses of putting his own son through college. But that is the way to do it you might advise those people.

Senator GORE. Mr. Chairman, how dare you criticize such a charitable purpose.

(Laughter.)

Senator GORE. Education, educating your neighbor's son.

Mr. BLACKBURN. I think this goes—

The CHAIRMAN. On a reciprocal basis.

Mr. BLACKBURN. I think this goes to the point that I was making earlier, gentlemen, and that is that the reporting procedures for these tax exempt organizations are wholly deficient. We have got to have them report the names of the recipients, not only organizations, but the individuals who receive funds. If this were done, this sort of thing would turn up very quickly in a study.

The CHAIRMAN. Thank you so much.

Mr. BLACKBURN. Thank you.

THE PARADOX OF PLENTY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FISH. Mr. Speaker, the President's report contained in the Rockefeller Foundation Quarterly 2 is a brief, con-

cise, and thoughtful message. "The Paradox of Plenty" points up the problems which challenge an affluent society today. While making giant strides in scientific knowledge, and in industrial and agricultural technology, we have left gulfs and inequities which now must be faced.

The provocative remarks of J. George Harrar, president of the Rockefeller Foundation, attributing to uncontrolled population growth at least a share of the blame for the difficulties in improving the quality of life, should be of interest to all Members of Congress and his speech is inserted in the RECORD for their consideration:

THE PRESIDENT'S REPORT: THE PARADOX OF PLENTY

We live in an age characterized by paradox. Man's accumulated scientific knowledge has increased his ability to find remedies for ancient ills, but it has also added new and difficult problems to those that he must solve; many of the dread diseases that threatened man's life have been brought under control, but lengthening life spans and longer child-bearing periods have caused population numbers to soar; more people than ever before are attending college, but greater inequalities in educational opportunities are found both in our cities and in our rural areas; we have been able to solve many problems requiring quantitative solutions, but continue to fall to find qualitative answers. Agricultural technology has never been more advanced, but more people in the world face malnutrition and hunger than ever before; never before has the world seen the high standard of living reached by certain industrial nations such as the United States, but never has the gulf between the rich and the poor been so wide; never have so many average citizens been so aware of what is happening on the other side of the world, or even on the other side of the moon, but many remain in ignorance of fundamental social problems of their own communities; never have so many people been able to enjoy the modern methods and conveniences of a technological civilization, but never has frustration born of environmental pollution and ecological imbalance been so acute; and never before has there been such widespread revulsion against war, but wars continue and their weapons become ever more lethal. We will need to utilize all our intelligence and imagination to help understand and solve these paradoxes.

If we were obliged to characterize the last quarter of a century by a single phrase, I think we could most accurately choose the words "kaleidoscopic change." And many would now say that the greatest impact on society is that made by the massive change in population growth that has manifested itself in almost every part of the world.

Even countries that are relatively affluent and have high rates of economic growth and development are beginning to feel some of the unfortunate results of unregulated human reproduction: environmental deterioration, urban congestion, and intolerable pressures on almost all social institutions.

Millions of Americans are crowded into cities that are totally unable to meet their needs for housing, transportation, employment, education, medical services, and cultural and recreational opportunities. As these cities burgeon and increase in complexity, the demand for municipal services grows larger, and the cost of living and local taxes continue to rise without commensurate improvement in the structure and organization of the metropolitan areas. Indeed, there is evidence that in many cases disruption and deterioration of civic life is taking place.

We cannot, of course, place the blame for the deterioration of our environment solely on population growth. A variety of socioeco-

nomie factors have also played a significant role in bringing about this situation. Nevertheless, a careful examination of the current scene suggests that many of our national problems have been exacerbated by a rapidly expanding population concentrated in high density areas. More and more we are coming to realize that when populations are allowed to expand beyond the maximum that a country's social and material resources can support, it is impossible for a society to concern itself effectively with the quality of life. In these circumstances, moral considerations, aesthetic values, attempts to improve standards, and efforts to provide opportunities to deepen and enrich human existence tend to give way to quantitative questions of how to handle expanding numbers of people. Many sensitive and concerned individuals are convinced that the tool which excessive population growth takes of the quality of our existence is outweighing any temporary economic advantages.

