

EXTENSIONS OF REMARKS

MICHIGAN'S "MRS. REPUBLICAN"—
ELLY PETERSON

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. GERALD R. FORD. Mr. Speaker, a time of retirement is a time of looking back as well as looking forward. And so today the Michigan delegation in Congress takes this time to look at the record of one of the most outstanding individuals ever to head the Michigan Republican Party.

Mr. Speaker, the delegation looks at Mrs. Elly Peterson and feels a great sense of loss in her retirement as State Republican chairman. For Elly Peterson is a remarkable woman. She is not only a woman of great charm, but a woman of great ability. She has been a tremendous asset to the Republican Party in Michigan and in the Nation.

Yet her contribution should not be so narrowly described, because Elly Peterson is not narrowly partisan. Her views as expressed in her party work have always extended beyond partisanship to the good of her State and the good of the Nation. Simply put, she has been a servant of the people while serving as the head of a political organization. That in itself is a remarkable achievement. But this is what is inherent in Elly's personality, and perhaps that is why everyone who knows her is delighted by her.

Elly Peterson served the Republican Party as State chairman and as assistant national chairman. She performed superbly in both roles. No superlatives expressed on her behalf can be counted an exaggeration.

Now that Elly is leaving the post of Michigan Republican chairman, she deserves the best sendoff it is possible to arrange. Elly is a great gal, and we in the Michigan congressional delegation want everyone to know it.

Mr. CEDERBERG. Mr. Speaker, in Michigan we have witnessed an extremely successful venture into the philosophy of the Equal Opportunity Act by applying it to the management of political affairs.

Mrs. Republican is none other than Mrs. Elly M. Peterson, of Charlotte, Mich., who is really and truly a product of the precinct and her rise through the ranks to one of the top positions in the national political organization has been phenomenal.

At the age of 21 she was busy working in the ranks of the Young Republican organization in Illinois and she no sooner moved to the State of Michigan than she became deeply embroiled in political activity. Her vigorous work among the Republican women's organization in our State was an important factor in wresting State control out of the hands of the opposition party and placing at the helm of Michigan's government Gov.

George Romney, now a member of President Nixon's Cabinet.

Mrs. Peterson has run the gamut of positions within the Republican Party, a career just climaxed by her election to the Republican National Committee from the State of Michigan.

To name a few of her assignments, I should mention she was for 3 years aide to one of our Republican State chairmen; she was a field service manager for the party; she was executive director of the Republican National Committee, and later assistant to the party's national chairman. She was the first woman to be nominated by Michigan Republicans for the U.S. Senate; she was unanimously selected Republican State chairman and served two terms in that office and is the first woman in the Nation to be elected State chairman of her party.

Mrs. Peterson has been devoting her almost limitless energies, fighting, through the political party of her choice, for the achievement of goals which she is convinced are necessary to maintain this country and its government under the sound principles drafted by our forefathers.

It has been a pleasure to work with Mrs. Peterson and to assist her in her efforts to effectively put into operation the principles for which her party stands.

Mr. BROOMFIELD. Mr. Speaker, after some years of disappointment, Michigan Republicans have discovered a new confidence and a fresh ability to win. That new Republican vigor has been demonstrated both at the polls and in mounting party strength.

One source of that new found spirit and success has been the strong inspirational leadership of Gov. George Romney.

Another has been the character, dedication, and personality of Mrs. Elly M. Peterson, who has served 4 remarkable years as chairman of the State central committee of Michigan and who is now assuming new duties as national committeewoman.

During those years Republicans have been first in virtually everything in Michigan. And, much of the credit must go to Elly Peterson who is accustomed to being first in whatever she tackles.

Mrs. Peterson was, for example, the first woman in history to be elected chairman of a State Republican organization. That was in 1965.

The year before, she became the first woman in Michigan history from either party to campaign for the U.S. Senate.

A clue to her unusual achievements lies in her exceptional background in public service and Republican Party affairs.

Her career has been a model of growth and progress beginning at the age of 21 when she joined the Young Republican Club of Oak Park, Ill.

A successful organizer in Michigan Republican campaigns, Mrs. Peterson

served for 3 years as an aide to the State chairman. In 1961 she was appointed field service manager for the State.

Her specific contribution in organizing the women of Michigan was a major factor in the election of Governor Romney and the end of an entrenched Democratic regime in Michigan.

Mrs. Peterson was elected State vice chairman in 1961 and was reelected in 1963.

In addition to her leadership in Michigan, Mrs. Peterson has a background in national Republican affairs, serving as executive director of the women's division of the Republican National Committee in 1963 and as assistant chairman of the national committee in 1964.

That experience will serve her well in her new duties as national committeewoman.

Mr. Speaker, Michigan has produced more than its share of outstanding Republican leaders during the last several years.

But even measured against that illustrious competition, Mrs. Peterson's contributions remain of the highest quality and the utmost importance.

Mr. CHAMBERLAIN. Mr. Speaker, it is a pleasure to join my colleagues today in paying tribute to Mrs. Elly M. Peterson, who is chairman of the Republican State Central Committee of Michigan, as she prepares to retire from this position after 4 years of distinguished service to the Republican Party of our State.

Elly, as she is affectionately known by all, has served as Republican State chairman since February 1965, and was elected Republican national committeewoman from Michigan in August of last year. Her career has been highlighted by one success after another. After serving in various capacities at Michigan's Republican State headquarters, she was named executive director of the Republican National Committee in September 1963, a position which was changed to assistant chairman 3 months later. These were all big jobs, but she was the right person to handle them. Mrs. Peterson inspires people and knows how to get them involved in activity. In return she receives an outstanding extra effort from those around her. She is a strong force in this so-called man's world making her strength and reason felt among men and women alike. Her ability to recognize the needs of people and the Republican Party's responsibility to those needs has made the Republican Party of Michigan a "grassroots" party.

In 1964, another great distinction came Elly Peterson's way when she became the first woman of either party in Michigan to be nominated for the U.S. Senate. Although she did not win this seat, she won the respect of the citizens of Michigan everywhere she went for her straightforward, honest approach to political problems. Again, her concern for people was the real thrust of her campaign.

After observing her at work in both

Michigan and in Washington, I will never be surprised at anything Elly Peterson accomplishes. As she now moves to the Republican National Committee, she brings a great wealth of talent to her new position that will be of tremendous benefit to our national organization.

We are deeply grateful to Elly Peterson for all her efforts in the past and I am delighted that her forceful personality and ability will continue to be used to guide Republican activities at this higher level. She has my warm wishes as she undertakes her new responsibilities and challenges.

Mr. HARVEY. Mr. Speaker, in joining with my Michigan colleagues in this special and well deserved tribute to Mrs. Elly M. Peterson—always known simply as Elly—it is not my intent to outline or list the many, many honors and achievements of this remarkable lady. I recognize, of course, that these great accomplishments accurately relate the outstanding contributions that Elly has made to our State of Michigan and the Nation as well.

Yet, I really feel that the greatness of Elly never was more illuminating, more emphatic than in a losing cause in 1964. Our Republican Party turned to Elly and, as always, she responded to that call to be our standard bearer for the U.S. Senate.

In becoming the first woman from Michigan of either party to be chosen as the senatorial candidate, Elly quickly proved to be a magnificent campaigner. No one knew better than Elly the tremendous uphill battle. Even in a normal political year, a difficult, if not impossible, situation existed for a statewide Republican candidate. As we know, 1964 was not exactly a normal year.

As expected, Elly lost. But to me, as our campaign trails crossed on several occasions, Elly had the class. She was better in a losing role than most are in the easy winner's role. The real courage, the real integrity of a person is truly reflected during adversity.

Elly had it then and she has it now. We in Michigan are losing a tremendous State chairman, but it will be the Republican National Committee's gain as she takes over as our national committeewoman. I thank you, Elly, for your great leadership and I wish you much future happiness and good health in the years ahead.

Mr. HUTCHINSON. Mr. Speaker, I join my Republican colleagues in the Michigan delegation in congratulating our retiring State chairman, Elly Peterson, upon an outstanding record of achievement in party organization and success. As Republican chairman during the Romney years in Michigan, she played a leading and enthusiastic role. She leaves the post to become Michigan's Republican national committeewoman, and in her new position we are confident she will continue her immense enthusiasm and drive in the Republican cause.

Mr. VANDER JAGT. Mr. Speaker, I have written a letter to Mrs. Elly Peterson to mark her retirement as chairman of the Republican State Central Com-

mittee of Michigan and commending her on her devotion to the party. The text of my letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

Mrs. ELLY PETERSON,
Michigan State Republican Convention,
Grand Rapids, Mich.

DEAR ELLY: Michigan politics, without you as State Chairman, will never be the same.

You shook the complacency that was mirroring Republicanism in defeat. You replaced despair with hope. You rebuilt our Party to win smashing victories.

In the jungle of politics you found that it is impossible to make everyone a friend, but you proved your ability to make no one your enemy.

The agonizing dilemma of failure was your challenge. You accepted it and showed the way to success. In leading Michigan's Republican Party into a bright, new era, you earned love, respect and admiration.

We are grateful that you will still serve the cause of Republicanism as National Committeewoman. As we did in the past, we look forward to your even greater accomplishments with a prediction that the Republican Party across the land will gain new strength because of you.

Sincerely,

GUY VANDER JAGT,
Member of Congress.

Mr. RUPPE. Mr. Speaker, politics is the lifeblood of democracy. Politics has been called a dirty game. It also has been characterized as the "noblest undertaking." A political party, a democratic government and, perhaps even a nation, can be no better than the individuals, as professionals and volunteers, who are willing to involve themselves in the partisan political arts. Every now and then out of the partisan battles, as our great political parties vie for leadership at all levels of government, there emerges an individual who combines practical political genius with love of country and genuine human concern. Such an individual makes politics the "noblest undertaking." Such an individual is Michigan's retiring Republican State chairman, Mrs. Elly Peterson.

"Elly," as she is known by literally thousands in Michigan, has brought zest and energy to Republican affairs since she was an active Republican in Illinois at the age of 21. Her political experience is vast. She has been director of the women's division of the Republican National Committee. She has delivered a major address to a Republican National Convention. She has been the Republican nominee for the U.S. Senate in Michigan. She has been assistant chairman of the Republican National Committee.

In 1964, Michigan Republicans were struggling to recover from an election disaster. As congressional seats fell to the opposition, as the State legislature slid to nearly a 2-to-1 margin against the GOP, as Republicans were swept from local office, only the enormously popular Gov. George Romney was to survive. With those dismal results fresh in their minds, the Republican State Central Committee, with Governor Romney's support, unanimously elected Elly Peterson State chairman—the first woman in the Nation ever to be elected to a Republican State chairmanship. Governor

Romney and Elly Peterson set out to build a viable united party in Michigan.

From the wreckage of 1964, Elly masterminded the political strategy for 1966. On election day, 1966, the voters of Michigan rendered their verdict. They reelected their Republican Governor to a third term. They elected a Republican Senator, five new Republican Congressmen, created a Republican legislature, and voted major gains for the Republican Party in local races. The victory was stunning. In a politically tough industrial State, the Republican Party under the chairmanship of Elly Peterson, came into its own.

It is Elly's personal qualities that are perhaps the hardest to define. Those human qualities are not only the key to her success in the political arena, but they are, very honestly, the greatest thing about her. She is one of the outstanding political professionals in the Nation. She is also a warm friend to hundreds of Michiganites in every nook and cranny in the State. She rarely forgets a name or a face, and has the gift of making everybody, regardless of station, feel a part of the team and a good friend. Governor or precinct worker—all receive the same exuberant greeting and personal attention.

Elly combines a deep sense of loyalty with a thorough understanding of the American political process. Her indefatigable energy, her ability to make tough decisions, her tenderness and her abiding belief in democracy have uniquely qualified her for the posts she has held. To the Republican Party in Michigan she has given organization, unity, drive, and a forward-looking image. To people and their problems, large or small, she has given of herself. While Elly will be followed by another party chairman of great talent—needless to say we are going to miss her at the helm. I am happy to say, however, that this is not a political obituary because we know she will continue giving to the Republican Party and the Nation.

It is rare that I discuss Republican Party affairs in this Chamber. But the contribution of Elly Peterson reaches far beyond partisan politics. Democrat or Republican, Americans can be thankful that they have active people in the political process like her. Elly, and those like her in both of our great parties, make democracy work. They make politics "the noblest profession."

Mr. ESCH. Mr. Speaker, it is a great privilege for me to pay honor to Mrs. Elly Peterson. Her outstanding leadership to the Republican Party and the State of Michigan deserves wide acclaim.

At the very basis of our modern democracy is the concept of a strong two-party system. The strength of this system depends in large measure, on the many persons who work behind the scenes—not only for candidates but in the active development of a constructive and viable program for their party as a whole. Throughout the Nation there are thousands of such people who give long hours of service so that we who hold elective office may better serve the people. Elly Peterson is the epitome of these.

As chairman of the Michigan Republican Party, Mrs. Peterson has provided leadership and inspiration in the development of a viable and progressive party program. The State of Michigan today is one of the most dynamic, growing, and progressive States of the Union and I believe that Mrs. Elly Peterson has played a key role in the development of the State's program.

Elly is one of the most forceful and dedicated persons I know. She has provided leadership and inspiration to all of us who have served as Republican candidates during her term as chairman and has had a large share in making our victories possible.

Michigan is fortunate indeed that we will not be losing her services entirely when she retires as Republican State chairman later this month. We are delighted that she will continue in her post as Republican national committee-woman. As a former national vice chairman and longtime member of the Republican National Committee, I know her leadership there will be equally as forceful and helpful to the party and the Nation.

Mr. RIEGLE. Mr. Speaker, it is a personal honor to speak of Mrs. Elly Peterson's leadership on the occasion of her retirement as chairman of the Republican Party in Michigan. The results speak for themselves—the Governorship, a Senate seat, a 2-to-1 majority on the congressional delegation, and a near balance of power in the State house. To get this job done, she has worked to reorganize and rebuild the Republican Party, giving tirelessly and selflessly of her ideas and her energies.

I am personally thankful to Elly Peterson for helping me to get started in public service. Without her encouragement and the support of her very capable State central committee, the opportunity to run for Congress would have been much more difficult.

Elly has brought meaning to the word "teamwork" in the Republican Party—real teamwork that helps everyone to do a better job—teamwork in fundraising, teamwork in party organization, and above all, teamwork of ideas. She has made it possible to have diversity of thought and philosophies while having unity of principle and action. As they say, the name of the game is to win, and Elly Peterson personifies that winning attitude. Together with ex-Governor Romney, she has spread this to the party faithful.

In a sense, her most important contributions have had impact far beyond partisan politics. By opening the party up to all citizens, to all interest groups, and especially to black Americans seeking a greater role in government participation, she has made it possible for every man and woman who wants better government to get involved. By strengthening our party, she is helping to strengthen our political system—by offering better ideas, better candidates, and better competition in public service.

Through the involvement program, she has taken the party into action on the top urban and social problems of our time. This program has now become a model for progressive Republican activity in many other States.

Our good wishes and our support go with Elly as she steps up to membership on the National Republican Committee. Mr. Speaker, it is fitting that we honor this stateswoman of the first magnitude. We look forward to be able to work with her in her new position of leadership. The people of Michigan have benefited before, and now party workers throughout the United States will benefit from her example of dynamic and capable leadership.

Mr. McDONALD of Michigan. Mr. Speaker, as her tenure as chairman of the Michigan Republican Party draws to a close, I wish to congratulate Mrs. Elly Peterson on the role she has played in the resurgence of Republican ideals in our State and to thank her especially for the help and guidance she has provided me.

Elly's dedication to the principles of republicanism, coupled with her keen political insight, has left an indelible mark on the course of our party and on the memories of those who have benefited from her work and friendship.

I sincerely thank Elly and wish her every success as our new national committee-woman.

Mrs. REID of Illinois. Mr. Speaker, it is good to have this opportunity to join in the tribute to Mrs. Elly Peterson, of Michigan, the first woman to be elected State chairman in the history of the Republican Party nationwide, and the first woman from Michigan of either party to be nominated to run for the U.S. Senate.

Elly Peterson's dynamic leadership has served to inspire women throughout America to work for political principles and good government. Her outstanding ability in organizing the women of Michigan is acknowledged to have been a vital factor in the election of Governor Romney, ending many years of Democratic control of that State.

During the 1964 National Convention, in addition to her many specific duties as the then assistant chairman of the Republican National Committee, Elly Peterson gave a major address before the convention's Monday evening session. As always, she was most articulate and a very eloquent voice for Republican philosophy. In 1968, she was a Michigan delegate-at-large to the National Convention in Miami.

We members of the Republican Party are indeed fortunate to have Elly Peterson in our ranks, but her contributions to her community, State, and Nation have by no means been limited to political activity. She has served overseas as hospital secretary, American Red Cross; as county president, American Red Cross and as director, American Red Cross regional blood program. Her memberships include the American Legion Auxiliary; the Business and Professional Women's Club; the Urban League; and she is a lifetime member of the NAACP. Elly Peterson is one of the most remarkable and outstanding women in America today.

Mrs. DWYER. Mr. Speaker, one of the most useful, though informal, functions of Members of Congress is to call attention from time to time to the exploits and accomplishments of those who have distinguished themselves in public or private life.

In doing so, we not only honor those who have earned it but we also help to perpetuate the ideals of service on which the health of our free and participatory system depends.

It is a special pleasure for me, therefore, to join with our colleagues from Michigan in paying tribute to Mrs. Elly Peterson in connection with assuming the office of Republican National committee-woman from Michigan.

This new assignment—however important—is only the latest in a long list of honors and achievements won by Mrs. Peterson, including election as the first woman Republican State chairman in the Nation, election as a delegate at large to the 1968 Republican National Convention, and nomination as the Republican candidate for U.S. Senator from Michigan in 1964, the first woman nominee for that office in the State's history.

Elly Peterson knows politics from the ground up and works at it with skill, dedication, imagination, and intimate knowledge of the electorate. She knows it from the State and local levels as a result of years of effort as an organizer and field service manager with the Republican State committee and as vice chairman of the State committee, culminating in the election of Gov. George Romney to which her organizing of Michigan women was a vital factor. She knows politics, too, from the national level where she served successively as executive director of the women's division of the Republican National Committee in 1963, and as assistant chairman of the National Committee in 1964.

But Elly Peterson has brought more than effective service to the Republican Party. She has contributed the warmth of her personality, an understanding of people and their needs and wishes, and a constructive and progressive point of view.

For Mrs. Elly Peterson, Republican politics has been a career of service, a means of contributing to the strength of America through a free and open and responsive political system.

I am proud, Mr. Speaker, to join with my colleagues in expressing confidence and gratitude that this outstanding woman leader will continue to contribute her great talent and deep concern to the Republican Party and the country.