Paradoxically, this awareness of the multiple effects of uncontrolled population growth has suddenly burst upon a society that is struggling to make it possible for every individual human being to develop his maximum potential. Our willingness to accept the painful truth of the extent of inequality in our society and our readiness to take steps to eliminate it, together indicate a trend toward yet another major change in our attitudes and in the human climate. Our society, originally founded on the ideal of providing equal justice and opportunity for all, has shockingly failed to live up to this idea. Large segments of our population, primarily black Americans, have been in practice excluded from many of the rights, privileges and opportunities enjoyed by others in the society. Belated efforts to remedy these injustices are now taking place. The interests of minorities are becoming a national concern, and minority voices are being listened to as never before.

Under the very best of circumstances, however, there will be a time lag simply because it is not possible instantaneously to correct a situation that has taken generations to develop. There will need to be great understanding and forbearance on all sides, and all sectors will have to interact and work together toward mutually defined goals. Deep-seated attitudes cannot be eliminated, nor age-old wrongs righted, by threatening demands for concessions on the one hand and capitulation and surrender born of guilt or fear on the other. Rather, constructive changes in attitudes and practice can come about only through appreciation of the need for change and in the period of time necessary for such appreciation to deepen into moral conviction and fructify into socially beneficial action. The proof of our understanding and of our determination and readiness to work in concert to remedy the errors of the past will come partly through measurable and increasingly rapid progress toward the goal of providing equal opportunity for all Americans. In this effort, American minorities will have to participate as fully and constructively as the majority.

THE NEW PRESIDENT OF SARAH LAWRENCE COLLEGE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. OTTINGER. Mr. Speaker, Dr. Charles R. DeCarlo, a close personal friend, a respected businessman and an outstanding civic leader recently assumed the presidency of Sarah Lawrence College.

It is typical of Dr. DeCarlo that at a time when college presidents throughout the nation are embroiled in turmoil and sometimes violent change, he would leave the security and relative calm of the business world to take on a new challenge.

But Charles DeCarlo is no ordinary man, and he is certain to be an extraordinary college president. His career, both in business and in his community, has been distinguished by sensitivity to social change, an active concern for the well-being of his fellow man, and a strong creative and innovative drive.

By way of introducing Dr. DeCarlo to my colleagues in the Congress, I present herewith for the RECORD an interesting profile of him published in the September 30 edition of the Westchester Business Journal:

DR. CHARLES DECARLO: BUSINESSMAN
BECOMES PRESIDENT OF A COLLEGE

(By Penny Singer)

What prompts a top executive to leave the technological market place at the height of his career to assume the duties of a college president, in an era when college presidents jobs are going begging?

The man in question, Charles Raymond DeCarlo, is unusual. The college, Sarah Lawrence in Bronxville, is unusual. At the age of 47, Dr. DeCarlo has been an executive of IBM since 1951; he has also been a mathematician, scientist, teacher and an author. When he left IBM, he was director of automation research, an area far removed from the stress on humanities that has always been Sarah Lawrence's keystone.

But Dr. DeCarlo is a many-faceted man. During the past few years he has become increasingly interested in the problems of American society and higher education. In contributions to books, magazines and seminars he has been spreading his views on the dehumanizing aspects of technology.

"The cult of efficiency, of doing everything by the scientific method, of automated everything possible, leads to the myth that men and machines are interchangeable. A certain amount of efficiency will enable us to make something different of work; more play is needed, more risk-taking. Leisure will have to assume more relevance; we are only half way to humanity."

The switch from technology to humanity was bound to follow.

"After spending 25 years in pursuit of degrees and business, I had a growing feeling that we're all to much under the domination of technology. At IBM I played the role of an acceptable maverick, a gadfly. Most people use large organizations to escape from the freedom that is theirs for the taking. What we need are people better educated in the liberal arts. For me, it's a shift of values. I want to work in the humanities stream now. I'm terrifically concerned with social change and the logical place to be involved with social change is to work with young people. They are more sensitive to the demands of the future. That's where the action is."

RELEVANT

One of the re-occurring themes on Dr. DeCarlo's articles on education and social change is the futility of forcing students through educational structures they do not find relevant.

"Too much business and technological education is short sighted. After five or ten years on the job, people find a tremendous need for further development of themselves, some of fulfillment, if you will. Business must find a way of breaking down enormous operations into something smaller in scale for a more humanistic approach."

Dr. DeCarlo stressed that business must re-examine goals and attitudes, especially

"the brilliance of the means to the problems of the ends. It's a dangerous trend for measure of business ends to intrude into college processes of management. The academic world and the business world should be divided. Of course a college president has to be concerned with the mechanics of salaries, fund raising; in this area experience in the business world is invaluable. But we cannot be so tied to the idea of technical knowledge that we ignore the other side of human development."

CURIOSITY

Much education, he believes, kills curiosity, and disregards a student's experience and feelings. "If a college has to have a motto," he said, "it ought to be feel." First of all I want our students to feel a sense of self worth, if they feel secure, then they can feel for others."

In his opening address to students Dr. DeCarlo asked that they "attack problems honestly and openly, acknowledge that problems of sex, drugs and color exist, then we can deal from strength."

FAMILY

Dr. DeCarlo, a native of Pittsburgh, is the son of an Italian father and an Irish mother which combines "the lucidity of the Latins with the passions of the Irish," which, as he succinctly puts it leads to fulmination. Tall, blonde and handsome, he has been described by associates as a complete "Renaissance Man, a good amateur poet, a fantastic gourmet cook and the best platform speaker around." He enjoys classical music and wide range conversation. His wife is a cellist with the Westchester Symphony and the mother of his four children. The DeCarlos resided in Scarsdale before they moved into the president's house on the Sarah Lawrence campus. Their oldest daughter is a student at UCLA, the two younger children attend public school in Yonkers. The children find it "great fun" to be living on the campus, as does their father who emphasizes that he wants to be available to students at any time.

He has a bachelor's degree in engineering and Ph.D in mathematics from the University of Pittsburgh where he taught. He also taught at the American Studies Institute in Salzburg, Austria. His writings, which include the book "Education in Business and Industry," argue for resistance of the dehumanizing aspects of technology by emphasis on the conservative, humane values of the liberal arts."

And that's what it's all about at Sarah Lawrence. Dr. DeCarlo doesn't much care about turning Sarah Lawrence girls out to be housewives or technicians. "I believe a college whose values are essentially grounded in female attitudes and visions must be of great and continuing importance to the society, for the feminine instincts are characterized by caring qualities, concern for beauty and form, reverence for life, empathy in human relations, and a demand that men be better than they are." Does it mean that the hand that rocks the cradle rules the world? "Exactly," he said, in blanching at the cliché.

A TRIBUTE TO CASIMIR PULASKI

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BIAGGI. Mr. Speaker, on Saturday, we have the pleasure of honoring the name of the Polish hero, Gen. Casimir Pulaski, whose memory is one of great significance to friends of liberty in every land.

Here was a man who loved the democratic cause without restraint and with-

out concern for national boundaries. As the beneficiaries of his courageous conduct, the people of America have hailed him as hero in the past and will do so once again this Saturday, October 11, on the 190th anniversary of his death resulting from wounds sustained during the siege of Savannah.

Unlike the Boston merchant or the farmer of the Piedmont, unlike the fishermen on the Carolina coast or the backwoodsmen of western Pennsylvania, Casimir Pulaski was not himself a victim of British oppression, in the year 1776. Indeed, he was at that moment far removed from oppression of any kind.

Of noble birth, of wealth and family distinction, he was free to live in peace wherever he chose. And yet, in those tumultuous times, peaceful complacency was not the mark of a man, and Pulaski, it must be remembered, was a giant among men.

Having fought against Russian domination of Poland, and having as a result been driven from his native land, Pulaski ventured to France, where he was advised of the approaching American Revolution. Fired by the spirit of the American cause, and perceiving therein the same basic principles as his own, Pulaski threw in with the American Colonies.

A cavalry officer of considerable ability, he offered his services to Benjamin Franklin who in turn referred him to George Washington. By the summer of 1777 Pulaski was in America, ready for battle, and in September of that year he took his place in the American line, as a volunteer at Brandywine, where his conduct earned him instant recognition as an outstanding military leader.

At Germantown and Trenton he was again brilliant, and his foraging expeditions prevented starvation at Valley Forge. Granted command of a full cavalry corps, he ravaged the enemy in New Jersey, after which he was dispatched to Georgia. Once again brilliant and courageous, Pulaski assaulted the British position at Savannah, and was wounded at the height of the attack. Two days later he died.

The hero of the two continents and the advocate of liberty in every land, Casimir Pulaski is deserving of the highest praise by freedom-loving people everywhere.

POPULATION EXPLOSION

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RUPPE. Mr. Speaker, it took three centuries for 100 million people to populate this great Nation. It took only 50 years to add the second 100 million. Within the next 30 years we will add the third 100 million people. Simultaneously, our population is experiencing a great migration from depleted countryside areas to increasingly crowded metropolitan areas. What does all this mean for our country?