Mr. HAMMERSCHMIDT. Mr. Speaker, I wish to associate myself with all the fine things being said about Mrs. Elly Peterson. As a former State chairman of the Republican Party in Arkansas, I worked with Elly on many occasions, and know her to be a grand person in the world of politics.

She is now stepping down, after two terms as chairman of the Republican Party in Michigan. I am delighted that she will continue serving her State, our party and country as national committee-woman for Michigan. During her chairmanship Elly provided leadership which enabled Michigan Republicans to compile a marvelous record of achievements, first through an increase in the number of offices held and influence, and next through the development and application of programs of great benefit to the people.

Also leaving the State chairman's office will be Elly's capable administrative assistant, Joyce Braithwaite, who began as Elly's secretary at the start of her first term as State chairman. Joyce will move to the office of Governor Milliken where she will have an opportunity to continue rendering outstanding services in behalf of better government.

I salute both Elly and Joyce as devoted and dedicated and able practitioners of politics. They have done extremely well in strengthening and enhancing the image of the Republican Party.

Mrs. HECKLER of Massachusetts, Mr. Speaker, it is with a great deal of pleasure and pride that I rise to honor Mrs. Elly Peterson, Michigan Republican State Central Committee chairman. After 4 years of dedicated service, Mrs. Peterson expects to retire from her present post to assume the full time responsibilities as Michigan's Republican national committeewoman.

With increasingly rare exception, equality for women is slowly becoming a reality. A woman as outstanding as Mrs. Peterson gives us even more reason to believe in the need to recognize the talents of capable women. The exemplary career of Elly Peterson offers special encouragement to both men and women who are tempted to enter the exciting sphere of politics.

Politics is sometimes regarded as a "rough game," difficult to pursue. It has also been said that education does little to prepare women to assume the awesome responsibilities of political activity. Whatever the apparent barriers, Mrs. Peterson at 21 had her first taste of political life when she joined the Young Republican Club of Oak Park, Ill. From this beginning, her successful adventure in politics continued as her reputation as a dynamic organizer spread throughout Michigan. Recognizing her ability as an expert administrator, she was appointed assistant chairman of the Republican National Committee in 1964. Also in 1964, Elly Peterson became the first woman of either party to be nominated for the U.S. Senate from Michigan. The following year, she was the unanimous choice for Republican State Central Committee chairman. She thus became the first woman in the history of the Republican Party nationwide to be elected State chairman.

Mrs. Elly Peterson's loyalty to the Republican Party and to its political ideology, her willingness to work, her capacity to organize, and her inexhaustible energy are qualities which all can admire.

Mr. BROWN of Michigan, Mr. Speaker, on February 14 and 15, the Republican Party of the State of Michigan will hold its regular biennial State convention in the city of Grand Rapids for the primary purpose of selecting a new State chairman. Although the Republican Party State organizations throughout the Nation, as well as in Michigan, have been doing this for years, this coming Michigan Republican Convention has special and unprecedented meaning.

On February 15, Michigan Republicans will regretfully accept the decision of Elly Peterson to retire from her position as chairman of the Republican State Central Committee. Elly was the first

member of the so-called weaker sex to be selected as chairman of a Republican State Party in the history of our Nation. Although these are the facts, the impressions they leave are untrue. Elly Peterson will never retire from politics or the Republican Party, and her selection last summer at the Republican National Convention as our national committeewoman is immediate proof of this. Nor is Elly Peterson weaker though she wears the garb of her kind.

To again recite the tributes and plaudits expressed by my colleagues regarding her good sense, tireless effort, and political agility would be repugnant to Elly, for she has never sought nor expected the praise that has been due her. But, like a good warrior, she has derived her satisfaction from jobs well done and an examination of her record establishes that her entitlement to self-satisfaction is almost limitless.

On this occasion when we pay tribute to our great State chairman, my position is unique and different from my colleagues. I have participated in the election of Elly as our State chairman on both occasions when she has been selected to lead our party; this makes me sort of a party constituent of Elly's—a member of her electorate. In turn, Elly resides with a great guy—her husband, of course—Col. "Pete" Peterson, within my congressional district in Charlotte, Eaton County, Mich.; and, therefore, is a constituent of mine and a member of my electorate. It is a distinct honor and pleasure to have the State chairman as a constituent, but let me remind my colleagues that having Elly Peterson as a constituent is like being "under the gun" at all times. As she is an able organizer, brainy, a tireless but pleasant worker and political strategist, so, in her opinion, should be her Congressman. And, her vast experience and exposure to political activity have provided her with an unmatched opportunity for innovations in this game of politics which cause one to maintain a hectic pace to keep up with her, but at the same time provides one with an almost unlimited resource of immeasurable value.

No; the coming State convention will not really be the occasion for a retirement, but, rather, it will be an occasion of commencement. A commencement by Elly of a role in which the Nation will derive the benefits of which the State of Michigan heretofore has been the primary recipient.

Elly, thanks for everything, and best wishes to you as you assume your new responsibilities and face your new challenge.

THE NEW "WHIP THE SOUTH" POLICY OF THE DEMOCRATIC NATIONAL COMMITTEE CHAIRMAN

HON. JOE D. WAGGONER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WAGGONER. Mr. Speaker, when the new chairman of the Democratic National Committee appeared on television a few days after his election, he enunci-

ated a new policy of the committee which should be alarming to every member of the party regardless of the section of the Nation in which he resides. The headline on the Washington Post story covering his television appearance encapsulated that policy in seven words:

Harris Warns Dixiecrats To Respect Party Stands.

This get-in-line-or-else attitude is, of course, an affront to every Democrat because it says that all party members must subscribe to the liberal-radical philosophy of the disastrous Chicago convention or leave the party. If this policy is implemented, as the new chairman seems determined to do, the party will have taken similar steps to those taken in Britain when the parties were divided along left and right lines. I need not belabor the point that this Nation would be ill-advised to follow the torturous path which Britain has taken.

When the new chairman's position was made clear, I addressed him a letter which, parenthetically, he has not had the courtesy to answer, and urged others of my colleagues to express their opposing views if they did, indeed, disagree with him.

I would like to insert here in the RECORD a copy of my letter to the chairman, a copy of a letter sent him by my esteemed colleague, the gentleman from Mississippi (Mr. ABERNETHY), and finally, a copy of the letter I wrote to several friends in the House asking them to express their individual views to the new chairman.

I hope others will be similarly disturbed by the undemocratic position of the new chairman and likewise express their views to him.

The above-mentioned material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 27, 1969.

DEAR SENATOR: I have your letter of 17 January in which you ask my help with your new position as Chairman of the Democratic National Committee. I appreciate your contacting me in this regard. I was particularly interested in reading the enclosed copy of your speech of acceptance of this post, all the more so because it is couched in a tone diametrically opposed to the public statements you are quoted in the press as having made on the television program, "Face the Nation" on 19 January.

On that program I am advised that you made it abundantly clear that Southerners must henceforth wholly subscribe to the party positions adopted at the Convention in Chicago or else suffer the consequences. This narrow view of the temperament of the people who refused to support the party nominees, if implemented, will bring about the collapse of the Democratic party, not its rejuvenation. This empirical stance ill-behaves one whose job it is to unite the party. It also indicates a narrow sectionalism that does not take into account the fact that a majority of the states did not support the party nominees. Yet, I saw no quotation that the Mid-West had better toe the mark, or else.

Unity, Senator, can be achieved only by a blending of the separate components, not by seeking to force one section of the nation to bend to the will of another. Your petulant query, "Why should the South be all that different from people who live in the North?" indicates a remarkable artlessness and is best answered by a counter-question, "Why

should they not be different; it's a free country, isn't it?"

You have asked for my suggestions as to how to unify and strengthen the Party and my advice is that, rather than rocket off on the tangent of "whipping the South into line", you would be better advised to consult with the men who represent the various sections of the nation and the various political philosophies held by those of us who still call ourselves Democrats. To proceed as you have started, on the tack that all Democrats must swallow the nauseant hodgepodge of liberal-to-radical positions laid out in Chicago, or else, is the unpaved road to party suicide.

I oppose, and the majority of the people I have the honor to represent in Congress, oppose the great bulk of what was said to be the party's platform in Chicago, and we will not be threatened, blackmailed or whipped into line. I will be glad to help you moderate the ill-advised extremity of those positions, but I will not lift a finger to help you enforce them. And I think you will find, Senator, that my constituents and I make poor subjects for political blackmail.

When you are ready to discuss how the Democratic Party can revamp itself to more closely reflect a philosophy of common-sense, I will be pleased to give you my thoughts. But, if your position is what it seems to be and you are asking my advice as to how to bend the South to the will of others, my thoughts can be summarized in two words: forget it. Because, if you are successful in your approach, it will mean the destruction of the Democratic Party.

Sincerely yours,

JOE D. WAGGONER, JR.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 5, 1969.

DEAR SENATOR: I am so pleased that my colleague, Joe Waggoner, Jr., of Louisiana provided me with a copy of his letter to you under date of January 27. I hope that by this time you have thoroughly digested and absorbed same.

You evidently have forgotten, or else are not aware, of the lean days when northern states, as well as your own, could hardly muster a quorum for a Democratic precinct meeting, much less gain a victory. You undoubtedly have forgotten that northern states for years and particularly in the Harding election, could not elect enough Democrats to even form a committee in either the Senate or House even had all Democrats been given the same assignment. You evidently have forgotten that in those lean years it was the southern Democratic states that stood strong and fast, and saved the Democratic Party from complete extinction. You evidently have forgotten, or else you did not know, that the Democratic Party was founded by a Southerner (Jefferson) and preserved by another Southerner (Jackson). You evidently have forgotten that the Democratic candidates for President and Vice-President in the last election didn't get but about 40 percent of the vote, and your own state got run over by Republicans. Don't be so forgetful, Senator.

You evidently have forgotten the very recent and humiliating defeat the Democratic Party suffered in every southern state (some say, except Texas, but LBJ put Texas in the western region). Everyone knows LBJ is on that lonely ranch now, not by choice but because he was smart enough to run for a storm cellar.

Now, Senator, why don't you issue one more statement and answer the question: Do you want southern states to vote Democratic while you run the show? Please don't quibble. Just answer with a simple yes or no. If we are not wanted, I think you should say so. Clearly, your recent statements indicate that we crawl on our bellies to you on your terms or else it is your desire that we don't

show up at all. As I understand, it is under these conditions only that you want the southern states to vote Democratic.

And while I am writing I wish to fully subscribe to everything Mr. Waggoner included in his letter, and then double it.

Sincerely,

TOM G. ABERNETHY.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

I have been told that the Democratic National Committee is very pleased that there has been little or no response from Southern Members or Southerners in general to the press and television statements made recently by the new Chairman to the effect that the South will have to get in step with the Party or else.

With the thought you might be interested in my reaction to Senator Harris' statements, I am attaching a copy of a letter I have addressed to him.

In view of the Committee's apparent smugness over the lack of Southern reaction, perhaps you might want to direct a letter to the Senator with your own views. It seems to me that if we do nothing to spell out our protest, we are giving assent to his plan.

All good wishes.

JOE D. WAGGONER, JR.

A MAJOR DISAPPOINTMENT OF THE 90TH CONGRESS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. TUNNEY. Mr. Speaker, to me, and to many Californians, one of the major disappointments of the 90th Congress was the Senate Judiciary Committee's failure to act on the nomination of U.S. Attorney Cecil Poole to be a U.S. district judge for the northern district of California.

And now the delays and frustration have ended with the President's withdrawal of this excellent nomination.

In the story of the inaction upon this nomination, and what appears to be the vanishing hopes for Mr. Poole's appointment, there is much to embitter a man, but Mr. Poole is not embittered.

The nominee, a brilliant and distinguished lawyer who is a former counsel to the Governor of California, a former assistant district attorney for San Francisco, and a successful private practitioner, was eminently qualified for the nomination, which was made by President Johnson on May 28, 1968.

The press has reported that my colleague, the senior Senator from California, Mr. MURPHY, was instrumental in blocking this nomination. If this is so, I think it is extremely unfortunate.

Mr. Poole would have been the first Negro Federal judge west of the Mississippi. His well-deserved elevation would have exemplified the opportunities available to the young people of his race.

Yet today, while Mr. Poole harbors no bitterness about not being confirmed, these young people may have reason to. How does he explain this to children in the ghetto, who may expect society to reward excellence and careers of outstanding accomplishment?

Three other nominations to the Federal bench, submitted to the committee at the same time, were confirmed almost immediately.

Yet, for no apparent reason, Mr. Poole's nomination was pigeonholed. The committee did not even give the nominee the courtesy of a hearing.

GETTING THE FACTS STRAIGHT ON FOREIGN BANKING

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PATMAN. Mr. Speaker, on December 9, 1968, the Committee on Banking and Currency held preliminary hearings on the legal and economic impact of foreign banking procedures on the United States. Our sole purpose was to inquire into a number of recent court cases and published reports involving the use of foreign banks which operate under secrecy laws to violate American law. Since the hearings were of a preliminary nature, our only witnesses were from the two Federal agencies most prominently mentioned, the Justice Department and the Securities and Exchange Commission. These hearings received widespread publicity as well as a reaction from committee members and others that the situation involves rather serious questions on the efficiency of our fiscal statutes. At the close of the hearings I announced that legislation restricting these abusive practices would be introduced and there would be further hearings.

In its January 20, 1969, issue, Barron's Weekly features a front page article entitled "Assault on Privacy." The article, which was quite critical of the committee and its witnesses is nothing more than a half-baked piece of propaganda for the benefit of certain foreign banking interests. Rather than a point-by-point review of the article, I wrote to the editors of Barron's Weekly and set forth the true history and purpose of our committee's inquiry. It was pointed out that we have no intention of interfering with the internal workings or affairs of any foreign nation.

The article and my reply is submitted for the Record and will appear at the end of these remarks.

However, it should be pointed out that several of the statements in the article verify our committee's concern and require our further inquiry. For example, it has often been contended by Swiss banks and others that the amount of American deposits held are negligible. Yet the article states:

Completely unmentioned are two rather salient facts: (1) Because of growing distrust in the U.S. dollar, the hand-payment fee for transfers out of banking channels of dollars from here to, say, Geneva, is now up to "4.75% from the top" or even more, compared with only 0.5%-0.75% a few years ago.

Does that not reflect fright and flight produced in our parts rather than "solicitation" by the Swiss? (2) During the recent gold bubble, i.e., when suspicion of the dollar's stability reached new heights, many Ameri-

cans became keenly aware that, after all their dollar is not as good as gold, but that U.S. laws deny them the right to own gold, although the citizens of more than five dozen countries may do so.

During those hectic days, the largest, oldest and universally most respected Swiss banks and many smaller ones received by check and in cash, by cable and in ordinary envelopes such huge quantities of dollars from American depositors—many of them pensioners or small savers—that even upon employment of hundreds of extra clerks they could not open the mail fast enough, book the new entries and return receipts—within less than six to eight weeks.

If such huge amounts of American dollars are flowing into foreign secret accounts during our too frequent periods of fiscal crisis, the Committee on Banking and Currency wants to know more about it and will recommend steps to curtail it. We are also curious about the reference to hand-payment fees. We wonder if these hand-payment fees are for some kind of courier service. I am sure the Members of this body will agree that our committee has an obligation to find out.

The article, in at least one respect, makes a good case for limiting the relationship of foreign bank secrecy laws to illegal activities in this country. In defense of the Swiss banks, it asks the question:

Yet, did not Al Capone and Dutch Schultz and Legs Diamond and their organizations bank with some of the most honorable financial institutions in our country?

Most of us were under the impression that it was precisely because Al Capone used our honorable financial institutions he was brought to justice. If Mr. Rundt and associates are representing Swiss banks, the latter might review the effectiveness of their propagandists.

Again, it cannot be emphasized too often that the committee has no intention of jeopardizing the good relationships between the United States and the great nation of Switzerland. Our only intention is to try and stop the violation of the laws of the United States by those who are subject to them.

I insert the article from Barron's Weekly and my reply at this point in the RECORD:

[From Barron's Weekly, Jan. 20, 1969]

ASSAULT ON PRIVACY: U.S. OFFICIALS OUGHT TO STOP MALIGNING SWISS BANKS

(NOTE.—The timely and spirited commentary that follows was prepared and distributed to clients last week by S. J. Rundt & Associates, leading consultants on international business.)

Insinuations that Swiss banks "may lower their secrecy veil" to accommodate the U.S. Internal Revenue Service, and rumors that a new U.S.-Swiss Tax Treaty is in the making and will provide for "mutual assistance" and "freer exchange of information in cases of suspected violations of U.S. law"—are irresponsible chit-chat in the American press or wishful thinking on the part of a few official Washingtonians both in the outgoing Administration and in Congress, and may be dismissed as just that. It is nonsense that Assistant Attorney General Fred M. Vinson, Jr., and the Confederation's Foreign Department in Bern have initiated negotiations or have negotiated what would be tantamount to a far-reaching abandonment by the Swiss of their age-old tradition as well as their sovereign rights.

It is inconceivable that Switzerland will relinquish her deep-rooted respect for privacy of ownership and/or her historical ground rules governing the relationship between bank and client, both solidly based upon the concept of privileged information, which, until 1914, was indeed, accepted and adhered to throughout the civilized world. Just because almost all other countries have given up what for centuries had been a globally upheld fundamental freedom, the Swiss are not believed to have the slightest inclination to follow suit.

The fairy-tales of sudden Swiss willingness to help other governments track down evaders of non-Swiss taxes, and the fables that Bern had already granted such aid to Rome, allegedly on the basis of a Swiss Court decision, are absurd for several reasons. For one, such departure from Swiss moral credo, social philosophy, political practice and legal precept would require Constitutional changes and ratification by the Confederation's Parliament after popular referendum—none of which is likely to come forth. Secondly, tax evasion is merely a misdemeanor and not a felony in Switzerland, something else which is not easily changed. And thirdly, why should the Swiss banking system give up the very discretion for which it is world renowned and respected?

A vicious campaign against Swiss banking culminated recently in unbelievably unqualified and crude statements by the U.S. Attorney for Southern New York, Robert M. Morgenthau, before the House Banking and Currency Committee. He as well as other carefully "selected" witnesses, apparently with nobody invited to present the side of the accused, stated flatly that not merely sophisticated financiers but hoodlums from the world of organized crime, stock market swindlers and manipulators, smugglers, loan sharks, gamblers, tax dodgers, as well as corporate officers of American concerns were using foreign, mainly Swiss, accounts to stash away their loots to hide profits from U.S. authorities; and that secret numbered accounts have become an increasingly widespread and versatile tool for the evasion of our laws and regulations and for the commission of crimes by American citizens.