We do not face the specter of mass starvation as do underdeveloped nations

that will double and even triple their populations between now and the end of the century. We do, however, face potential erosion in the quality of life as our lakes and streams become more polluted, our highways and beaches more jammed, and our schools and social institutions increasingly less able to provide adequate service. President Nixon has expressed the opinion that many of our social problems may relate to the fact that we have had only 50 years in which to accommodate the second 100 million Americans. Furthermore, we have jammed this new population into metropolitan areas.

In northern Michigan, and in other countryside areas of our Nation, there is yet room to grow and lead the good life. However, these areas lack industry and tax base and their populations are migrating to the cities—where the jobs are. Meanwhile, the cities are under increasing social pressure and many are on the border of becoming ungovernable.

I have introduced legislation to create a National Commission on Balanced Economic Development that would uncover the ways and means of reversing the migration trend from rural to urban areas. Granted, this is only a first step—but we had better start taking a few small steps soon. The hour is getting late.

Recently, I was struck by a letter to the editor from one of my constituents, Mr. Maurice L. Hartung, of East Jordan, Mich. The letter appeared in the Petoskey News Review. I read this letter after having spent a weekend with my family on a lovely isolated lake in Michigan's Upper Peninsula. The tranquillity of that unspoiled location clashes dramatically with the vacation described by Mr. Hartung. Unfortunately, given present trends, family outings amidst the serenity of a northern Michigan lake are rapidly giving way to the racket, rudeness, and hubbub of an overcrowded shoreline in more densely populated areas. It concerns me deeply that Mr. Hartung's vacation, not my weekend, may be the harbinger of the future. I include Mr. Hartung's letter in the CONGRESSIONAL RECORD:

DEAR EDITOR:

"Jammed is the only Word for people and cars at Petoskey State Park on Sunday"! Baloney!

We just returned from the north central New Jersey sea coast and I wish I had some black and white pictures that you could use but mine are in color.

But I can give you a word picture of what jammed at the beach is like!

First off they have the fabled Board Walk—no this is not the one at Atlantic City! We're quite a ways north. I'm told it runs several miles south as far as Ocean City. On the beach side it is hemmed in by a chain link fence. Every little ways is a stairway leading down to the beach. A guard stands or sits by the gate and collects \$1 per person going onto the beach unless you are fully clothed and carrying a fishing pole or poles. If you are just going down to the beach for a picnic it still \$1 each or show your month or season sticker!

Now you wish to go to the beach for a picnic! You take the family and pay your admission spread your blanket and lay out your food and people running by kick sand in it! Oh no not purposely! People are just so darn thick that it can't be helped! And so you decide that maybe swimming would be more

fun. You go down to the edge of the water "in designated areas only please"—that means not far from where a life guard is stationed! Now the water gets deep quickly and if you get out 50 feet you are up to your armpits! If you go further the guard blows his whistle and believe you me it is best to come back, always! Now you come back from your swim to find your beach towel missing. You inquire of a neighboring group and the man happened to see where it went and when you go after it you find that a tow head boy of about 10 or 11 years has collected about a dozen beach towels! Now what he planned to do with them, I really don't know! But he nearly got mobbed as returning owners tracked him down! You lose money, jewelry and what have you!

After people have left the beach—they chase you out of the water at 5:30 and three guys with metal detectors begin looking for money and jewelry and when the thing goes beep beep they stoop over with a fire shovel with a mesh bottom and sift the stuff out of the sand and put it in their pockets! And a city official with a crew of boys starts in to collect the million or so bits of refuse from all the parties held that day! The sand by now—even after cleaning—is a good healthy percent cigarette butts! A little way down the beach a bunch of hippies are playing catch with a ball and seeing me with a movie camera yell at me to take pictures of the "International Champs"!

Now if you were fortunate and came early you may have been able to park near the beach! If you came to spend the 4th of July weekend and went anywhere during the day you may have had to go six blocks from the beach to park!

Forty foot lots often had two houses with a drive way between! And if there was ever a garage in the rear of each house it has long since been converted into an upstairs apartment with tools and junk stored on ground floor! and over the 4th people slept in their cars because there were no more rooms!

One more thing about the beach! Every few minutes an airplane passed over towing a big long sign announcing attractions at night clubs, hotels, bars, etc. The one I liked best was, by far, the most appropriate to the conditions we noted. It read "You look burned! Cool it with noxzema!"

And these people thought they were having fun! How I'd like to have transported them all to Northern Michigan for a few minutes where they could sit on nice green grass to have their picnic. Miles of shore line free to the public. Room to park your car. And, room to spread out!

Well we did have a good time there. What with the arrival of a brand new grandson and meeting some very wonderful people and seeing new things.