The indiscriminate charges of "the Swiss numbers game" and of "wholesale fraud" by the "shenanigans of the Swiss banks" were dutifully reprinted in slick magazines and pulp dailies, in many instances in even more sensational terms than the original assertions. It was, for instance, promiscuously alleged that Swiss banks are "in fact soliciting accounts (in the U.S.)," which is patently not the truth.

The "road to riches via Swiss banks" and the relationship of "mobsters" to the Swiss were dealt with in a generalizing manner as if of all the banks in the world, only those in Switzerland were up to their neck in wholesale crime. Yet, did not Al Capone and Dutch Schultz and Legs Diamond and their organizations bank with some of the most honorable financial institutions in our country? Were there or are there no Latin American dictators who ever banked or are still dealing with some of the finest banks right here in the Land of the Free? Are there not tens of thousands of businessmen abroad who, under some name and address or another, keep their money in our parts, as a rule in direct violation of the currency restrictions or tax laws, of their own countries? Would our banks inform the governments whose exchange curbs or fiscal regulations forbid the maintenance of such clandestine deposits in the U.S.? And, if one newspaper avers that "Numbered accounts have even become popular among New York's high-class prostitutes," do not the tens of thousands of ladies of the evening operating in these United States own safe deposit boxes and keep savings or checking accounts with the finest banks of God's Own Country? Is

it appropriate for Mr. Morgenthau blithely to admit: "I have one real vendetta and that is against Swiss banks and those who use them to hide their money and avoid paying taxes"?

Rep. Wright Patman (D., Texas), who heads the House Banking & Currency Committee, apparently felt that he hit political paydirt and promised to sponsor a bill that would bar Americans, both individuals and companies, from dealing with all foreign banks which, on the basis of the laws of their lands, refuse to open their books to U.S. regulatory agencies and to divulge what American citizens or legal residents transact with them. This would also involve, for instance, Panama, Lebanon, the Bahamas, West Germany and Liechtenstein, where under penal code banks and their employes cannot inform outsiders of anything pertaining to transactions between them and their customers. The question arises whether the good Congressman also wishes to lift in this country the privileged relationship between doctors, attorneys and clergymen with their patients, clients and faithful?

Moreover: Is Mr. Patman aware of the fact that the Swiss banking system, from Nationalbank down—although Switzerland is not a member of the International Monetary Fund, and though the Swiss franc is tied directly to gold and not to the dollar—for several years has closely cooperated with the mis-managers of our greenback by propping the U.S. dollar to the tune of hundreds of millions of dollars which the Swiss picked up, little as they wanted them? That again and again francs were lent to the U.S.? And would it not be more appropriate, direct and ultimately more effective, for governments that cannot live with the lenient tax collection methods and with monetary freedom in other countries, first to bring their own social and financial affairs in order rather than to place both blame and burden on nations over which they have no jurisdiction?

It is patently a crass exaggeration that Swiss bank couriers are used extensively by professional gamblers in the U.S. to transfer funds out of this country, as Mr. Morgenthau avers. But if it were the case, why does Mr. Morgenthau not deal with the gamblers in Las Vegas? And if there is mass flight from the U.S. dollar, why do not our authorities here polish and harden our dollar and once more bring it back to the high esteem and respect it enjoyed across the world before it was manhandled by incompetent monetary managers?

Switzerland is no paradise. It is not exclusively inhabited by angels. There do, of course, live within the 25 Cantons some Swiss and non-Swiss individuals bent on fraud; and the Swiss banking system may well be divided into the vast majority of small and large financial institutions meticulously observing morality and laws, and the small minority of those cutting corners and acting without responsibility. But is that not true of practically every place? Are there no crooks in Uruguay, Yemen, Cambodia, the United Kingdom or in the U.S.?

The supervision of the banking system of Switzerland has, indeed, many flaws. If in our country the "Fed" and other supervisory agencies can demand from our banks that they open their books, in Switzerland even Nationalbank cannot poke into the record of private and commercial banks. There are, above all, the many highly reputable banks belonging to the Swiss Bankers Association and those who refused to join—or were not admitted. There are also a hundred or so small non-Swiss banks on Swiss soil, some of which abuse traditional Swiss liberty. But as in criminal law, should one not protect the innocent at least as much as prosecute the criminal?

Banks are not churches anywhere and even churches cannot select and thoroughly check their flock. Messrs. Morgenthau and Patman

apparently would like Swiss banks to screen all prospective American depositors to make sure that no crooks are among them. Naturally, any good bank virtually anywhere will make a reasonable effort to ascertain the identity of its customers, especially when large sums are involved. But how can a bank of any country be expected to play the role of Sherlock Holmes, Scotland Yard, the FBI and the District Attorney, rolled into one, for another nation's government? Can our banks here investigate their clients to the satisfaction of the laws of, say, Argentina, the Philippines, or Zambia? And let us be honest: Is there really anywhere such a thing as monetary patriotism in time of peace? Is it not incumbent upon every country to draft its own tax laws and to implement them in a manner satisfactory and practicable to ensure its own efficient and fair revenue collection? And is it not already a matter of co-operation that American depositors with Swiss banks in Switzerland must pay a 30% withholding tax on interest received and other yield, of which five-sixths is repayable provided the American account holder registers in Switzerland that he has satisfied U.S. authorities with regard to taxation in this country, as provided by the Swiss-U.S. Double Taxation Agreement?

Investments in American stocks by Swiss banks are huge indeed. While many of them may in truth be on behalf of their American customers, it is doubtless a fact that most are for the account of clients other than Americans. In this area, Swiss banks cooperate in that all but a handful of very small ones abide by the margin requirements governing stock trading in the U.S., although they are not compelled to do so by Swiss law. The few who do not are invariably found to be non-members of the Swiss Bankers Association, and some of them, although established in Switzerland, are not Swiss owned.

In a couple of recent cases, e.g., where U.S. authorities discovered that Arg. Bank—an almost unknown outfit—enabled some of its American customers to put up as little as 10%, this surely was not in the interest of Swiss banking as a whole, because the banking community of the Confederation hardly derives a benefit from countering official U.S. attempts to halt excessive speculation in the largest and most attractive capital market in the world. It should instead be emphasized that the huge purchases of American securities through Swiss banks have substantially helped the U.S. balance-of-payments position—at least for the time being. And the vast majority of known and truly Swiss banks in Switzerland has, indeed, avoided all transactions in American securities that have not been properly registered with the U.S. Securities & Exchange Commission.

The introduction of still more exchange controls in the U.S., in addition to the Interest Equalization Tax and the curbs on the flow of capital into direct foreign investments, such as Mr. Patman's proposal that legislation make it a criminal offense for U.S. citizens to deal with Swiss banks—can have but one result. It will give the outbound tide of funds from our shores an added push, because it would be clear admission (a) that the U.S. dollar keeps losing its freedom; (b) that American citizens are losing more and more of their liberties; and last but not least (c) that all is far from well with our greenback. . . . He who excuses himself, merely accuses himself. And this, peculiarly, is why the Swiss banking community has but on rare occasions defended itself against all fanciful accusations so often leveled against it. Besides, as far as the great majority of respectable banks in Switzerland is concerned, it is more difficult for the innocent to prove their innocence than for others to allege their guilt.

The globally respected and well-established Swiss banks offer exquisite service, a background of decades of political stability, as

well as maximum flexibility. The last-mentioned exists because banks in Switzerland are not restricted or compartmentalized but may act freely as commercial bankers, savings banks, investment banks, stock brokers, mortgage banks, business agents, trust companies and financial advisers, both domestically and internationally. Whatever the foolish legend, they do not cater to South American dictators or Mafia magnates, and if the oil-rich sheiks of the Middle-East trust them, this has nothing to do with ciphered accounts and bank secrecy. And it should be added that the overwhelming majority of anonymous accounts in Swiss banks belong to Europeans and to citizens of countries ravaged by war, again and again subjected to political upheavals, or the victims of perennial inflation. Important in this connection: Swiss law even forbids Swiss authorities to obtain information from a taxpayer's bank unless there is a High Court's warrant or judgment on criminal grounds.

The fundamental misunderstanding: The American society is one which by and large loves publicity and does not even mind the most glaring neon-light illumination of a man's private life. In tiny—in terms of natural endowment, almost resourceless—densely populated Switzerland—the only nation of all practicing direct democracy from the bottom up—privacy is inalienably an individual's civil right, and Swiss abhorrence of "economic nudism" causes this liberty to be guarded so jealously that at times it militates against progress.

The state can never be the master and the government must always remain the servant in Switzerland, because sovereignty, there, is vested directly in the people and this immediacy—almost to the exclusion of the intermediaryship of election or appointed officials—is constantly exercised by the voters on all levels. Moreover, it seems to be noteworthy that while many, here, look with suspicion upon Swiss banks' reticence, Swiss bankers consider the kind of blunt advertising practiced by banks in this country a form of ambulance chasing, incompatible with their professional code of conduct and mores. The accusations that the promotional devices of Swiss banks "include personal calls on U.S. prospects who are shown how secret accounts can beat American laws" fall by the wayside because Swiss financial institutions do not even advertise in our sense in their own home territory. Moreover, Switzerland more frequently than not is inundated by an inflow of unwanted volatile funds. Why then should this avalanche be stepped up?

Completely unmentioned are two rather salient facts: (1) Because of growing distrust in the U.S. dollar, the hand-payment fee for transfers out of banking channels of dollars from here to, say, Geneva, is now up to "4.75% from the top" or even more compared with only 0.5%-0.75% a few years ago. Does that not reflect fright and flight produced in our parts rather than "solicitation" by the Swiss? (2) During the recent gold bubbles, i.e., when suspicion of the dollar's stability reached new highs, many Americans became keenly aware that, after all, their dollar is not as good as gold, but that U.S. laws deny them the right to own gold, although the citizens of more than five dozen countries may do so. During those hectic days, the largest, oldest and universally most respected Swiss banks and many smaller ones received by check and in cash, by cable and in ordinary envelopes such huge quantities of dollars from American depositors—many of them pensioners or small savers—that even upon employment of hundreds of extra clerks they could not open the mail fast enough, book the new entries and return receipts—within less than six to eight weeks.

The bad publicity suffered by Swiss banks, ironically, has so far had only one concrete result: It has made banking in Switzerland so mysterious, so attractive and so desir-

able—that the dash into Swiss accounts in recent years has gained greatly in both volume and velocity. End-1967, the combined capital and reserves of all Swiss banks together came to only \$1.74 billion, yet demand, time and savings deposits with them aggregated \$20.1 billion and their combined balance sheet no less than \$27.5 billion. Thus, these comprehensive-service organizations must be doing something right. . . . And as Swiss financing rests on a small economic foundation and limited initial capital, it can only be confidence that has propelled it to the worldwide prominence it enjoys.

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND CURRENCY,

Washington, D.C. January 28, 1969.

To the EDITORS,

Barron's National Business and Financial Weekly, Dow Jones & Co., Chicopee, Mass.

DEAR SIR: The article in your January 20, 1969, issue entitled "Assault on Privacy" prepared by S. J. Rundt & Associates, is so replete with half truths and self-serving propaganda that it bespeaks a complete misunderstanding of our recent hearings on the *Legal and Economic Impact of Foreign Banking Procedures on the United States*. A point by point review of Mr. Rundt's disconnected diatribe would serve a less useful purpose than an explanation of our Committee's actions.

Members of this Committee have become quite concerned about the use of secret foreign bank facilities as a mechanism in schemes to avoid responsibilities imposed by the laws of the United States. Our concern arose from a number of reported court cases, criminal indictments, agency investigations and the like. Most of these cases were included in the record of our hearings. Even a cursory examination of them amply justifies the Committee's interest.

There are conscious efforts by American citizens and others to engage in activities which undermine the purpose of American banking laws, American securities laws, American tax laws, and American criminal laws. However, it was decided that before launching the legislative process that it would be best to find out the extent of this conduct. Since most of the activities complained of were matters of interest to the Justice Department and the Securities and Exchange Commission and most of the cases came from the New York City area, it was decided to hold hearings of a preliminary nature where officials of these two agencies and their New York offices would be invited to testify.

At the hearings on December 9, 1968, the statement of the Chairman made it quite clear that the hearing was "only a preliminary inquiry to determine if there is a problem sufficient and serious to warrant further legislative action." Any reasonable man reading the testimony of these excellent and experienced witnesses would conclude that further Congressional action is warranted. Accordingly, at the close of the hearings I announced my interest to introduce legislation which would prevent the use of secret foreign banking facilities to avoid responsibilities imposed by American law.

The Committee staff has been working on a draft bill which will hopefully be introduced in the near future. If the Committee decides to take up this bill, there will be full hearings and all interested parties will be given an opportunity to make their views known.

It is unfortunate that this recitation of history has been made necessary by Mr. Rundt's careless treatment of the facts. In the event the Committee has hearings, we shall invite him to appear.

Of greater concern, however, is the implication that the House Committee on Bank-

ing and Currency is meddling in Swiss affairs and by some piece of legerdemain is attempting to destroy the banking structure of Switzerland. This is untrue. In my opening remarks at the preliminary hearings I said:

"No country, institution, or person is being accused of any wrongdoing, nor is there any idea of generating undue publicity of the sensationalist type. Our only desire is to obtain more and precise information on this matter which may or may not lead to further hearings and remedial legislation."

We are interested in foreign banking law only insofar as it pertains to the use of such law to violate American law. The Committee staff has been meticulously instructed not to concern themselves with the law of any foreign jurisdiction since it is none of our business. The witnesses at our preliminary hearing observed that the only realistic approach to restriction of the abuses should be directed against domestic wrongdoers, and that legislation, if any, should be couched in purely domestic terms.

Switzerland is a great nation which deserves the highest esteem of all Americans. The fiscal stability and their banking expertise has long been admired by fiscal experts throughout the world. There is absolutely and utterly no intention of doing anything which would jeopardize our friendly relations with that great nation. Our sole concern is the enforcement of American law.

Very truly yours,

WRIGHT PATMAN,
Chairman.

TRIBUTE TO AMERICAN LAW DIVISION

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. CELLER. Mr. Speaker, I want to take this opportunity to pay special tribute to the outstanding scholarship and legal research of the American Law Division of the Legislative Reference Service, Library of Congress, headed by Mr. Harry N. Stein, and also to the Government and General Research Division.

The Committee on the Judiciary processes a wide variety of legislation on diverse subjects, ranging from civil rights to amendments to the Constitution, gun control legislation, and criminal procedures in the Federal courts. In all of these areas, as well as other matters within the legislative jurisdiction of the committee, the small but hard-working and dedicated staff of the American Law Division has provided invaluable assistance in research to the members and staff of the committee.

In the current hearings on electoral college reform before the Committee on the Judiciary, there will be inserted in the hearing record a series of tables and statistical compilations bearing upon various proposals for revising our presidential election system. These materials bear further testimony to the outstanding research assistance rendered to the Congress by the Legislative Reference Service. The Judiciary Committee is indebted to the members of the staff of the American Law Division who, year in and year out, furnish superlative research assistance and legal analysis on a variety of subjects pending before the committee. I wish to acknowledge publicly their outstanding contribution.

CXV—194—Part 3

WHERE IS OUR SENSE OF PURPOSE?

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. NELSEN. Mr. Speaker, in the view of Ray Tschimperle, editor of the Chaska (Minn.) Weekly Valley Herald, confusion over what constitutes a sound philosophy of government has contributed to national turmoil and unhappiness. Many of us are inclined to agree, and I am pleased therefore to introduce his thoughtful and provocative commentary into the RECORD.

As Mr. Tschimperle wisely asserts, the year ahead "may prove to be a year of testing of people, not a President—people who sadly need a renewed sense of purpose based on the ideals and principles of self-government."

WHERE IS OUR SENSE OF PURPOSE?

The principal thing that may be said of 1968 is that it was not a particularly felicitous year. It was a year of tragedy, strife, confusion and contradiction. We had continuing prosperity for most people—accompanied by growing domestic dissension. In Viet Nam, U.S. observers spoke optimistically about the military situation. At the same time, the patience of the American public with the war appeared to come to an end. For better or for worse, this country's armed opposition to Communism in Southeast Asia may be terminated in the not-too-distant future.

It will seem to many, in looking back over the past year, that much of our trouble stems from confusion of philosophies and labels—a confusion that has existed for a long time, but in 1968 reached a climax. The confusion is well typified in the career of Mr. Johnson as President. He went into office with the near unanimous support of the people. He carried out his pledge. An unprecedented wave of social legislation became law. Untold billions of federal dollars have been committed to programs of health and Welfare, education, urban rehabilitation, a broad war on poverty and environmental improvement. All of these things have been produced under the label of liberalism. In fact, liberalism has become nearly synonymous with the outpouring of governmental tax funds and broad expansion of government powers. This in itself is perhaps the most confusing and contradictory phenomenon of our times. Historically, liberalism is the antithesis of authoritarian government.

Many reasons have been given for Mr. Johnson's eclipse in popularity, of which the Viet Nam war ranks high. Yet, he brought into full flower the highly popular philosophy of government responsibility for solving social and economic problems. Some call it the welfare state. There is no reason to doubt that Mr. Johnson was sincerely striving to give the people what they thought they wanted. Measured by legislation, he was largely successful. Logically, he should have looked forward to tranquility and strong support. Instead, he got riots. Before the end of his first full term as an elected President of the United States, he fell so low in popular esteem he was compelled to announce that he would not be a candidate for reelection.

It is difficult to believe the Viet Nam war is wholly accountable for the sudden reversal of Mr. Johnson's political fortunes. His misfortune—if it may be called that—could be a symptom of national confusion in a day when love of country is considered juvenile by many, patriotism corny, and Presidents are chosen on the strength of their ability to keep everybody happy. The decline in Mr.

Johnson's popularity accelerated when the cost, both in inflation and taxes, of the government's increasing dominance began to be felt.

As a new President prepares to take office, we hear a great deal about the task before him of "bringing the country together." Judgment is being withheld until people can see how he performs. Perhaps it might be well in the coming months for the people to look inward and judge themselves. Our country will become what the people make it. Unless we are ready to accept a dictatorship, we should cease expecting the President of the United States to be all things to all men. He is a fellow citizen filling one of the world's toughest and most dangerous jobs.

In the long run, the President can but reflect the philosophy and purpose of the people. We should not ask the new President to perform like a monkey on a stick. We should ask, what is our philosophy? Do we believe in local initiative? Do we believe in the responsibilities, as well as the rights and liberties of the individual? Do we believe in the American system? The future of the country depends on our answers to these questions. The man in the White House cannot answer them for us. Nineteen hundred and sixty-nine may prove to be a year of testing of people, not a President—people who sadly need a renewed sense of purpose based on the ideals and principles of self-government.