But when we arrived home to find the delphiniums in full bloom, waving gently to us in the breeze I can assure you we wouldn't trade these few acres for the whole coast of New Jersey!

How fortunate to live in Northern Michigan. And all it takes to make you realize it more and more as the years go by is to just take a two weeks vacation every year and see where and how others live!

CUBAN MIG FLIGHT HIGHLIGHTS NEED TO DEPLOY ADDITIONAL MILITARY UNITS TO SOUTH FLORIDA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

The Russian Mig, flown by a Cuban military officer, that recently flew from

Cuba past Key West and the Florida Keys and landed at Homestead Air Force Base literally beside the President's plane, Air Force One, demonstrates most vividly the need to maintain full military operational capability at Key West Naval Base complex, the Key West Aerospace Defense Command, and at Homestead Air Force Base.

This is not the first instance that aircraft have underflown our radar and landed at South Florida air installations.

We must not forget that there is a serious, well organized and equipped Communist activity in Cuba that seeks to work throughout the Caribbean and Latin America. It has been emphasized that the Key West Naval Base complex, comprised of Navy, Army, and Air Force activities, is the main defense structure defending the southeastern approaches to the United States. It would seem reasonable, therefore, that the Commander in Chief and the Secretaries of Defense, Navy, Army, and Air Force would take every precaution to protect against such incidents or others of greater magnitude.

However, recently we have had a series of cutbacks in naval activity around the country. At the Key West Naval Base, the ship's repair facility was ordered closed with little apparent regard to the part that it has played and might play again in the event of a crisis in the Caribbean or elsewhere. Three submarines and the sub tender, U.S.S. *Bushnell*, have been ordered decommissioned—to depart Key West. To date, no announcement has been made of replacement. The *Bushnell* has been homeported at Key West since 1952. It had been involved in two wars and had seen Cuban duty.

In 1964 \$10½ million was provided for runway extensions and major aviation facilities to insure Key West Naval Air Station capability to handle any aircraft now operating with the fleet. In 1965 a dredging project costing \$3.2 million increased the channel turning basin and depths in order to accommodate nuclear attack submarines.

These are but a few of the many improvements made to the military establishment at Key West. The Key West Naval Base complex has the capability of handling additional air and naval units.

Would it not be wise and simultaneously in the best defense interests of this country to have assigned at the Key West naval complex additional military units fully equipped and ready to cope with any contingency, large or small, that might arise in the Gulf of Mexico, the south Atlantic, in Cuba, the Caribbean, and South American areas?

Are additional Air Force attack or radar-equipped units needed to provide scanning patrol defense and attack functions?

Would it not be wise to home port additional naval and Air Force units at Key West?

Would it not be better to be prepared in this area, one that still contains a hazard and has a base which guards one of the most vital spots in this hemisphere?

The Air Force has admitted the weakness in our defense programs in the

South Florida area, and with announced cutbacks, it can only be worse—not better. Whatever is needed in additional air squadrons, missile battalions, naval vessels, submarines, radar, other tracking facilities, personnel, operational facilities, or other more modern equipment should be provided.

The 12th Congressional District of Florida in which the Homestead Air Force Base and Key West Naval Base complex are located is the closest to Castro's Cuba and the entrance to the Caribbean, Central and South America. As the Representative of this district, a member of the Foreign Affairs Committee, and chairman of the Subcommittee on Inter-American Affairs, I urge our military services to immediately take such actions as would seem advisable to strengthen our defenses in the Caribbean and to the southeastern approaches to the United States; that they reverse their decision to deploy vessels and personnel from the Key West Naval Base; that they redeploy to the Key West area additional air and naval units and personnel and that they embark on an improvement and modernization program.

NEIGHBORHOOD DEVELOPMENT PROGRAM

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MINISH. Mr. Speaker, the Housing and Urban Development Act of 1968 authorized the neighborhood development program as an important part of the Federal Government's urban renewal effort. The neighborhood development program was designed, to quote from the law, "to facilitate more rapid renewal and development of urban areas on a more effective scale and to encourage more efficient and flexible utilization of public and private development opportunities by local communities in such areas." Conversion to the neighborhood development approach was to be at the option of the local communities.

Late last year, the Department of Housing and Urban Development began a concerted campaign to encourage cities to convert their urban renewal efforts to the neighborhood development program. Neighborhood development, the communities were told, would provide for a smooth flow of Federal funds and flexibility of movement between one urban renewal project and another. It would allow for starting needed urban renewal activity by obtaining funds quickly without waiting for HUD to finance each individual project area. Communities, under the NDP, would not be required to prepare detailed plans for each project prior to acquisition—a general plan would be acceptable.

For many cities the process of converting from the conventional urban renewal system to the NDP was complicated and cumbersome. In Newark, N.J., which has applied for an NDP grant of approxi-

mately \$47 million, any change in an urban renewal project, no matter how slight, requires an amendment to that project with hearings before the planning board, the municipal council, and the public. Approval must be obtained from the Newark Housing Authority Board and from the Department of Housing and Urban Development. Additionally, there must be an amended loan and grant contract and perhaps a change in the cooperative agreement with the city. Needless to say, a change back to the conventional urban renewal system at this late date would involve an equally difficult and cumbersome process. Despite the difficulties inherent in conversion to NDP, most cities, including Newark, agreed with HUD and with the Congress that the neighborhood development program concept offered great dividends for substantial coordinated progress in urban renewal.

Under the previous administration, 30 cities were approved for NDP conversion. HUD's attitude toward NDP since the advent of the new administration has been, to say the least, extremely confusing. Only five cities have been approved for NDP since January 20, 1969. They are: Cheyenne, Wyo., Muskogee, Okla., Tulare, Calif., Saint Paul, Minn., and Highland Park, Mich. The administration claims it has only approved NDP applications of cities which were well along on the application process by January 20, and these were approved shortly after the new administration took office. Yet the record shows that three NDP's were approved in June of 1969, the last on June 20—5 months after the change in administrations.

When HUD witnesses appeared before the House Subcommittee on Housing Appropriations in April of this year, the following statement was submitted in the Department's name:

The Neighborhood Development Program provides a means to make an immediate start on improvement and redevelopment of large impoverished areas. This new approach will allow cities to schedule renewal as they do capital expenditures, speed up renewal activity, and respond more effectively to the needs of local citizens.

During the same session, Mr. Lawrence Cox, Assistant Secretary for Housing and Renewal Assistance, speaks of the NDP:

I really feel that it was a rather sketchy and not well thought out approach.

Such testimony is hardly likely to result in adequate funding of the neighborhood development program. Moreover, the quoted passage is not atypical. Nowhere in this year's appropriation hearings, in either the Senate or the House, does HUD make a genuine attempt to press for sufficient NDP funds to satisfy even the minimum needs of our cities.

Secretary George Romney of HUD notified the Congress last week that while "the administration supports the NDP concept" and regards it as "a flexible tool to aid cities in achieving their renewal objectives," the program will now be subject to "management controls" due to inadequate funding. Yet the

record shows HUD has neither requested nor fought for adequate funding.

The city of Newark provides a good example of the way in which HUD has mismanaged the NDP. Newark was given repeated verbal assurances by HUD all throughout 1969 that their NDP would be approved and fully funded. In early September, HUD officials informed Newark that they should not expect approval of their NDP application in its present form. The city, HUD explained, could expect a fund cut of up to 90 percent. Now HUD denies any decision has been reached on Newark's NDP application.

Clearly, the Department of Housing and Urban Development has failed to administer the NDP as Congress intended. The House Banking and Currency Committee, of which I am a member, has responded to HUD's failure to satisfactorily implement the neighborhood development program by providing in the recently reported Housing Act of 1969 that 35 percent of the total urban renewal money for fiscal year 1971 shall be reserved for neighborhood development. Further, the committee reserved \$400 million of fiscal 1970 funds for NDP.

Mr. Speaker, HUD must be put on notice that the Congress will not stand idly by while its will is thwarted and its mandate is ignored. More than 300 communities have indicated a desire to initiate, or convert to, NDP. Applications for NDP were filed, after HUD's encouragement, with the recognition that NDP offered a coordinated means by which to accelerate the reconstruction of our urban centers. The proposed changes announced by HUD, in defiance of congressional intent, will lead to delay, confusion, and expense for cities throughout the Nation. I urge Members to make their indignation known to the appropriate officials in HUD in order that this situation may be corrected promptly.

SID W. RICHARDSON FOUNDATION,
FORT WORTH, TEX.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. E. W. Sampson, president of the Sid W. Richardson Foundation of Fort Worth, Tex., appeared before the Senate Committee on Finance the other day and presented a statement recommending some changes to the House-passed tax revision bill. Under leave to extend my remarks in the RECORD, I wish to insert a copy of Mr. Sampson's statement, as follows:

STATEMENT TO THE COMMITTEE ON FINANCE,
U.S. SENATE

(Submitted by Sid W. Richardson Foundation, Fort Worth, Tex.)