PROTEST AGAINST BARBAROUS ACTS OF IRAQI GOVERNMENT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BOLAND. Mr. Speaker, more than 1,500 people met this week at the Jewish Community Center in Springfield, Mass., to protest the Iraqi Government's execution of 14 persons on the pretext of spying charges. The victims—nine of them Jews—were hanged in a barbarous public spectacle unparalleled in recent Middle East history. I feel sure my colleagues join me in strongly endorsing the following resolution adopted at this week's protest meeting in Springfield:

RESOLUTION

We, the Jewish Community of Springfield, Massachusetts, decry and protest the barbarism, brutality, and violation of basic human decencies and human rights which is now occurring in Iraq.

We are further concerned with the pending threat of further executions of alleged spies—Iraqis as well as Americans, Jews as well as non-Jews.

We are concerned with terrorized remnants of Jews in Iraq, Syria, and Egypt, many of whom have been imprisoned and under house arrest for years.

We call upon the President of the United States, the Secretary of State, the Secretary-General of the United Nations, along with appropriate non-governmental agencies to lend their voices in opposition so that further executions will be avoided and the threat of genocide eliminated.

We fervently implore men of all faiths and creed to join with us in expressing their concern in this latest episode of man's inhumanity to man.

Previous commitments prevented me from taking part in the meeting, Mr. Speaker, but I sent the following telegram expressing my views on the mass murder carried out by the Iraqi Government:

TELEGRAM

I join you in strenuously protesting the Iraqi government's execution of fourteen persons accused of spying. The United States and the United Nations, I feel, should promptly and formally condemn this barbarous act. It seems questionable, to say the least, that the UN should condemn Israel for the destruction of a few airplanes and remain discreetly mute at the public hanging of nine Jews and the violent murders of scores of others by Arab terrorists operating within Israel's borders. I hope and pray that Israel will achieve her goal of ending bloodshed in the Middle East and of establishing a just and meaningful peace there. Please inform me of any resolutions adopted at the protest meeting and I will make them known to the President and the Secretary of State.

A NEW THOUGHT, A NEW POSTURE

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. SCHADEBERG. Mr. Speaker, much has been written about the dignity and calmness surrounding the inauguration on January 20 of our new President, Richard Nixon. Few, however, in commenting or writing about this great and stirring event, have touched on the real spirit of the occasion with more insight than the writer of an article in the Chicago Sun-Times. I urge my colleagues to refresh their minds and spirits after this lapse of time since that event by reading the article and sharing the impact it made on Charles Bartlett, the writer.

The article follows:

A NEW THOUGHT, A NEW POSTURE
(By Charles Bartlett)

WASHINGTON.—A nation straining for an expression of Richard M. Nixon's leadership found it Monday in the calm, measured dignity of his inauguration. Even the skies cooperated to furnish a cathedral-like gray cast which gave the occasion an aura that was solemn but not grim, cold but reassuring.

The Democrats contributed by the generous style in which they departed. Lyndon B. Johnson was rarely friendly, more formal, or more presidential than he seemed as he gave up his office. The transfer bore no traces of the searing politics that produced it.

The onlookers seemed to catch quickly the spirit that Mr. Nixon has in mind. The absence of sparkle and jubilation was no more important than the presence of the hippies. The tone of the accession lay somewhere between protest and celebration, and the event gained its quality from its absorbence of both moods.

The impact of the new spirit stemmed from the consistency with which Mr. Nixon applied it. The cautious pace of his appointments, the low key of his pre-inaugural pronouncements, the unprecipitous fashion in which he debarked from the aircraft that carried him to Washington, his unexcited bearing as he stood on the inaugural platform, and his abstention from ringing rhetoric as he addressed the nation became manifestations of a leadership intent on launching an interlude instead of an era.

The key was the assertion "We cannot learn from one another until we stop shouting at one another, until we speak quietly enough so that our words can be heard as well as our voices." That was the new thought, the new posture that the new President offers, a challenge less stimulating than the New Deal

or the New Frontier or the Great Society, but nonetheless a response unarguably appropriate to the times.

Mr. Nixon spoke of "the long night of the American spirit," but he left it to the evangelist, Billy Graham, to lash the society for its materialistic and permissive inclinations and the erosion of its values.

He spoke of the measures the government must take in more emphatic and precise terms than his ambivalent campaign had promised. But he also made it clear the government cannot do all that needs to be done.

The sense of balance which Mr. Nixon is prescribing for the country was contained with his speech. It reached out to the young, the Democrats and the hostile, and it weighed the causes for hope against the sources of concern. His words leaned more upon reason than exhortation and they made themselves felt because they were clear and strong and not because they were eloquent.

The test of the occasion will not come in the immediate reaction to it. The test will be Mr. Nixon's success making his inauguration a turning point in popular attitudes. If he can kindle a new readiness to face the harsh dynamics of swift change in a more constructive and less contentious spirit, he will have contributed as much to this moment in history as he possibly could have.

An interlude cannot be the total theme of a Nixon Presidency because it is not in itself enough to carry the country on a progressive course. But an interlude calculated to summon character and composure can be a healing respite and a prelude to something greater and more positive. That seems to be the spirit in which Mr. Nixon intends to exert his calming influence.

VINCENT EDWIN FUMO II

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. DENT. Mr. Speaker, I note with great happiness an event of February 1. In the early hours of that day, in Methodist Hospital, Philadelphia, Pa., Vincent Edwin Fumo II was born to Vincent J. and Susan Ann Fumo. The child is the first for the young couple.

Mr. Speaker, the joy of this occasion is first reserved to the proud parents and relatives. But I wanted the occasion to be acknowledged in the RECORD for at least two reasons. First of all, because the child may grow up to become President of the United States and this public mention of his birth may endear me to him to the point where he will then appoint me Chairman of the Tariff Commission—where I sometimes in frustration thirst to serve. Second, and most seriously, however, because his parents are fine examples of the best our society can produce.

His father, with whom I have had first a professional and now social association for some time, is a teacher and also studies law at Temple University. In addition, his passion for participation in good government should someday lead him into active public service, where I know he will serve with distinction. The child's mother is a beautiful young woman who has chosen the full-time profession of wife and mother, the most noble among the rest.

I know young Vincent is already surrounded with all he needs, and especially with the abundant love of his parents. I will only add my congratulations and the best wishes of us all.

OPINIONS OF INAUGURATION

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, there is nothing so sincere as the words which express the feeling of youngsters. I would like to share with my colleagues short essays written by a group of fourth graders from my district at the Williamson Central School in Williamson, N.Y.

If anyone should think that ceremonies get to be old hat, they should read what these youngsters have to say. The feelings they express assure me that the youngsters of today do share a sense of history.

These letters appeared recently in the Williamson Sun, a weekly newspaper.

OPINIONS OF INAUGURATION

The Williamson Central School students of Mrs. Marjorie McCleery's fourth grade watched the inauguration of President Richard Nixon on TV January 20. Mrs. McCleery had her students write their opinions of the inauguration. A few of these are published here:

NIXON

Cindy J.:

"I wonder what Nixon did when he was a boy. Did he have a dog? Mr. Nixon how is Mrs. Nixon? How are you? I like Mr. and Mrs. Nixon and the dogs. Do you have one or two dogs? Do you have a horse? Do you like Snoopy? He likes you. Do you like me?"

FROM THE OLD TO THE NEW

Jackie Weaver:

"Today is a very special occasion. Mr. Johnson is our old President. Nixon is our new one.

"I liked the Inauguration very much. I can't remember having seen one before.

"I liked the bands. There is one thing I dislike about the Inauguration, they have too long prayers."

THE INAUGURATION

Jefferi Covington:

"It was a nice Inauguration.

"I missed Agnew Inauguration because I had to go get milk and ice cream for my class, and that is why I missed Agnew get inaugurated. I saw Nixon get Inaugurated. I liked his speech as well as the Sen. speech. I liked the parade very, very, very much."

MY FEELINGS OF THE INAUGURATION

Bob Verbridge: "It was like New Year's Eve. I felt the thrill go up and down my spine. After he took his hand off the Bible, I said amen, Lord, let this man go into his work safely and come back alive 4 years from now, safely, Amen. As Mr. Johnson left the white house, I could almost feel the joy of sadness go through me. As the office went from hand to hand. May there be light on the roads to come ahead. May it choose to go on getting men like this for all the years to come. I must say one more thing. This man will lead our country onward.

"He will always be a great American."

THE INAUGURATION

Lori Warren: "I thought that it was a very interesting Inauguration. I think that Mr. Nixon will keep our country at peace, and

he will make a good President of our country. He seems like a good man. He has a very nice family. He has a big job. I think he is a very special man, and he made a very good speech. I hope he will stop the war. This is the first time I saw a President get sworn in, and I am glad we have a TV in our room. We made hats in our classroom and put Nixon on them. We wore them while we watched TV. We stood at attention while they played the National Anthem. It was an exciting day for all of us."

MY OPINIONS OF THE INAUGURATION

David Cooper: "In school today we saw the Inauguration and I liked it.

"It's too bad Mr. Johnson had to leave. But he was in the White House long enough.

"I don't see why any new President has to open a bubble and stick out his head and wave his arms around. They should just sit in the car and wave to people.

"And I don't see why they need bubble cars either."

MY FEELINGS OF THE INAUGURATION

Judy Yankelunas: "January 20, 1969 was a very exciting day for everyone. For Mr. Johnson it was probably a sad and a happy day for him. For Mr. Nixon it must have been a very happy day for him. In the next 4 years when another man is elected to be President of the United States will Mr. Nixon feel the same way as Mr. Johnson did?"

WHAT I LIKED ABOUT THE INAUGURATION

Nancy Corteville: "When the cars go down the road and the secret service men ran along the sides of the cars. And listening to the speeches and watching the balls in color seeing all the pretty dresses. And watching everybody get sworn in. The parade is fun to watch especially in color because it really is very pretty.

"And then they sometimes show pictures like of the White House at night with its light shining on it. It really is very pretty.

"When they are showing pictures of the President and where he is. It's just a day when almost everyone is happy."

UKRAINIAN-AMERICAN COMMUNITY MARKS ANNIVERSARY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. CUNNINGHAM. Mr. Speaker, the Ukrainian-American community in Omaha recently observed the 51st anniversary of Ukrainian independence and the 50th anniversary of the Act of Union in a fitting and solemn celebration.

The glorious days of Ukrainian independence are not forgotten. I am proud to pay tribute to the Ukrainian people in my district and those behind the Iron Curtain and fervently hope they will again be free of the Communist yoke.

I include as part of my remarks the following letter from Dmytro Wijtek, chairman of the Ukrainian-American Association, Inc., of Omaha, Nebr.:

January 22, 1969 marked the 51st anniversary of the Proclamation of Independence of Ukraine, and the 50th Anniversary of the Act of Union, whereby all Ukrainian ethnic lands were united into one independent and sovereign state of the Ukrainian nation. The independence of Ukraine was proclaimed in Kiev, the capital of Ukraine, on January 22, 1918, and the Act of Union took place a year later, on January 22, 1919, also in Kiev.

The young Ukrainian democratic republic was immediately recognized by a number of

foreign governments, including that of Soviet Russia. The latter, however, almost simultaneously with recognition, began a large-scale invasion of Ukraine. By 1920, Ukraine alone and unaided, succumbed to the superior forces of Communist Russia, and in 1923 had become a part of the Soviet Union.

The freedom-loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the reestablishment of their independence by all means at their disposal.

During World War II, the Ukrainians organized a powerful underground resistance movement, known as the Ukrainian Insurgent Army (UPA), which fought not only against the Nazi regime, but against the Soviet Russian occupation as well.

Bloody and relentless persecution of Ukrainians continued after the death of Stalin, and it continues now under Breshnev-Kosygin.

Briefly, the Russian rule in Ukraine can be summarized as follows:

Exploitation of Ukraine's economic resources for the benefit of Moscow and its imperialistic ventures in Asia, Africa and Latin America;

Continued deportation of Ukrainians to Central Asia, replacing them with Russian settlers for the purpose of augmenting the Russian ethnic element in Ukraine;

Arrests and trials of "Ukrainian bourgeois nationalists," who in fact are Ukrainian patriots fighting for freedom of their country;

Terror and assassination of Ukrainian leaders outside Ukraine, such as the assassination of Dr. Lev R. Rebet, a noted Ukrainian writer, and Stepan Bandera, head of the Organization of Ukrainian Nationalists (OUN), both of whom were slain by KGB agent Bogdan Stashynsky in Munich, in 1957 and 1959, respectively;

Persecution of all religions in Ukraine, despite the fact that Moscow claims that "religious freedom" is assured to all Soviet citizens;

Enforced Russification, aiming at the cultural and linguistic genocide of the Ukrainian people. A number of Ukrainian intellectuals were arrested, tried and sentenced to hard labor for advocating more freedom for the Ukrainian people. Among them are such known writers as Vyacheslav Chornovil, Svyatoslav Karavansky, Ivan Dzyuba, and many others. In December 1968, the U.N., in defiance of the destruction of Human Rights in Ukraine, awarded a "Human Rights Award" to Prof. Peter R. Nedballo, a representative of the Ukrainian SSR in the U.N. Human Rights Commission, thus making a mockery of Human Rights Year, 1968.

Today, more than ever, Ukraine is a colony of Communist Russia.

Both the U.S. Congress and the President of the United States expressed their concern over Ukraine by enacting the "Captive Nations Week Resolution" in 1959, whereby Ukraine is enumerated with 21 other non-Russian captive nations in the USSR.

THE SAD "PUEBLO" STORY MUST NOT BE REPEATED

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FASCELL. Mr. Speaker, all Americans were disheartened by the capture of the U.S. vessel *Pueblo* by North Korea and the subsequent mistreatment of Comdr. Lloyd M. Bucher and his crew. We are glad that Commander Bucher and his men were eventually released after lengthy diplomatic pressure and nego-

tiations. The outcome of the current Navy hearings on the matter is yet to be known, but certainly there will be few plaudits growing out of this sad episode in our history.

While it is fortunate that the explosive incident did not touch off another Korean war, it appears necessary that Congress also hold hearings and examine the facts concerning the *Pueblo* seizure. We must take whatever actions are justified to insure that there are no future repetitions, and I will be personally concerned with seeing that this is the case.

In the meantime, the Nation will be watching the Navy hearings which delve so deeply into our national pride and military tradition. I am pleased to call the attention of my colleagues to an editorial from the Miami Herald of January 23, 1969. This editorial asks penetrating questions about the "sorry naval affair" which it says has many of the undertones of the Pearl Harbor fiasco of more than 27 years ago. I believe that many of my colleagues will be interested in its contents, as follows:

THE SAD "PUEBLO" STORY MUST NOT BE REPEATED

All hands must be heard before public judgment is passed, of course, but the early testimony of the skipper of the intelligence ship *Pueblo* is disquieting. What Comdr. Lloyd M. Bucher told a Navy court of inquiry in California has many of the undertones of the Pearl Harbor fiasco of more than 27 years ago.

Whatever its political origins, the Japanese attack on Hawaii was successful largely because U.S. commanders had poor communications and improper liaison. The intelligence system broke down.

Comdr. Bucher has testified that the *Pueblo* was outgunned by the North Koreans who waylaid her at some point offshore as yet to be determined. He did not resist because, properly, he "saw no point in senselessly sending people to their deaths."

His first warning message to naval headquarters in Japan took 12 to 14 hours in transmission, "as we had feared."

The ship contained few or no "destruct devices" and critical equipment was limited.

During the capture, the day after *Pueblo* had been detected by North Korean fishing vessels, the radio antenna was shot off. Apparently there was no substitute gear.

According to Comdr. Bucher's testimony, his fears about inadequate communications and a shortage of destruct devices was passed on to his superiors in Japan, where the vessel was based, before he sailed. But nothing happened.

Again there must be no prejudgments. But if the witness is telling the truth it is clear that *Pueblo* was a sitting duck for the enemy. The ship could not be defended. Neither could her commander alert headquarters ashore in time to get help.

It had been disclosed earlier that only nuclear bomb equipped planes were available to go to *Pueblo*'s help. Would the extra 12 to 14 hours have enabled the Navy to bring up air support of a conventional nature—fighter-bombers, say, from somewhere in the Pacific?

That is only one of the many questions which must be asked about a sorry naval affair.

This nation is deep in the intelligence business, as are most nations, for its own defense. It will continue that posture, which it is learning with difficulty. Thus there must be no more *Pueblos*. The public has a right to assurance on that score, and we trust it will come out of the humiliating inquiry into the plight of a brave man and his valiant crew.

PRESIDENT NIXON'S MESSAGE ON
CRIME

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. POFF. Mr. Speaker, the following is the text of President Nixon's message on crime in Washington, D.C., his plans for rebuilding the riot-scarred section of the District of Columbia and his position on home rule. Under leave to extend my remarks in the RECORD, I record herewith the President's message:

PRESIDENT NIXON'S MESSAGE ON CRIME

Responsibility begins at home.

The District of Columbia is the Federal city, and the Federal Government cannot evade its share of responsibility for the conditions of life in the District.

For many who live here, those conditions have become intolerable. Violent crimes in the District have increased by almost three times in the last eight years; only two days ago, the local newspapers carried a report that armed robberies had more than doubled in the past year alone.

This violence—raw, vicious violence, hurting most of all those who are poor and work hard—is the surface manifestation of far deeper troubles.

These troubles have been long building. In part, Washington today is reaping a whirlwind sown long since by rural poverty in the South, by failures in education, by racial prejudice and by the sometimes explosive strains of rapid social readjustments.

Because its roots are deep and closely woven, crime in the District cannot be brought under control overnight. Neither can poverty be ended or hatred eliminated or despair overcome in a year. But we can begin.

In the 11 days since the new Administration took office, I have asked the departments and agencies concerned to make an intensive study—as a matter of first priority—of actions that could be taken now toward curbing crime and improving the conditions of life in the city of Washington.

I wish I could report that we had produced a magic formula that would end crime and sweep away despair overnight. We have not. I have determined on a number of actions and recommendations which will provide a start.

These include:

A swift start on restoring those areas devastated nearly ten months ago.

A package of proposals that can at least help toward restoring the safety of life and property.

A commitment to give the people of the District of Columbia the voice they legitimately should have in the public policies that affect their lives.

Before detailing these measures I would like to make two points, both of which may help set the measures themselves in perspective.

I am pleased to report, first, that Mayor Washington and I, together with key members of our respective Administrations, have established the basis for what I confidently expect will be the most effective cooperation yet achieved in the relations between the Federal and city governments.

The basic framework within which we both intend to operate is one of local initiative and responsibility, and the fullest possible Federal support—not only in terms of the necessary money, but also by involving the vast array of technical assistance available from within the Federal departments and agencies headquartered here.

Second, the great majority of these actions and recommendations are in the fields of

crime control and the administration of justice. I recognize full well that crime and violence are only part of the complex interweave of problems the District faces, and that in the long run crime itself also requires much more far-reaching and subtle approaches. But the rapidly mounting urgency of the crime crisis in the District marks immediate, direct anti-crime measures as the first-priority task.

There is another reason for this early and urgent emphasis. Crime in America today is both a primary local responsibility and a primary national concern. Here in the District, the Federal Government bears a special responsibility and has a unique opportunity. By searching for new ways of applying the resources of the Federal Government in the war against crime here, we may discover new ways of advancing the war against crime elsewhere.

These measures are by no means a comprehensive list. They represent things that are clearly needed and can be done now. Other crime-control measures will follow, and also additional measures to meet the vast array of the District's other needs.

DEVASTATED AREAS

Scarcely any of the shops and homes destroyed during the riots of last April have been rebuilt, and very few of those damaged have been made habitable or usable again. These rotting, boarded-up structures are a rebuke to us all, and an oppressive, demoralizing environment for those who live in their shadow. They remind us again of the basic fact that the principal victims of violence are those in whose neighborhoods it occurs.

It is not enough merely to patch up what now exists; we must truly rebuild.

The people of the District—especially, of course, the people who live in these areas, and those who own the land—must decide the purposes for which these blocks will be used. The Federal Government can, however, pledge its full support for those Federal programs, which can enable such redevelopment to proceed, and can further pledge the utmost executive energy in responding to formal applications from the District.

We have already begun.

Specifically, Secretary Romney informed me today that the Department of Housing and Urban Development has approved a \$29.7 million neighborhood development plan for the Shaw area, including the major portion of the 7th Street neighborhood damaged during last April's riots. This plan, the result of several years of preparation, is an accomplishment of which this city can be proud.

It took Secretary Romney's Department less than 24 hours to approve this plan for the Shaw area, once it was approved by the City Council last Tuesday and submitted for Federal approval Wednesday evening. This unprecedented process illustrates the commitment of this Administration to the meeting of the urgent needs of the capital city.

Mayor Washington has indicated that he intends to seek similar assistance under the Housing and Urban Development Act of 1968 for rehabilitation of the two major areas of riot damage not covered in the Shaw plan—the areas along 14th Street and H Street. I can assure him that this Administration will respond with the same sense of urgency to his requests for help in these areas.

He has promised me a tight but serious timetable under which the first construction in these areas would begin next fall.

While the city prepares for this construction—and decides what to do with the 14th and H Street areas—the Department of Housing and Urban Development will make available \$1 million in special interim assistance for improvements in some of the blighted areas. This morning, I watched the first cranes at work clearing rubble to make way for a temporary playground. The District has plans for swings, slides and swimming pools where now there is charred rubble. Street

lighting will be improved, roads and sidewalks repaired.

Under Section 514 of the 1968 Housing and Urban Development Act, Mayor Washington has undertaken to provide one-third matching funds for this \$1 million, and the District Government will take the initiative in deciding how this money will be spent. The limited assistance to be provided by the Federal Government under this interim program cannot by itself remake these areas. But it is a first step toward making them more livable, an earnest demonstration of our concern and a first sign of hope.

In this connection, I can announce that the 1969 Inaugural Committee, through its chairman, Mr. J. Willard Marriott, has agreed to devote the net proceeds of the Inaugural to the cost of providing playground equipment and other improvements for these parks and playground areas.

CRIME AND JUSTICE

A meaningful assault on crime requires action on a broad array of fronts. But in the midst of a crime crisis, immediate steps are needed to increase the effectiveness of the police and to make justice swifter and more certain.

Toward these ends and as a beginning, I have taken or will propose action in 12 major areas.

1. The courts

I am asking Congress to provide ten more judges for the courts of the District of Columbia. I will ask later for more additional judges as they become necessary upon the reorganization of the District of Columbia court system.

As an interim measure, I would hope that the existing visiting judges program would be expanded in the District. The chief judge of the District of Columbia circuit here has diligently sought the services of visiting judges. I will encourage and aid him in his effort to obtain the services of more judges.

To improve the administration of justice in the District, I have directed the Attorney General to consult with the bench, the bar and the various interested groups to assist in the drafting of appropriate legislation providing for a reorganization and restructuring of our present court system toward the eventual goal of creating one local court of general, civil, criminal and juvenile jurisdiction for the District of Columbia. It is consistent with my support of home rule to urge the creation of a local court system similar to that of the States and other large municipalities.

To perform with full effectiveness, a modern court needs modern computer and management techniques. I have asked the Attorney General to offer his Department's assistance to the study groups in the District that are presently seeking to apply such techniques in the court system.

I have asked the Attorney General to submit specific recommendations for such additional court house personnel, including United States marshals, court clerks, probation officers, law clerks and bailiffs, as are necessary to support not only the present judges but the additional judges that will be requested.

2. U.S. attorneys

The chronic under-staffing of the prosecutor's office has long hampered the efficient administration of justice in the District. It is widely recognized that a ratio of at least two prosecutors for each judge is needed. To achieve that goal, 20 new assistant U.S. Attorneys are required immediately. With the creation of 10 additional judgeships and the contemplated court reorganization, another 20 prosecutors will be required. Consequently I am recommending the authorization of 40 more assistant U.S. attorneys.

A comprehensive reorganization of the Office of the U.S. Attorney is imperative. This should include a restructuring of the office to provide for two-man prosecutor teams in

important cases; the development of specialized functions for technical cases such as frauds and other economic crimes, and the creation of a special "violent crimes unit" to handle such crimes as armed bank robberies on a priority basis, as is presently being tried experimentally. In addition, greater emphasis is needed on developing policy guidelines and training programs. On Jan. 14, \$120,000 was awarded by the National Institute of Law Enforcement and Criminal Justice for a special study committee. Included in its study is an examination of the prosecutor's office, with a view toward recommending improvements in its operation. I strongly support this study and have instructed the Attorney General to make available the resources of the Department of Justice to assist the committee and to facilitate reorganization found desirable.

In addition, I will seek authorization for the hiring of law clerks and sufficient other personnel for the proper staffing of the U.S. Attorney's office—and for the hiring and use of trained investigators, who are necessary to the effective functioning of the prosecutor's office.

3. Courthouses

The local courts already are overflowing the existing Court of General Sessions buildings. Judges are sitting in three different buildings and some in temporary courtrooms. With the creation of additional judges and the eventual transfer of greatly expanded jurisdiction to the local courts, a new courthouse complex becomes a pressing necessity. One hundred thousand dollars has already been utilized for planning for a new courthouse and \$3.5 million has been appropriated for site selection. But we must have these facilities now.

Consequently, I am vigorously endorsing the requests presently pending before the Congress for \$1,240,000 to be used to complete acquisition and for additional planning. The Administration will fully support the Mayor in such additional requests as are needed to speed the building program. Meanwhile, I have instructed the General Services Administration to assist in providing temporary facilities.

4. Bail reform

Problems arising out of the operation of the Bail Reform Act of 1966 are now being considered by the Congress. But substantial changes in this area are needed quickly. Increasing numbers of crimes are being committed by persons already indicted for earlier crimes, but free on pretrial release. Many are now being arrested two, three, even seven times for new offenses while awaiting trials. This requires that a new provision be made in the law, whereby dangerous hard-core recidivists could be held in temporary pretrial detention when they have been charged with crimes and when their continued pretrial release presents a clear danger to the community.

Additionally, crimes committed by persons on pretrial release should be made subject to increased penalties.

Insufficient staffing of the Bail Agency is one of the contributors to crime by those of pretrial release. I support immediate lifting of the ceiling that now constricts the Agency's funding. I will seek appropriations for an initial expansion of the agency from 13 to 35 permanent positions. If the pretrial release system is to protect the rights of the community, the agency must have the capacity for adequate investigation and supervision.

5. Corrections

As the local government is painfully aware, the existing facilities and programs of the Department of Corrections are woefully inadequate. On Jan. 16, 1969, the director of the Bureau of Prisons submitted a compre-

hensive report to Mayor Washington identifying the deficiencies and making a number of recommendations. I join with the Mayor in urging immediate implementation of those recommendations, and I will offer whatever Federal assistance is possible in doing so.

All who have studied the problem agree that far reaching changes are needed in the penal facilities and programs serving the District. I will press vigorously for accomplishment of the needed reforms.

6. Public defender

The recent ball reform hearings before the Senate Judiciary Subcommittee on Constitutional Rights have emphasized the important contributions skilled defense counsel can make toward expediting criminal trials.

Too often, inexperienced lawyers who are appointed to represent indigent defendants complicate and delay the trial process by their unfamiliarity with the law and criminal practice. Experience has shown that professional public defenders, on the other hand, not only better safeguard the rights of defendants, but also speed the process of justice. The Legal Aid Agency in the District is a pilot project, which has given every indication of great success if properly supported. I believe the time has come to convert this project into a full-fledged Public Defender program. To make this project possible, I will support the Legal Aid Agency's 1970 budget request for \$700,000 to allow an increase in its staff from 22 to 34 attorneys and to assume responsibility for a successful project in offender rehabilitation. This would allow it to become a full-fledged Public Defender's Office with the capacity to represent almost half of the indigent adult and juvenile defendants in the District.

7. Police Department

There is no deterrent to crime quite so effective as the public presence of policemen. Several immediate steps are needed to bolster and improve the local police force in the District of Columbia.

The first step is more effective recruitment. Despite diligent recruitment efforts, the police force has hundreds of unfilled vacancies. I have pledged to the Mayor the assistance and full support of this Administration to improve the recruitment process. I will sponsor the establishment of a procedure by which the District can draw upon the experience of other cities. Imaginative and innovative approaches may be necessary.

But even bringing the department up to its presently authorized strength will not secure adequate public protection in these troubled times. Consequently, I am recommending to the Mayor that he request authorization of an additional 1000 police officers for the District, and I will support such a request.

I endorse the Mayor's efforts and those of the police department to reorganize the structure of the department, so as to consolidate functions, reduce duplication and free additional police officers for patrol and enforcement duties. I offer the assistance of the Federal Government in this effort.

I urge our local police officials to give a high priority to planning and development, making use of the increased Federal funds now available for the introduction of new law enforcement techniques.

The Police department also needs the increased assistance of competent legal advisers in this era of evermore complicated criminal law and procedures. I laud the Mayor for his recent appointment to the police department of a legal adviser. However, with the increased burdens on the department it seems advisable to increase the staff and capability of such an office. Not only do the police need to be properly advised as to the performance of their du-

ties, but it is also necessary for the police department to be assured of the Government's support of an interest in the officer's performance of his individual duties.

8. Public safety

The potential of this office is great. It is presently vacant. The Mayor informs me that he is diligently searching for the right man to fill the job. I have offered the Mayor this Administration's resources to assist him in selecting the best possible director.

9. Citizen role

Increased citizen involvement is essential to any program of crime control and prevention; it is also in keeping with the American tradition. I strongly support the Mayor in his plan to appoint a Criminal Justice Coordinating Committee patterned after similar successful programs in other large cities. It is important that the committee be properly staffed. This could be done with help from the recently created Criminal Justice Planning Office and funded under the Law Enforcement Assistance Act, which provides financial support of up to 90 per cent for such planning activity involving citizen participation. Policy making and planning must have citizen participation and coordination if they are to produce programs that are widely acceptable to the community. I pledge the Mayor the support and assistance of the Federal Government in this area.

10. Narcotics

Although the narcotics traffic in the District of Columbia is apparently not dominated by organized crime it has become an acute and growing problem. It is a direct cause of much of the District's crime, by driving the narcotic user to commit crime to support his "habit." Many armed robberies, assaults and bank holdups are directly related to narcotics use.

Consequently, I have instructed the U.S. Bureau of Narcotics and Dangerous Drugs to increase significantly its role in the District of Columbia in enforcing the narcotic and dangerous drug laws. The Bureau has assured me that they will also increase their cooperation with the Metropolitan Police Department in enforcement, training and in making available additional laboratory facilities and expert and technical assistance.

I have also directed the Bureau and the Department of Justice to seek more effective application of the civil commitment provisions of the Narcotics Rehabilitation Act of 1966, which has not yet been widely used.

11. Juvenile crime

In recent years the median age of those charged with crime has been ominously dropping. The National Commission on Violence warned this month: "The key to much of the violence in our society seems to lie with the young. Our youth account for an ever-increasing percentage of crime, greater than their increasing percentage of the population . . . It may be here, with tomorrow's generation, that much of the emphasis of our studies and the national response should lie."

I strongly support the city government's efforts to draft a new Juvenile Code, and I am making available technical assistance by Federal authorities. The Department of Justice is already cooperating with the Corporation Counsel and other local officials on the project.

Under the proposed court reorganization, the now isolated and undernourished Juvenile Court would be brought into the new District of Columbia court of general jurisdiction. Thus juveniles would have the advantage of the comprehensive facilities of the new court, including family services and probation assistance.

The Pilot Group Home Rehabilitation Project, in which juveniles enjoy retention of

community ties, close adult supervision and peer-group controls, gives every appearance of success. Expansion of the project as a substitute for institutionalization and as a possible supplement to probation is desirable. I support the Mayor in his request for increased funding and authorization for such facilities.

The lack of sufficient psychiatric services for the youthful disturbed is a serious obstacle to crime prevention. Young minds gone astray must be helped while still malleable. I will assist the Mayor in his forthcoming request for a well-staffed psychiatric care residential facility for adolescent delinquents.

I also urge that the local government, together with local school officials, prepare a plan to provide for the education of those school children whose disciplinary and truant absence from schools for long periods now causes them to reach adulthood educationally stunted. A substitute educational program must be devised for them, lest they become a burden to themselves and the community.

12. New official

The Attorney General has created a new post within the Justice Department, that of associate deputy attorney general for the administration of criminal justice, with one of the new officials special and continuing responsibilities that of helping improve the administration of justice in the District of Columbia. He has named to the post Mr. Donald Santarelli, a widely experienced expert on the special problems of crime control in the District. One of Mr. Santarelli's functions will be to evaluate and help implement new ideas for more effective anti-crime measures in the District.

HOME RULE

For more than 20 years I have supported home rule for the District of Columbia. I continue to support home rule, but I consider the timing of that effort the key, as is proven by its past history of failure. For the present, I will seek within the present system to strengthen the role of the local government in the solution of local problems.

Beyond this, I will press for congressional representation for the District. In accordance both with my own conviction and with the platform pledge of my party, I will support a constitutional amendment to give the 850,000 people of the District at last a voting representative in Congress.

Adding an amendment to our Constitution, however, is a long and difficult process. As an interim measure, I will press this year for legislation that would give the District a nonvoting delegate. The District is a Federal city, but it should not be a Federal colony. Nearly 200 years ago, the people of America confronted the question of taxation without representation. It was not acceptable then; it hardly is justifiable today.

I cannot overemphasize the fact that these reforms are not a panacea. They are a beginning. Some will show modest results quickly; others may show greater results over a longer period of time. More must be done. But as the city moves to modernize its own government, as improved Federal cooperation provides the support so desperately needed, as the citizens of Washington develop a greater awareness of ways in which citizen action can make their city safer and more livable, as progress is made in tackling the stubborn social problems that have sapped the spirit of so many of the District's people. I am confident that together we can make measurable progress toward reviving the spirit and restoring the safety of the Nation's Capital, and making it once again what it ought to be: a proud, glorious city, cherished by every American as part of his heritage and cherished by those who live here as a place of beauty, neighborliness and decency.

ESTONIAN INDEPENDENCE DAY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, to the sturdy and stouthearted Estonian people, whose long history is full of glorious deeds, bending their knees to conquerors and overlords has always been difficult, if not impossible.

The history of Estonia is a history of men fighting with determination to be free. Yet, for two long centuries before 1918, the Estonian people were held in bondage by the callous agents of Russia's czars. They were persecuted for many of their beliefs and their ideals.

Yet, these champions of freedom and liberty clung to their ideals, waiting and watching for their moment of liberation.

When the czarist regime of Russia was shattered in 1917, that moment came. On February 24, 1918, Estonia proclaimed her national independence. For two decades her people lived and worked in freedom in their homeland. Their Government was recognized by other sovereign states and accepted into the world community of nations.

With freedom and the right of self-determination the Estonian people were at long last content with their lot, wanting nothing more than to be left in freedom to steer the course of their own destiny.

But, Mr. Speaker, history has not been kind to the Estonian people. A course of international events over which the Estonian people had no control robbed them of their peace and freedom and substituted for it enslavement by the Communist masters of the Soviet Union.

In July 1940, Estonia was invaded and occupied and subsequently annexed by the Soviet Union. During the course of the Second World War the Nazi invaders pushed their way into Estonia, causing the people untold suffering.

When the Communists returned to Estonia toward the end of the war, they came with force and fury. But Estonians refused to bend their knees to their conquerors and overlords. The result—the Estonians live in their homeland like prisoners in prison camps. They have no personal freedom and are under the constant watch of Communist agents.

With the 51st anniversary of Estonian Independence Day approaching on February 24, Mr. Speaker, I feel that this short history of a brave people proves that these dauntless champions of freedom and liberty cannot be silenced and subdued. Hope remains in their hearts.

People seeking freedom will overcome oppression, regardless of the number and power of their foes.

In America we are blessed with freedom. Freedom of choice, freedom of speech, and freedom of thought are taken for granted. We have a government of the people, for the people and by the people, and it is because we have these things that we must not and cannot turn away from those who cry out for help, for hope.

Oppression is never remote. It is waiting just the other side of freedom. Tyranny and enslavement, bitter in their sound and taste to a free man, is a creeping, crawling root of evil. It can never be ignored.

To those waiting, hoping, and praying for freedom in Estonia, I salute you. Self-determination can never be wiped out as long as the lamp of hope glows in the heart of one man.

On the 51st anniversary of Estonian Independence Day, February 24, 1969, I salute the courage and tenacity of all Estonians the world over, and pray that one day Estonia will attain, once again, the freedom and independence that made her homeland so beloved.

STATEMENT BY CHARLES LUNA, PRESIDENT OF UNITED TRANSPORTATION UNION, ON AAR USE OF EPITHETS IN CREW-SIZE DISPUTE

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OLSEN. Mr. Speaker, Charles Luna, president of the United Transportation Union, has prepared a statement explaining the position of his union in the current railroad dispute. I believe President Luna effectively dispels the charge of "featherbedding," and I believe his commentary deserves the study of those of us in the Congress who are eager to have our rail service returned to an acceptable level.

As President Luna says, since severe reductions of railroad crews began in 1960, our rail service has declined and rates have increased. At the same time, he said, accident rates have climbed steadily.

It seems to me, Mr. Speaker, that statistics bear out this statement. Reductions in crews were made in the name of progress and efficiency. Yet, these reductions have been paralleled by a steady decline of rail service, skyrocketing increases in freight rates, and increased hazards for those railroad workers who remain.