Sid W. Richardson Foundation, a non-profit Texas corporation organized and operated for charitable, religious, literary, and educational purposes, hereby requests modification or elimination of certain provisions

of H.R. 13270 dealing with the taxation and regulation of "private foundations" as defined in said H.R. 13270 now under consideration by the Committee on Finance.

DEFINITIONS AND ABBREVIATIONS USED

Sid W. Richardson Foundation will hereinafter be referred to as "Foundation." H.R. 13270 will sometimes be referred to as "the Bill." The late Sid W. Richardson will be referred to as "Richardson," and Perry R. Bass, Richardson's nephew and his partner for many years prior to Richardson's death, will be referred to as "Bass."

REQUESTED MODIFICATIONS OR ELIMINATIONS

The provisions of the Bill as to which modification or elimination is requested are:

1. The provisions of Section 507(b)(2), which define the term "substantial contributor."

2. The provisions of Section 4946(b) of the Bill, defining the term "Foundation Manager," insofar as it affects permitted stock holdings in a corporation under Section 4943(c)(2) of the Bill.

FACTS

Foundation was incorporated as a Texas non-profit corporation in 1947. It has no capital stock. Its articles of incorporation, which have never been modified, provided that the Foundation should be managed and controlled by a self-perpetuating board of directors. It was organized at the instance of Richardson, and he, Bass, Richardson's two sisters, and a brother-in-law were the original directors. Its present directors are: Bass, his wife, H. B. Fuqua* (Chairman of the Board of the Fort Worth National Bank and unrelated), E. W. Sampson, and M. E. Chappell, the latter two of whom are long-time executives of Richardson and Bass organizations, but are unrelated to Richardson or Bass.

Shortly after its organization, Foundation was classified as exempt from income taxes under what is now Section 501(c)(3) of the Internal Revenue Code of 1954, and it has continuously preserved that exempt status and is now so classified.

Prior to Richardson's death, which occurred on September 30, 1959, Foundation's only contributors were Richardson and Bass. In lieu of Richardson and Bass individually or their various enterprises making direct contributions to charitable, religious, and educational undertakings, those just referred to contributed to Foundation, which in turn distributed substantially all of these contributions to appropriate educational, religious, and charitable undertakings. From organization through the calendar year 1961, Foundation received from the sources indicated contributions of \$800,500.00, and through 1961, it had disbursed in contributions \$804,747.46. Of this total amount, Bass contributed, directly and as his share of contributions made by enterprises jointly owned by him and Richardson, a total of \$147,500.00. In several years during this period, Bass' direct contributions exceeded \$5,000.00, so that under the Bill as presently drafted, he would be classified as a "substantial contributor." See Section 507(b)(2) of the Bill. Other than as above stated, Bass has made no contributions to Foundation, either directly or indirectly.

Richardson, who was a bachelor and a very active and successful business man, after making certain specific provisions in his will for various members of his family (which provisions have no bearing on the problem dealt with herein), left the residue of his estate and the income received from it during its administration to Foundation. The administration of the estate was closed as of January 1, 1962, and the entire residue delivered to Foundation at that time, although the obligations of the estate and a considerable portion of the death duties

(which aggregated some \$48,000,000.00) had not been paid. Foundation immediately borrowed \$30,000,000.00 to pay off the balance of the unpaid death duties and certain claims, and subsequently has proceeded to pay off these obligations subject to which it received the residue of the Richardson estate and to carry on the religious, charitable, and educational activities which it was organized to support. Bass, Howell E. Smith, Richardson's brother-in-law, and John B. Connally, who, at Richardson's death, was employed by the Richardson and Bass organizations, were the independent executors of that Richardson estate.

At the close of the year 1962 (the first year that Foundation had possession of the residue of the Richardson estate), the net book value of Foundation's assets was \$71,051,714.52. At the close of the calendar year 1968, the net book value of these assets was \$72,852,530.52, and the market value of certain of its investments in excess of book value was \$19,038,208.47, resulting in what might be called an increase in actual value over carrying value to \$91,990,738.99.

From the time Foundation received the residue of the Richardson estate until the close of the year 1968, its net income, exclusive of capital gains, amounted to \$16,303,138.19, but its contributions and firm commitments to make contributions during the same period largely exceeded this net income, so that, considering its firm commitments, it had a deficit in accumulated income at the close of the year 1968 of \$1,339,179.73.