Since 1945 freight rates have climbed by 92 percent. Our wheatgrowers in Montana can testify to the effect these increases, sometimes twice in a single year, have had on agriculture in my State.

I submit the Association of American Railroads—which appears at times to be bent on suicide—could find food for thought in President Luna's remarks. I include his statement and supporting exhibits in the RECORD at this time:

STATEMENT BY CHARLES LUNA, PRESIDENT OF UNITED TRANSPORTATION UNION, ON AAR USE OF EPITHETS IN CREW-SIZED DISPUTE

By resurrecting at great expense a smear term long discredited by nearly every responsible element in the industry, the Association of American Railroads is doing less than nothing for its client members.

The sudden reappearance of the word "featherbedding" argues strongly that railroad management cannot make a case for re-

duction of crews with decency and logic. Name-calling is a sick kind of refuge for those who have fallen into a poverty of fact and figure.

Our union emphatically believes that our differences with the carriers must be ironed out in hard and serious collective bargaining. We do not feel that newspaper headlines and advertising campaigns will move us one inch nearer a solution.

But it is essential that someone reply when men who style themselves leaders of their industry start recklessly applying tarnish to railroad workers and, through them, to railroading in general.

That the task of defender should fall exclusively to the United Transportation Union is a sad indictment of railroad management. We know that there are many among them who deplore as we do the broad labeling of railroad men as loafers, but they seem satisfied to admit that they haven't the courage to stand up to the Association of American Railroads.

Few employes in any industry work harder than does the railroad man—and their employers know it. They know, too, that the operating railroad worker, whose statistical prospects for getting killed on the job are ten times greater than those of his counterpart in the average factory, does not deserve to be vilified by the industry his blood, sweat and brain helped make great.

The Association argues, of course, that the term does not apply to everyone; only to those the Association decides are not needed in the industry. "You are a featherbedder only if we call you one," they say in effect. "But in the case, don't call us; we'll call you."

We don't presume to tell the Association people how to run their business, but we sincerely feel they, their employes and the nation would be much better off if they would get down to serious collective bargaining with us on the issues.

The carriers' posture as protector of the public is especially hollow in this case. They almost never relate campaigns of this kind to their personal or corporate gain, but only to the welfare of the country and its people. "If we get the crews reduced," they cried, "we will be able to offer better service at lower rates."

Since 1945, crews have been reduced nearly 60 percent, but what has happened in that time to service and rates?

Passenger Service has been virtually demolished. This in itself is an interesting development in view of the carriers' peculiar claims that their passenger operations lost them \$700,000,000 a year. Now that they have no passenger service to speak of—in addition to chopping down payrolls—it would seem that the railroads might pass on some significant savings to freight shippers.

But what has actually happened?

Freight rates have climbed steadily since 1945—in all, 92 percent.

The record truly does very little for the Association of American Railroads' effort to wear the mantle of public defender.

The facts stand out sharp and clear:

1. Accidents have increased sharply over recent years, in many instances directly proportional to reductions in the size of train crews. (Exhibit, "Employment and Accident Figures, 1945, 1963, 1968")

2. Since 1960, railroad rates have increased and service, most spectacularly passenger, has deteriorated—even though the industry promised then that it could improve service and reduce rates if crews were cut down. They have been cut down—sharply. (Exhibit, "Freight Rate Increase since 6/3/46")

3. The Chairman of Arbitration Board 282, which permitted a reduction in the number of firemen's jobs, testified that the Arbitration Board thought the railroads could elim-

inate approximately 6,000 firemen-helpers' jobs; the railroads have eliminated over 18,000 (see U.S. Senate Commerce Committee Hearings—1965).

4. The Arbitration Board established procedures for negotiations between the parties during the period the Award was in effect. The railroads refused to meet with the union. (See U.S. Senate Commerce Committee Hearings and Resolution—October, 1965).

5. The United States District Court of Appeals for the District of Columbia found the railroads in violation of the Railway Labor Act because of their refusal to meet and negotiate with their employes. This conviction was upheld by the U.S. Supreme Court when that Court denied the railroads' appeal.

6. The United States District Court of Appeals for the District of Columbia in July, 1967, ordered firemen-helpers restored to crew runs in Washington and Oregon; and this was also affirmed by the United States Supreme Court. There has been only token compliance by a few of the railroads. (Exhibit, "Excerpts from Opinion Rendered by U.S. Court of Appeals for D.C. Circuit, July 31, 1967").

EXHIBIT

Excerpts from opinion rendered by U.S. Court of Appeals for District of Columbia Circuit, July 31, 1967

A. "Our conclusion is that the provisions in the award for establishing new firemen levels did not constitute 'work rules' in the classic sense, as we have used and applied that term, but instead are more accurately described as procedures for establishing new work rules. The history of labor relations agreements in this industry reveals that the manning work rules were expressed in terms of ultimate results . . . and were not formulated in terms of a methodological approach.

"This practical construction of the concept of work rules is reinforced by the Board's expressions treating the mechanics of lists and designations as procedures. Accordingly for purposes of determining what work rules were in force on the last day of the life of Award 282, we do not consider the procedures provided by the award for changing job requirements as being part of the substantive work rules. These procedures, . . .

had no effectiveness after the expiration of the award."

B. "In consequence, a carrier is not only prevented from taking 'affirmative acts' under the award to reduce the use of firemen as the District Court properly held, but also, if the carrier was required to keep a fireman on a particular crew as of the last day of the award, it cannot thereafter change the work rule by discontinuing that position except by agreement or in accordance with Section 6. The work rule that continues in force provides for a fireman on this crew and that is not changed because the particular fireman on duty dies or retires."

C. "The National Diesel Agreement was not set aside by the Board. As already noted, the opening section of the award provided the agreements in force continued in effect except as they were modified by the award. The award provided a procedure for modifications during the two-year life of the award. We recognize that it may be turning the clock back to an era that two presidential boards and the neutral members of Board 282 have agreed is technologically outdated but taking into account the structure of Award 282 as issued, we see no alternative to holding that any new runs created after Award 282 are subject to the National Diesel Agreement, and its requirements of a fireman on each engine crew."

D. "Moreover, the National Diesel Agreement is in effect even though the only reason why a change in its work rule was not made under the award during its life time was the fact that the change was blocked by a state's full crew law. The Supreme Court has expressly held that while such state law was in effect, the Board had no capacity to make a change contrary to its provisions. See *Brotherhood of Locomotive Engineers v Chicago, Rock Island & Pacific RR*, 382 U.S. 423 (1966). The opening sections of the award dealing with the use of firemen and with crew consists provided for the continuation of work rules, however established, unless changed pursuant to the award. The repeal of a full crew law subsequent to the expiration of Award 282 came after expiration of the Board's authority under the temporary statute and after expiration of the power of a carrier to invoke the procedures of the award."

TRAIN ACCIDENTS 1963¹ COMPARED TO 1964, 1965, 1966, 1967

Year	Collisions		Derailments		Other		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1963	1,091		3,169		560		4,820	
1964	1,229	+12.6	3,398	+7.2	689	+23.0	5,316	+10.3
1965	1,380	+20.9	3,869	+22.1	718	+28.2	5,967	+23.8
1966	1,552	+42.3	4,447	+40.3	794	+41.8	6,793	+40.9
1967	1,522	-41.8	4,960	+56.5	812	+45.0	7,294	+51.9

¹ Last full calendar year in which helpers-firemen were employed.

Note: Total train accidents as listed in the preliminary reports of the Department of Transportation indicate an upward trend of 9.3 percent for the 1st 11 months of 1968, as compared to the same period of 1967.

Source: ICC or DOT M-400.

EMPLOYMENT FIGURES, YEAREND 1963-67¹

Service	Yearend 1963	Yearend 1967	Total	
			Number	Percent
Road passenger	4,219	3,110	-1,109	-26.3
Through freight	10,089	6,004	-4,085	-40.0
Local freight	6,591	3,390	-3,201	-48.5
Yard service	20,512	9,344	-11,168	-54.4
Outside hostlers	1,490	1,530	+40	+2.7
Inside hostlers	1,600	1,387	-213	-13.3
Hostler helpers	904	856	-48	-5.3
Total	45,415	25,621	-19,794	-43.4

¹ Comparison of employment of firemen-helpers, hostlers, and hostler-helpers yearend 1963 and yearend 1967 all classes of service on class I railroads in the United States.

Source: DOT M-300.

COMPARISON—EMPLOYMENT ON CLASS I RAILROADS,
1945-68

Total employees:	
August 1945 ¹ and August 1963 ²	1,667,536
August 1968	667,646
Loss (-59.96 percent)	999,890
Total train and engine service:	
August 1945	326,337
August 1968	182,835
Loss (-56.02 percent)	143,502

¹ Steam locomotives were in general use in 1945.² Engine crew reductions began on a large scale in 1963.

Source: M-300 DOT or ICC.

SUMMARY OF FREIGHT RATE INCREASES
SINCE JUNE 30, 1946

Effective date	Percentage	
	Cumulative	Single increments
July 1 1946	6.5	6.5
Jan. 1 1947	16.9	10.4
Oct. 13 1947	25.8	8.9
Jan. 5 1948	33.4	7.6
May 6 1948	37.0	3.6
Aug. 21 1948	38.0	1.0
Jan. 11 1949	43.2	5.2
Sept. 1 1949	46.9	3.7
Apr. 4 1951	49.3	2.4
Aug. 28 1951	53.3	4.0
May 2 1952	60.1	6.8
Mar. 7 1956	65.6	5.5
Dec. 28 1956	70.6	5.0
Aug. 26 1957	75.4	4.8
Feb. 15 1958	77.5	2.1
Oct. 24 1960	79.0	1.5
Aug. 19 1967	82.0	3.0
June 24 1968	85.0	3.0
Dec. 1 1968	92.0	7.0

Following is a biographical sketch of United Transportation Union President Charles Luna:

President Charles Luna began his railroad career as a helper in the Bridge and Building Department of the Santa Fe Railroad in the summer of 1925, and worked during the summers of 1925, '26, '27 and '28 in this department. After finishing high school at Celeste, Texas, he started switching for the Santa Fe in the East Dallas Yard in 1928. He continues to hold seniority as a yardman at this point.

He was born October 21, 1906, at Celeste, Texas.

He joined Lodge 671, Brotherhood of Railroad Trainmen, in 1929 and has held continuous membership in that lodge since. He was elected to the local grievance committee of his lodge in 1936 and was elected chairman of that committee in 1940. He served in that capacity until the end of 1946, at which time he was elected general chairman of the G.C. & S.F. (Santa Fe) and held that position from 1947 through 1954.

During the time he was chairman he served on the 1949 and the 1953 National Wage-Rules Committee. He was elected and served as chairman of the International Association of General Chairmen from 1951 to 1955. From 1943 to 1946, he also served as deputy president and Grand Lodge organizer.

At the 1954 convention he was elected vice president of the Brotherhood of Railroad Trainmen and was assigned to the western territory with headquarters at Denver, Colorado. He was later transferred to the Dallas, Texas, territory.

In 1960, the 31st convention, while in session at Cleveland, Ohio, elected Luna to the position of Assistant to the President. He moved from Dallas to Grand Lodge headquarters on Feb. 1, 1961.

He became President Jan. 1, 1963, when his predecessor, W. P. Kennedy, retired under the policy adopted by the 1960 Convention. This policy, which provides for eventual retirement of all officers at age 65, has been adopted by the UTU.

He was re-elected in October, 1964, at the

BRT's 32d Convention in Miami Beach, and was again re-elected by acclamation at the BRT's 33d Convention in Hollywood, Fla., in 1968.

Luna gained a reputation for his tireless efforts to bring about the merger of smaller railroad operating unions into a singularly strong organization. Those efforts culminated on January 1, 1969, with the emergence of the United Transportation Union.

THIS WAS LINCOLN AND THE DEDICATION AT GETTYSBURG

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROGERS of Colorado. Mr. Speaker, I have a constituent, Mr. George Fair, of Denver, Colo., who has made a study of the life of Abraham Lincoln, and under unanimous consent I insert in the Extensions of Remarks of the RECORD the writings of Mr. Fair:

THIS WAS LINCOLN

(By George Fair)

One of the most mysterious, inexplicable, complex, melancholic, pensive, tragic, enigmatic, a homely and an awkward man, many times called uncouth, was our 16th President.

He had less than one year of attendance at small primitive, bare, log schools in the hills of Kentucky and southern Indiana. He had tolled and he had known despair. For long years every hope and every dream had turned into bitter failures. Yet he rose above his humble environment to leadership in the law, to the Presidency.

He had few, if any, close or intimate friends. He was utterly devoid of any political glamour. He was a lonely man and often times burdened with sorrow.

He served four undistinguished terms in the Illinois legislature and one mediocre term in Washington as a Congressman. His introduction of the "Spot Resolutions" during the Mexican War had devastating effects on his future political aspirations. He entered Congress with high hopes, he finished his term a disillusioned man.

He was never in his life time a member of any church nor any lodge. But he was to quote the bible to a greater extent in his letters, his speeches than any of his predecessors in the Presidency. He attended the National Presbyterian Church during his time as President in Washington.

The happiest moments of his life were riding the Eighth Judicial Circuit in central Illinois before his term as Congressman in 1847 to 1849 and his campaign for United States Senator in 1858. The Kansas-Nebraska bill before the Congress sponsored by the "Little Giant" Stephen A. Douglas, prompted him to re-enter political life resulting in the famous debates over Illinois.

Two years after his defeat for United States Senator, he emerged as the Republican nominee for President of the United States. To win the nomination at the Convention in Chicago and despite Lincoln's protests from Springfield, Judge Davis entered into several covenants with the delegations from Pennsylvania, Ohio, Missouri and Indiana. Davis said, "Notwithstanding his protests, he ain't here and we are."

He wielded virtually dictatorial powers during the Civil War, for which he was reviled, and criticized as no other President ever has been. But he became the most beloved of our Presidents and the greatest of them all.

He was unique, yet in a wholly unsuspectacular way. The times helped make him. He was equal to his hour. He saved the Union. It was as if Providence took a hand, marked the man and exalted him that our nation might be preserved.

Such a man was, and is, Abraham Lincoln. He was a humble man. He once said, "I never had a policy. I have simply tried to do what seemed best each day, as each day came."

He was a man without malice.

He was a man of charity.

He was patient and compassionate.

Yet he stood like a rock when the storms of national life and personal sorrow beat around him. As that rock, he will stand as long as America lives.

THE DEDICATION AT GETTYSBURG

(By George Fair)

The dedication of the national cemetery at Gettysburg on November 19, 1863, furnished the opportunity for a public address unequalled in American history.

The orator of the day at Gettysburg was Edward Everett of Massachusetts. He was a graduate of Harvard, taking first honors in his class, an eloquent orator, a former minister to the Court of St. James, former governor and congressman from his state, Secretary of State in Fillmore's administration, and the author of several books. He took first rank as a polished orator by virtue of his dramatic sense, the musical tones of his voice and the magnetism of his personality.

His speech at the dedication was to depict for the thousands who had thronged the little town of Gettysburg the course of the three days battle which had been fought the first days of the preceding July. Everett spoke of the effect it would have upon the future of a re-united nation. "The bonds that unite us as one people, common national and political interests, a common history, a common interest in this great heritage of blessings, these bonds of union are of perennial force and energy."

There was little of presidential fanfare at Gettysburg. Governor Curtin of Pennsylvania had emphasized that Everett was featured as the orator and the President was placed on the program as an afterthought. Lincoln was invited after Everett and followed him as a speaker at this momentous occasion.

Abraham Lincoln was born in the hills of Kentucky of poor and illiterate parents and reared in backwoods Indiana. He had less than one year of attendance at a small, primitive school. No school had disciplined his mind, no university laid before him the intellectual heritage of the scholar. His insight was wrested from life in pain and in suffering. He had tolled and he had known defeat. For long years every hope and every dream had turned into bitter failures.

After the two hours speech by one of America's most eloquent orators, Lincoln spoke the words that the common man would have used if he had the gift of words, spoke for the common man the thoughts that he would have striven so desperately to fashion into, "a new nation conceived in liberty and dedicated to the proposition that all men are created equal."

"The world will little note nor long remember what we say here, but it can never forget what they did here." Lincoln left Gettysburg in the melancholic belief that he had failed.

Edward Everett wrote to the President the next day, "I should be glad if I could flatter myself that I came as near the central idea of the occasion in two hours as you did in two minutes."

Lincoln's Gettysburg Address was a masterpiece, one of the greatest ever spoken by any man and will live on as long as there is an America and too, as long as men throughout the world strive for Freedom.

THE FUTURE FARMERS OF AMERICA OFFER OPPORTUNITY

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. NATCHER. Mr. Speaker, there was a day in 1950 when the Members of the 81st Congress met in this great Chamber and voted to grant a charter of incorporation, thereby establishing the Future Farmers of America as a national organization for students of vocational agriculture. There are a number of our colleagues on the floor today who perhaps were present on that day and I feel sure that, 19 years later, they remember—and regard this act as one of the more constructive ones of the second session of that Congress.

The FFA movement was begun some years earlier in Kansas City, Mo. Today, 450,000 students in 9,000 local chapters can claim proud membership in an organization that is wholly their own. The program is designed for the farm youth of our country and its primary aim is to develop agricultural leadership, cooperation, and citizenship. In Kentucky, we have 13,000 Future Farmers and I can only say that judging from my association and experience with the chapters in our Second District, the program has been a huge success. We are proud of our Future Farmers and we have a right to be.

By emphasizing vocational and educational objectives FFA members are encouraged not only to become, but to excel as, leaders in American agriculture. Excellence will indeed be needed in the days ahead. There is, however, a challenge in the task of feeding an expanding population. There is an excitement in the projection that the farmer of 1980 will be called upon to feed himself—and 65 other persons. Our Future Farmers know the responsibilities that await them and a great deal of their time and effort is spent in learning new production techniques.

Agriculture today has many facets. While farming and ranching remain America's largest industry, the huge agri-business complex, that includes all the occupations related to farming, is not overlooked. The FFA program therefore includes training in the servicing, supplying, and marketing of farm products, and readies and strengthens the young man who wants a career in agriculture. Many are the opportunities that are open to him and his training in FFA enables him to choose the area best suited to his skills and interests.

Membership in this group offers opportunities quite separate and apart from those of career training. Future Farmers learn how to conduct and participate in meetings, to speak out in public, to work with others for individual and community betterment. The Future Farmers of America truly offer an opportunity for youth.

Perhaps the influence and impact of the Future Farmers can best be judged by the high caliber of the boys who join and the men who graduate from its

ranks. They are a credit to their Nation and as they begin the celebration of their national week, I offer them my congratulations, best wishes, and continued support.

FORBEARANCE AT THE UNIVERSITY OF CHICAGO

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MIKVA. Mr. Speaker, in these days of turbulence, student unrest, and often violence, many have questioned whether it is possible to deal in a rational and restrained way with the provocations of student anarchists. The unfortunate incidents at Columbia University and San Francisco State have led many to wonder whether the techniques of confrontation which some student leaders have adopted may not strain our system of private education to the breaking point. Currently at the University of Chicago, which is located in my congressional district, the Second Congressional District of Illinois, such a confrontation between students and the university administration is taking place. I believe that the University of Chicago, under the wise and restrained leadership of Dr. Edward H. Levi, has shown the way in this difficult area. As the following editorial from the Chicago Daily News of last Tuesday clearly shows, the university has not let itself be goaded into overreaction, or into resort to use of police force, to solve what are essentially internal university problems. I believe that all of us can benefit by observing the example of "civilized, disciplined forbearance by a university rooted in the liberal tradition" which the University of Chicago now presents.

The editorial referred to follows:

FORBEARANCE AT UNIVERSITY OF CHICAGO

The University of Chicago administration has ample legal grounds to ask the Chicago police to clear the student demonstrators out of the administration building. That the university has refrained from doing so is a tribute, we think, to the wisdom of President Levi and his staff.

In the first place, of course, is the fact that when a campus becomes an arena of crime-and-punishment it moves directly away from its basic, constructive role.

It also plays straight into the hands of the nihilistic anarchistic core of fomenters that believes no compromise is possible, no settlement will do short of knocking down the whole structure.

The strategy of this group has been articulated by some of its leaders. Briefly, it's this: Force or trick the "enemy" (in this case, the administration) into a policy of overkill. When you have goaded the Establishment into calling in the police, and the police have been goaded into using force and perhaps cracking a few heads and spilling a little blood, and the whole thing shows up on the television screens, then you start winning sympathizers and converts to your cause.

It worked at Columbia University and it worked at San Francisco State and other places. It could readily work at the University of Chicago campus, where until now only two or three per cent of the student body has joined the demonstrations.

We congratulate the U. of C. for resisting the temptation—indeed, the powerful pressure—to go down the same road. Depending upon how far the demonstrators carry their disruption, the university may not be able to hold out indefinitely: Serious property destruction or rioting must, of course, be met and checked with adequate force.

But meanwhile we believe not only the U. of C. student body and the people of Chicago, but the nation is witnessing a useful example of civilized, disciplined forbearance by a university rooted in the liberal tradition and deeply aware that its first obligation is to its students.

We believe the university is right for many reasons, and trust that if and when the demonstration passes the point of tolerability it can be ended without the violence its instigators so ardently desire.

THE RENEWED DRIVE TO FORCE COMMUNIST CHINA INTO THE UNITED NATIONS

HON. JOE D. WAGGONER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WAGGONER. Mr. Speaker, as one of those Members who does not, repeat not, believe that communism is old hat, as some who should know better now would have us believe, I am disturbed over the latest drive to seek the admission of Communist China to the United Nations.

The admission question has been very much with us for almost two decades; even longer if we are to consider the years of planning that preceded the formation of the U.N. In all these years, no one has more clearly stated the case against the admission of Communist China than the late Adlai Stevenson when he said:

Let those members who advocate Peiping's admission seek to exert upon its rulers whatever benign influence they can in the hope of persuading them to accept the standards of the community of nations. Let those rulers respond to these appeals; let them give up trying to impose their demands on this Organization; let them cease their aggression, direct and indirect, and their threats of aggression; let them show respect for the rights of others; let them recognize and accept the independence and diversity of culture and institutions among their neighbors.

When Communist China has done these things which are required of other nations, then will be time enough to discuss its admission.

The former Representative to the United Nations from the United States, Arthur Goldberg, was, unfortunately, one of the group dedicated to Communist China's admission, though he did not publicly admit it until after he had left that post.

The Nixon administration's representative has also expressed a favorable view of the impossible concept of "two Chinas," which is equally unfortunate in view of the President's campaign pledge to make no change in our policy of non-recognition of the Communists.

With dogged persistence, the extreme left continues to work for the admission of Communist China, subscribing ap-

parently to the dogma of China "expert," John K. Fairbank, who said in the New York Times on March 11, 1966, that he would favor the admission of the Communists "even if they said they would dynamite the place."

The February 11 issue of National Review comments wryly on the new surge of "Love Thy Communist" sentiment in a short article I commend to the attention of every Member. I do so because my conscience demands that the RECORD be clear well in advance of the time when the question of the admission of Communist China will come to a head. The drive is on, gentlemen. I hope every Member will firmly set himself to resist the pressure.

The National Review article follows:

THINKING OF CHAIRMAN MAO

It's lucky we are such staunch disbelievers in Conspiracy Theories. Otherwise we might begin to wonder what's going on in Peking lobby circles. Here are the old reliables of the Center for the Study of Democratic Institutions staging one of their big get-togethers in Santa Barbara to ponder "a new China policy"—i.e. to start the 20th annual drive going for diplomatic recognition of Peking and admission of Red China to the United Nations. On their green acres there showed up from Tokyo, half a world away, a gaggle of left-wing Japanese types well known for their kindly thoughts about Peking, and, from across the continent, a delegation of well-disposed senators headed by J. William Fulbright and shepherded by ex-Ambassador Arthur Goldberg.

Then at the same moment comes news that the National Committee on United States-China Relations, one of the newer subsidiaries of the let's-be-nice-to-Mao conglomerate, will hold its conference March 20-21, and who will be the chief speaker but Edward Kennedy, giving the word as handed down from the Santa Barbara conclave.

As it happens, the global path of the Center and the National Committee had been given a preliminary smoothing by an experienced crew across the other ocean, which, paced by the veteran pen of Owen Lattimore, now resident in England, had many comforting things to say about China in the columns of various British journals. Italy's Foreign Minister, Pietro Nenni, a left-wing Socialist, announced January 24 that the Italian government has decided to recognize Communist China, and will soon present the issue in Parliament. On the same day Canadian Prime Minister Trudeau stated he was planning discussions with Peking representatives looking toward "a possible exchange of diplomatic missions."

These critical Western breaks in the anti-Peking front have, and justifiably, aroused grave concern in Taiwan. Although Mr. Nixon said in his press conference—though rather mildly—that the United States plans no change in its China policy at present, there does seem this time to be the start of a process that may lead to UN membership in the autumn and a flurry of diplomatic recognitions over the next year or two. It is not easy to see what has happened to bring this change of heart. The extravagances of the cultural revolution, the H-bomb brandishing, the intervention in Vietnam, the support of the most extreme elements in Africa and Latin America and among the youth everywhere, surely do not suggest that the current trend of the Chinese Communist government is making it more suitable for taking a normal place in the comity of nations. Recognition of Peking by Paris and London has led not to any improvement in political and trade relations, but to barbarian assaults on French and British diplomats and civilians. It is as true as ever that general recognition would tend to bring almost the whole

of the large overseas Chinese communities under Peking's influence and control, and to build Chinese prestige in the Far East and globally.

Maybe Edward Kennedy ought to review his thoughts on the subject.

SUPPORT OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WITH RESPECT TO THE OFFERING OF PRAYER IN PUBLIC BUILDINGS

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. REID of Illinois. Mr. Speaker, today I am introducing a joint resolution proposing a constitutional amendment to permit nondenominational prayer in any public building which is supported in whole or in part through the expenditure of public funds. This is identical to the measure I introduced in the 90th Congress.

The motivation for this resolution is well known to all of my colleagues. The first fundamental principle of our free society is the right of every individual to worship God in his own way. The one single force that gives distinction to the United States of America, unique among all nations, is our heritage of freedom of religion. Ours is the only Nation in history conceived, begun, and continued as a specific monument to God's great plan. To deny our youth, their teachers, and their counselors the privilege of a communal exercise of their allegiance to God as well as to country is, in my opinion, a rejection of our most constant source of power and strength. Millions of America's boys and girls have no exposure to their spiritual God except through the student bodies to which they belong.

There are a great many contradictions in our country, and some of them simply do not make sense. The matter of prohibiting a prayer time for children in our public schools is one of them. Each day when the House convenes, the Speaker gavel for order and then says: "The Chaplain will offer prayer." Chaplains of the House and Senate whose salaries are paid from public funds, offer their prayers in a building built from public funds. When the distinguished Justices of the Supreme Court of the United States are announced by the Court Crier, he asks God to "save this honorable court." But the courts have ruled that prayers by and for children in public schools are prohibited.

In my judgment, these decisions damage our national religious heritage. There is much evidence that the people of our country want the right to have prayers in public schools if they so desire. I believe it is the duty of Congress to submit this question directly to them. This can be done only by a resolution for a constitutional amendment, which when approved by two thirds vote in each House, can then be submitted to the States for final ratification. The people should be allowed to be heard.

A SERMON BY REV. ROBERT R. DAVIS, HAZELWOOD, N.C.

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. TAYLOR. Mr. Speaker, I was impressed by the commonsense, good political judgment, and challenge to improve moral standards contained in a sermon delivered by the Reverend Robert R. Davis, pastor of the Hazelwood Presbyterian Church, Hazelwood, N.C., and published in the Waynesville Mountaineer.

I recommend the following excerpts from this sermon to my colleagues:

HAZELWOOD MINISTER: I'VE HAD ENOUGH OF THE NEW MORALITY

Never before in history has a nation had a better opportunity for the good life than America does today, and I suppose never before has the good in the good life been more perverted to evil.

We have the potential to have the most enjoyable life that man has ever known. We have the best in education, communication, living standards, medicine, travel, recreation, labor and in almost every other area that you want to name. Even the poorer people live better than the kings used to.

Yet never before have we faced a greater crisis. We are a nation in danger—in danger not from outsiders, but in danger of destroying ourselves from within.

Something has happened to America. While she has increased in the standard of living, she has decreased in morality.

In my opinion there are three basic things that cause people to have any moral guidelines in their life. These are religious principles, a fear of getting caught at wrong doing, or an extraordinary amount of good sense that causes them to choose long range goals. Let's see what has happened to these three things in our present American life.

First, in the matter of religious principles, consider what has happened to the church. Much of the church has become irreligious or even immoral. The majority of religious leaders do not know what they believe. In fact, an amazing number aren't even sure that there is a God. They no longer believe the Bible. They have no guidelines for their life to tell them right or wrong. They are like ships that have lost their maps, compass, and rudder.

A second deterrent to people's wrong doings is their fear of getting caught and punished. Forty years ago this fear of getting caught manifested itself in religious thinking as people knew the Bible and feared the Lord. They respected the retribution of God on evil doers, and therefore their conduct was tempered not only in the things that they did in the open, but also in the things that they did secretly. One of our elders in Miami was an old Scotsman who used to say that the thing that influenced his conduct most in his early life was a Bible verse that hung over his bed, "Thou God seest me." The idea of God seeing him all of the time caused him to live right.

But with the passing of years people know less about the Bible and have lost most of their respect and fear of God. They did, however, respect the law of our country. They did not break the law because they were afraid of getting caught and sent to prison. The fear of getting caught is a great help in motivating people to keep the law. (If you don't believe it, figure out how fast you would be going in those 45 mile an hour zones on 19 if you knew for a fact that every state patrolman would be out of the area for a week.)

But here is what has happened in America. Along came a Supreme Court that threw out

the punishment for a lot of criminals. In fact, many of the court decisions seem to favor the criminal more than the innocent. In my opinion this did to the criminal element in our nation the same thing that "sic em" does to a dog.

A second thing that happened is that someone came along with an idea called civil disobedience. This idea states that if you do not like a law or feel that it is unjust, you can break it. This ushered in the marches, people laying in front of bulldozers, students taking over colleges, draft card burners, and the like. They did this, and they got away with it. What was discovered was that a mile was wanted for every inch that was given, and they got their mile as they burned down a good bit of Detroit, Washington, Newark, and so on.

Do you realize what would have happened to many of these people in 1944. If a man would have burned his draft card or sent aid to Adolph Hitler, they would have shot him for treason. They would have sent Stokely Carmichael and the rest of his law breaking henchmen to Sing Sing until their hair turned white. They should.

When you call things by their right names, they are indirectly responsible for murder, robbery, rape, arson, treason, and other crimes. But the most dangerous thing that they are guilty of—the thing that I dread most—is that they are guilty of being heroes to a bunch of hero worshipping teenagers who may want to follow in their path . . . only a little more so.

The third factor that causes people to be moral is the good sense to choose long range goals in life. Fifty years ago a young man could set a goal in his life—say of being a doctor or a lawyer—and plan by the time he was 30 or 35 to arrive at that goal. The world was more stable, and they had time to choose goals and arrive at them at their own speed.

But consider the world that the young man of today faces. Here is the threat of nothing but continued warfare at this spot or that spot on the globe; here is the threat of global communism and resultant slavery; and back of all here is the threat of total annihilation by the bomb, germ warfare, radiation, gas, or some other newly arrived at horror. This subconsciously produces tremendous pressure on young people, and so they say, "Why wait for anything; tomorrow may not get here. Let's live it up now while we have the opportunity. Let's live for today while we have it and let tomorrow take care of itself. . ."

Thus long range goals are set aside, and so are the far reaching moral principles.

Because of these three things being coupled to the perverse, sinful nature of mankind, we are going through a moral revolution. The moral values and standards today would have been undreamed of 30 years ago. This truly is the age of the new morality.

What is the new morality? It is the idea that anything is permissible if you want it to be so. There are no rules to determine good or evil . . . only you make them up as you are confronted by various situations. You in your situation decide what is best for you and you alone.

The new morality is here now. Five years ago we talked about the philosophy of the new morality, today if we are to be realistic we must talk about the actuality and the practice of the new morality. We see it all around us.

The tragedy is that this could be the best period in American history and the best life possible to look forward to. But the new morality has spread a sick, thick, black cloud of gloom on our nation's outlook.

Let's bring back the old morality. I have had enough of the new. By our Christian example, protest, actions, and prayer we can do just that. In the name of decency and in the name of Christ, let's reverse the trend of our times as we stand for the word of God and the principles contained therein.

NEW YORK STATE DEVELOPMENT OF ATOMIC ELECTRICITY FACILITIES MUST REMAIN INDEPENDENT OF PRIVATE PRODUCERS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BINGHAM. Mr. Speaker, the costs of electricity to the consumer in New York State, and throughout much of New England, are among the highest in the Nation. To reduce those costs, and to increase the dependability of electric service called so dramatically into question by the now infamous "blackout" of New York City and surrounding areas in 1965, requires an active program of research and development by both public and private producers. One of the major prospects for more dependable, lower-cost electricity in New York State and beyond is a system of atomic powerplants to supplement existing hydroelectric facilities.

The Niagara Mohawk Power Corp. has moved boldly and commendably to increase the total output of electricity by developing an atomic power facility, now nearing completion, at Nine Mile Point near Oswego, N.Y.

The public New York State Power Authority has fallen behind private, profit-making utility corporations like Niagara Mohawk in the development of atomic generating facilities. Only after considerable foot-dragging and public protest has the New York Power Authority decided to build its first atomic plant, to be located adjacent to the nearly complete Niagara Mohawk Plant on Nine Mile Point.

Last month, the State power authority, in its application to the Atomic Energy Commission for approval of the new atomic facility, indicated that the plant would be built and owned by the State Authority, but operated by personnel from the Niagara Mohawk Power Corp.

The Watertown, N.Y., Daily Times and its observant Washington correspondent, Alan Emory, have reported the development of this situation and analysed the possible undesirable consequences and implications of this unprecedented merging of public and private efforts in the power field. I endorse the conclusion of the Watertown Times, expressed in an editorial on January 22, 1969, that steps must be taken to insure that "not only will the Oswego project be public from beginning to end, but that its development will be to expand electricity production at the lowest possible cost in behalf of the public which owns the resource" and that "the research and development which is undertaken at Oswego will be for the purpose of spawning new authority plants, their equipping, and manning."

The editorial from the Watertown Daily Times to which I refer follows:

STATE ATOMIC ELECTRICITY

The New York State Power Authority takes a narrow view of its responsibility as an agency of the people. The authority's joint proposal with the Niagara Mohawk power corporation for the authority to build and the utility to operate the Fitzpatrick atomic plant at Oswego is not within the public

power policy as enunciated and understood either by the authority or by New York state in the past. By past the reference is to the hydroelectric development at Massena and the redevelopment at Niagara where the power plants generate a total of 2,750,000 kilowatts.

The public power principle is that the resources of the people, the water power of the St. Lawrence and the Niagara, are developed by the public agency in the interests of low-cost electricity. Atomic power is similarly a public resource because it was pioneered and made usable by the federal government through the investment of public monies, first for purposes of atomic weapons in World War II, and since then for peaceful utilization of atoms.

Niagara Mohawk at Nine Mile Point is in the final phases of construction for its own atomic power plant, an installation that exemplifies the imaginative enterprise of the modern day power corporation. This represents an investment by the utility toward the future electrical requirements of upstate New York. Niagara Mohawk planned and scheduled its huge investment almost six years ago. The decision was both hard and realistic, exactly the kind that a private corporation should make.

The power authority, which we have been led to believe has a separate role in power production, undertook the St. Lawrence and Niagara hydro plants 14 years ago as the first steps in asserting a responsibility toward the electrical energy production, demand for which was growing very fast. The authority at the time made the decision that for the present its best interests would be for hydro plants which would be succeeded in construction at the appropriate time by atomic plants.

Two years ago the authority backslid from its atomic ambitions and its plans for the future seemed only to include hydro and either an acquiescence or an agreement that electricity from nuclear energy would be the sole province of the private utilities. In 1967 protest against this restricted ambition of the authority resulted a year later in establishing through new law an atomic career for the authority.

A few months ago the authority announced that its first nuclear powered plant would be built adjacent to the Niagara Mohawk plant at Oswego. For a public and private plant to be located adjacently was not novel; however, now comes the plan for utilization of the state-owned generating station, a \$250,000,000 to \$300,000,000 publicly owned power plant. It is no more appropriate for the private utility to operate the public plant than it would be appropriate for the public authority to operate the private utility.

The two systems are based on different philosophies. One is a profit enterprise; the other is non-profit. Nowhere else in the country are private utilities running a public power agency. In view of the citizen concern expressed last year in Albany to make a clear assignment to the authority, it would appear that the biggest single public power agency in the state is showing the back of its hand to the very job it was supposed to do.

Governor Rockefeller should insist that the power authority recall its present application before the Atomic Energy Commission and redo the detail in such a fashion as to assure the federal government, the state of New York, and the people of this state that not only will the Oswego project be public from beginning to end, but that its development will be to expand electricity production at the lowest possible cost in behalf of the public which owns the resource. The application should further indicate that as a part of research and development, this will be the first in a series of state-owned nuclear generating facilities. Further, the application should make clear that the research and development which is undertaken at Oswego will be for the purpose of spawning new authority plants, their equipping, and manning.