The greater portion of Foundation's contributions and commitments were to institutions such as Rice University at Houston, Texas, Austin College at Sherman, Texas, St. Luke's Episcopal Hospital at Houston, Texas, Texas Wesleyan College at Fort Worth, Texas, the Boy Scouts of America Longhorn Council, Fort Worth, Texas, Texas Christian University at Fort Worth, Texas, Trinity University at San Antonio, Texas, the University of Texas, at Austin, Texas, and Howard Payne College at Brownwood, Texas.

It is clear from the above that under Section 507(b)(2) of the Bill as presently written, Bass would be classified as a "substantial contributor" to Foundation, and because of this fact and the fact that he is presently, as he has been since its organization, a director of Foundation, he would be classified as a "disqualified person" under Section 4946(a) of the Bill for all of the situations dealt with in the Bill, such as those dealing with "excess holdings" (Section 4943), as well as those imposing taxes on self-dealing.

It is equally evident that in bringing the Foundation into existence in 1947, and by naming Bass and his brother-in-law as two of the independent executors of his will, and by the continuation of Bass as a director of Foundation, Richardson intended that members of his family who were familiar with his wishes and the interests which he wanted his fortune to serve should have an important voice in the management of the Foundation which received the residue of his estate.

DISCUSSION

The facts above summarized show that Foundation has had two entirely separate periods of existence. The first period began with the Foundation's incorporation and extended to the year 1962 when Foundation received the residue of the Richardson estate. During this period, Foundation might be likened to a private community chest which contributions from Richardson, Bass, and their common interests, and distributed the amounts so contributed to qualified and acceptable donees—religious, charitable, and educational undertakings. All amounts contributed during this period—those contributed by Bass and the interests with which he was identified, as well as those contributed by Richardson and the interests with which he was identified—had been disbursed

prior to January 1, 1962. This closed the "private community chest" era of the Foundation. Since that time, Foundation has received no contributions other than the residue of the Richardson estate which was received under the terms of his will. Leaving for subsequent discussion the fact that Bass is a director of Foundation, it is wholly unconscionable and inequitable to treat Bass or anyone else as a "substantial contributor" under the section of the Bill above referred to, because that definition applies no matter how long ago such contribution was made. This results in an untenable, retroactive confiscation that violates all concepts of equity and fairness.

The same undefendable, retroactive operation of the Bill will follow as to the determination of "permitted holdings" in a corporation by a foundation if the present provisions defining a "Foundation Manager" as a disqualified person (Section 4946(b)(1) of the Bill) remain unmodified.

It is submitted that the situation so presented requires, in fairness and in equity, and to avoid retroactivity of a taxing provision that virtually all citizens abhor, modification of the Bill so that the holdings of Bass should not be taken into consideration in determining whether or not this or any other similarly situated foundation has "permitted holdings."

It is intended by the modifications in the Bill hereinafter suggested to remove the provisions of the Bill which, as now written, classify Bass or anyone similarly situated as a "substantial contributor" to a foundation for purposes only of determining whether Foundation has "permitted holdings," but it is not intended thereby to relieve Bass or any other officer, director, or trustee, or any individual having powers and responsibilities similar to those of an officer, director, or trustee of a foundation, so long as such person remains in such position with the foundation from the application of the provisions of Section 4911 of the Bill imposing taxes, penalties, and sanctions on "self-dealing."

SUGGESTED MODIFICATIONS

It is believed that the objections to the present Bill herein pointed out can be removed by the following:

The following should be substituted for Section 507(b)(2)(A) and (B):

"(A) Any person who (by himself or with his spouse) contributed or bequeathed to a private foundation in any one calendar year beginning on or after January 1, 1965, more than \$5,000.00, and

"(B) Any person who (by himself or with his spouse) contributed or bequeathed the greatest amount to the foundation in any one calendar year, on or after January 1, 1965."

To prevent Bass or anyone else similarly situated from being classified as a "disqualified person" because of the fact that he has continuously been a director of Foundation since its organization, and thereby resulting in having his holdings and those of his family taken into consideration in determining "excess holdings," it is believed that the following addition to Section 4946(b)(1) should be made, so that the entire subsection 4946(b)(1) would read:

"An officer, director, or trustee of a foundation (or an individual having powers and responsibilities similar to those of officers, directors, or trustees of a foundation), except that in the determination of 'permitted holdings' there shall be excluded as a disqualified person an officer, director, or trustee of a foundation (or an individual having powers and responsibilities similar to those of officers, directors, or trustees of a foundation) who occupied such capacity at the organization of the foundation prior to January 1, 1965, and who thereafter has continuously held such office or had such powers and responsibilities."