INADEQUATE FUNDING FOR BASIC BIOMEDICAL RESEARCH

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, there is increasing concern among members of the scientific community about inadequate funding for basic biomedical research. I rise today to call to the attention of my colleagues the fact that all applied research is the ultimate result of original basic research and experimentation. Although organ and tissue transplantations are currently the object of dramatic publicity, these procedures have developed through many years of prolonged basic research, which did not at all times appear relevant to present human application.

It must be further noted that total emphasis on relevant research may jeopardize the scientific validity of conclusion; rather, politically valid conclusions are likely to ensue—and history has demonstrated that political considerations often distort conclusions derived from the scientific process.

The Congress must acknowledge the necessity of continued support for basic biomedical research. "Science in Crisis," an editorial from the January 13, 1969, issue of Hospital Tribune describes the problem in detail. We as legislators must heed the warning—

Our leadership in the modern world is inseparable from this accelerated investment in science. . . . There is no doubt that this period of remarkable increase in the availability of research funds also represents a period of remarkable accomplishments. . . . Science can be stunted only at our peril.

As a result of the Revenue and Expenditure Control Act of 1968, future scientific applications have been seriously undermined, according to findings of the ad hoc committee of the New York Academy of Sciences.

Dr. Joseph D. Cooper further illustrates the crisis facing science in an article from the same issue of Hospital Tribune. His points are well taken. The young unknown investigators of today are the experts of tomorrow. It is imperative that their investigations—as well as those of scientists of established reputations—be permitted to continue. Thus we in the Congress have a special responsibility through the funding authority for the future progress of science in America.

I submit these articles for the RECORD, for I believe they will be of great interest to all Members of the Congress:

[From the Hospital Tribune, Jan. 13, 1969]

SCIENCE IN CRISIS

The domain of science is vast, and sometimes it has appeared even to sophisticated people that all questions are susceptible of being answered by means of its discipline. Today such a belief has been circumscribed by events, yet no one can deny that our modern world rests on a foundation developed by science. But if our society depends on science more so than any social organization has in the past, the corollary is equally true. Science today depends on our social

structure more so than it ever has in the past. That is why the report "The Crisis Facing American Science" by the ad hoc committee of the New York Academy of Sciences (see page 3) deserves prominence and careful attention.

Our leadership in the modern world is inseparable from this accelerated investment in science. Initially, the percentage increases in Federal funds devoted to research were of course enormous. By 1953 the annual increase in Federal expenditures in support of research and development activities was at a rate of 22 per cent per year, and this continued until 1958-59. Since then, and until 1967, the rate of increase declined to about 9 per cent annually.

An editorial on page 9 on November 18, 1967, made these observations: "There is no doubt that this period of remarkable increase in the availability of research funds also represents a period of remarkable accomplishments.

Science and the scientific investigator have benefited, but uneasiness about the entire situation in research appears to be growing presently at a rate not at all dissimilar from the rate of increase in expenditures. And everyone seems to be uneasy: scientists, government—including both the executive and the legislative branches—and the public.

We pointed out that the reasons for uneasiness were diverse. But whatever the reasons for the uneasiness, the undeniable facts were—and are—that by the 1960s our entire system of scientific research and development was based in larger part on Federal expenditures, and so was our system of higher education, including our schools of medicine.

When our American society was primarily an agrarian one, the Federal Government was the primary source of financial support for academic research in agriculture. It was not until World War II that the Federal Government began significant support of the physical sciences, the life sciences, and engineering. A few figures tell the tale. It was not until 1942 that the total expenditures on science in this country reached one billion dollars. In 1950 the total amount of money spent on research and development by all sectors of the economy, including the Federal Government, was \$2.9 billion. Of this sum about 6 per cent, or approximately \$170,000,000, was directed toward medical and health-related problems. Total expenditures in 1966 were \$22 billion, of which 9 per cent, or \$2 billion, constituted medical research funds. Approximately 75 per cent of the \$22 billion came from the Federal Government.

The "crisis facing American science" has come about because the Revenue and Expenditure Control Act of 1968, enacted by Congress to help control inflationary pressures, required a reduction of \$6 billion in Government spending. The consequent retrenchment in scientific research and development has had the effect, in the words of the ad hoc committee, "to seriously undermine the potential benefits of science to the economic and human health of the nation and, in turn, the world." This is a broad statement, but it is wellnigh impossible to deny it. We agree with the ad hoc committee that "scientific research is generally a long-term process" and that "every effort should be made to put the scientific research budget on a long-term multiyear basis."

The committee believes that at present—instead of a reduction—the growth of our economy can support a rate of increase in Federal spending on scientific research of 15 per cent a year, "first, because it is based on society's previous record of response to its many research needs, and second, because it will allow universities to balance research growth with that of graduate education."

Scientific research is not a luxury. It is an essential—if not the essential—element of our entire society. Science may not answer all our problems and questions, but it is the only

means of providing the answers to many of our problems and questions.

Science can be stunted only at our peril.

[From the Hospital Tribune, Jan. 13, 1969]

TIME OF CRISIS FOR NIH—NEW DIRECTIONS INDICATED

(By Joseph D. Cooper, Ph.D., professor of government, Howard University; adjunct professor of government and public administration, the American University, Washington, D.C.)

Two happenings at the National Institutes of Health have been disturbing to medical educators and researchers. One is that after 20 years of continuing growth, NIH appropriations are now only holding at their peak of about \$1.2 billion a year, not including appropriations for Bureau of Health Manpower recently transferred into NIH. This is still a great deal of money, but it has largely been committed to ongoing work. There is not much flexibility for normal program growth or for new activity starts except at the expense of established projects and programs.

The other is that a changing of the guard took place when, after 13 years as NIH director, Dr. James A. Shannon, whose reputation was built on research, retired on August 31, to be succeeded by a man whose reputation was built in the service area, Dr. Robert Q. Marston. Coincidentally, this occurred at a time of growing speculation that medical service expenditures might overtake research in priority and that academic researchers might lose some of their freedom of choice and action.

This, then, is a time of crisis for NIH grantees, mainly in medical schools, who are concerned not only with dollar levels but with possibilities of having to shift program emphasis under Federal direction.

Some medical academic leaders have acknowledged privately that a "market correction" has been needed, assuming it is followed by a new period of healthy growth. "If the crunch is sufficiently hard and painful," said one medical scientist who is well versed in the politics of science, "it compels clear thinking, reassessment, and discriminating choice. There is bound to be some maldistribution of resources under conditions of easy money. A shake-out will be good."

The other side of this pause for reflection is that a stand-pat budget actually means a cutback. Just to support current commitments, spending must be increased somewhat each year to allow both for inflation and for utilization of more sophisticated resources and developments. Some absorption of these is possible under a level budget through straightforward economies or selective program reductions or both. In the long run, however, a stable budget will compel administrators to curtail program scope under tougher criteria of choice.

What worries the medical schools—mainly the private schools which have been most dependent upon the Federal Government—is that they cannot go forward with commitments to train more doctors, to provide support for newly trained researchers, and to provide physical facilities for education and research. The operational support of private schools is under threat, for research funding has been the back door for support of teaching staff. One hope is that the fiscal crunch might lead to recognition that operational expenses of medical schools must be funded more directly and openly instead of through the dubiously legal and politically unstable expedients of mislabeling the purposes of research funds or of taxing them for educational overhead.

COMPETING GENERATIONS

Hardest hit are young investigators who have completed or are completing training under NIH funding. Ordinarily they would expect to obtain grant support with which

to begin their independent professional careers. Now they find themselves in unequal competition for funds preempted by established older investigators. The fear is that many promising young scientists will look away from the medical schools for other opportunities. Recognizing this many institutions are putting support of brains ahead of expenditures on equipment or travel. "This might at last force school administrators and project heads into becoming better managerial economists—almost as if they were spending their own money," was one comment. "If they do some careful inventory, they might find a lot of unused equipment in the closets—electron microscopes, ultracentrifuges, and the like—bought with unused funds. And they can learn how to swap equipment and personnel across departmental and project barriers."

CHOICES INEVITABLE

Earlier that same year, Dr. Alvin M. Weinberg, director of the Oak Ridge National Laboratory, said: "It seems inevitable that science's demands will eventually be limited by what society can allocate to it. We shall then have to make choices . . . among different, often incommensurable, fields of science . . . [and] among the different institutions that receive support for science from the Government. . . ."

In 1964, Dr. Charles V. Kidd, then associate NIH director for training, warned the biomedical community of the impending slowdown. He said that competition for relatively scarcer resources would sharpen, making it necessary to choose among grant requests under priority criteria. Competition would also sharpen between allocations of funds for research and development and for exploitation of findings. Established investigators would find themselves in danger of losing their support to younger investigators of more promising creative potential. Finally, faculty members would find themselves increasingly obliged to turn to their own universities for allocation of at least part of their funds from so-called institutional grants—blocks of money given to the universities for flexible suballocation by them at their own discretion.

None of this should imply that the NIH has done other than a tremendous job. Undoubtedly there have been many errors, slippages, misdirections, indirections, and misadventures along the way. These are claimed to be relatively insignificant compared with the impressive NIH accomplishment of creating a national base for the advancement of knowledge for the nation's health. This base, said NIH in July, 1967, includes:

- 65,000 senior research investigators;
- 2,000 academic and research institutions with programs of research and training in the health sciences;
- 30,000 individuals in advanced training in basic science and clinical specialties;
- 17,000,000 square feet of added research space.

The NIH points out, too, that the knowledge accumulated over a 20-year period has: Revolutionized the range of diagnostic, therapeutic, and preventive capabilities;

Advanced prognostic expectancies in many disease areas;

Opened penetrating insights into nature and processes of life, biological systems, disease and degenerative processes, and conditions of health.

Undoubtedly there could have been greater efficiency in planning and bringing off this phenomenal growth activity. Whether an emphasis on efficiency would have been compatible with rapid growth is debatable.

Why has this growth come to a grinding halt? And, what of the future? Medical academicians have been blaming their plight upon various factors, but their main rationalization is the cost of the war in Vietnam.

The more likely explanation is that a budgetary squeeze was independently in the making. Five years ago, William D. Carey,

then executive assistant director of the U.S. Bureau of the Budget, said that funds for research and development "have come so easily during the past decade that in some quarters of the scientific community we find a state of mind that assumes that the miracle of the loaves and the fishes will go on indefinitely and that the mere assertion of a valid scientific need will suffice to turn on the financial gusher once more. I should like to make it plain that the justification for the 16th and 17th billion will have to be very different from the justification which sufficed for the first billion."

SIGNALS APPARENTLY HEADED

These signals undoubtedly must have been heeded, but there was little anyone could do to arrest the gathering storm. Precipitating factors, of which there were many, included the following:

1. There has been a natural tapering off in the rate of growth, analogous to limitations on growth of any organism.

2. Before Medicare and Medicaid, legislators could display their health voting records mainly through supporting non-controversial research and through bearing down on drug safety and drug costs—always fair game. Now that medical care offers a channel for more visible benefit, legislators may not be attaching the same importance to the deferred promises of research and development, less visible in any case.

3. Congress has apparently spent itself through the post-Sputnik era and now seems to want a pause for reflection on the impact of scientific and social legislation already enacted. The criticisms of NIH grants management by Rep. L. H. Fountain of North Carolina hardened the mood of caution.

4. Some evidence of "antiscience," which the scientific community equates with demonology and extreme reaction, may be discerned. Many grantees have overplayed the politics of promise. Only so long can the same assurances of practical results be given without straining the credulity of the public and the legislature.

Meanwhile, the NIH has been pressed to answer questions such as these: Where are the payoffs from research in terms of approved medical care? Should the bulk of research allocations continue to go to relatively few leading institutions or should they be more uniformly distributed on a geographic basis? Has research funding stimulated a "flight from teaching"? Has the quality of research been declining? Are Federal funds being spent prudently by research grantees under NIH supervision? Has the NIH undermined the authority of the university over its faculty members through earmarking project grants for specific investigators?

NEW DIRECTOR FACES PROBLEMS

These and related questions are part of the inheritance of the new NIH director, Dr. Marston. The answers must be linked to the resolution of broader policy questions which have been preoccupying the Secretary of Health, Education, and Welfare as well as officials within the Executive Office of the President. These cover such matters as the character of national science policy in general, evolving relationships of the Federal Government toward the universities as a whole, evolving Federal policies toward support of medical schools, further developments in Federal policy on medical care, and what are to be specific health goals and social priorities.

In broad perspective, NIH in 1968 completed a first phase of creating a base of knowledge building. NIH was organizationally innovative and ebullient. In the immediate future, greater emphasis will be placed upon perfecting organizational, programmatic, and procedural forms. Managerial neatness will be sought. The imperatives of choosing among alternatives of investment and of providing guidelines for decentralized

execution will strengthen forces of centralism. Flexibility, dynamism, and academic autonomy may suffer as limits are placed on free choice.

For the NIH academic clientele, the most critical of oncoming problems may lie less in how much money is appropriated than in how and for what purposes funds are distributed. Somehow and in some proportions, health dollars will be allocated among research, education, and service, but many questions will have to be resolved as to how money is spent within and among these categories. Academic researchers will be most fearful of any moves either to diminish the support of investigator-initiated fundamental research in favor of applied research or to place the former under direct control of university administrators.

In succeeding articles I will take up some of the controversial topics that have implications for the NIH future. Nothing in these articles should be taken to diminish the grand accomplishments of the NIH leadership under Dr. Shannon. It is unlikely that any other course, even with the benefit of hindsight, would have more fruitfully served the nation's interest. What is important now is that the country avoid any discontinuity in the support of knowledge building through biomedical research and in the development of both clinical and research manpower.

PAUL F. SCHENCK

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1969

Mr. DORN. Mr. Speaker, it was my privilege to serve in this House with Paul F. Schenck throughout the 14 years he served here. I regretted to learn of his passing in Dayton, Ohio, on November 31.

Paul Schenck devoted virtually his entire life to public service. He began teaching school while in his teens, and was dedicated to improving his community, State, and Nation until his passing last fall following our great national elections. Paul Schenck believed in our great private enterprise system. He believed that a healthy private enterprise system with property rights and a reasonable profit was the best way to provide jobs, taxes for schools, and the recreational and civic and social improvements so necessary to modern progress and humanitarian philanthropy.

Although Paul Schenck was a member of the other great political party, our voting records on the great issues of the day were almost identical. He, from the great State of Ohio, knew as well as any man I ever knew, that the national interest called for a balanced economy, sound money, and less centralized Federal power. Paul Schenck firmly believed that a strong America, militarily, was the only answer to aggression and ruthless dictatorship all over the world. He opposed communism in its diabolical scheme to infiltrate, undermine, and eventually conquer the free world. Paul Schenck was a great American who served in the tradition of that great President from his native State of Ohio, William McKinley. This is a better Congress, and we are a better Nation because of his service in the Congress and his dedicated service to his fellowman.

OTTO OTEPKA—PERSECUTION
UNRELENTING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. RARICK. Mr. Speaker, millions of Americans—among them, those employed under civil service—have followed with great interest the case of Otto Otepka—a dedicated civil servant whose only crime was unwavering loyalty to his country.

Most had hoped that with the change of political alignment Mr. Otepka would be restored to his former position. They are aware that at this critical period in our history, we are sorely in need of men with his knowledge and devotion to America.

Failure to restore Mr. Otepka can but be interpreted that the new "team" is dishonoring its commitment to the American people to restore confidence in the State Department.

Mr. Speaker, I place a portion of the current status of the Otepka case, which appeared in the Government Employees Exchange for February 5, 1969, at this point in my remarks so that all of our colleagues may be apprised of what appears to be the latest move to try to break this courageous man:

ROGERS VETOES NIXON OTEPKA CASE REVIEW—
OTEPKA SETTLEMENT PROPOSED FOR DROPPING
WIRETAP PROBES

In a surprise move reversing completely campaign promises by President Nixon to re-examine thoroughly the Otto F. Otepka case, Secretary of State William P. Rogers let Senator James Eastland know that he does not want Otto F. Otepka to return to his former status as an active security officer in the State Department, this newspaper was informed by a top Senate aide on January 28.

The aide understood that Mr. Otepka might be re-instated "in title" to indicate that in the eyes of the Nixon administration he had been "vindicated and exonerated". However, Mr. Otepka would be given no important security cases to review and he would have to abandon his quest to identify publicly the persons who placed compromising material into his "burn bags" and who ordered the "wire-tapping" of his telephone.

The practical effect of this decision is that Secretary Rogers has thereby endorsed Secretary Rusk's contention that Mr. Otepka is himself now to be regarded as a security risk so far as the position of security officer in the State Department is concerned, the aide commented.

Ironically, Secretary Rogers' decision was communicated to Senator Eastland only a very short time after the issuance of a new security clearance to John Paton Davies by Under Secretary of State Nicholas deBelleville Katzenbach, the source said. This action was interpreted as reversing the action of Secretary of State John Foster Dulles who had ordered Mr. Davies dismissed from the Foreign Service in 1954 as a security risk.

THE MODALITIES

On January 29, another source, personally close to Secretary Rogers, confirmed that "modalities of communication" had been worked out "through intermediaries" between Secretary Rogers and Mr. Otepka.

After obtaining categorical assurances from this newspaper that his identity would not be revealed, this source stated that Secretary Rogers had chosen this course of action,

which repudiated President Nixon's campaign promises, after "talks with Secretary Rusk during the transition period." From these talks it became clear to Secretary Rogers that any effort to identify the persons who ordered the "planting" of compromising material in Mr. Otepka's burn bags and who received the tapes of the wiretap of Mr. Otepka's telephone would lead to a "rupture" with Mr. Rusk. This "rupture" would bring the "wrath of the *New York Times* and *The Washington Post* down on Mr. Nixon", the State Department source said.

In addition, the facts now available to Secretary Rogers indicate that the "Kennedy forces would be aroused on Capitol Hill and Sargent Shriver might resign as American Ambassador in Paris", the source stated.

Under these circumstances, Secretary Rogers "hopes" Mr. Otepka would accept a "settlement" vindicating his public honor but not returning him to substantive work.

OTEPKA "COVERED"

Asked why Secretary Rogers thought Mr. Otepka should be agreeable to accepting the "shadow but not the substance" of vindication and restitution, the source said that the State Department had been "keeping tabs" on Mr. Otepka and his associates and Mr. Otepka had been "covered" by hundreds of reports from informers, private detectives, FBI agents, CIA operatives as well as a "surprisingly large number of other persons whom Mr. Otepka regards as his friends and in whom he confides."

From these reports it now appears that Mr. Otepka is both "financially and emotionally exhausted" and was ready to give up the fight for the "substance" of his job, provided the "shadow" of vindication was extended to him. Even more important, the source confided, the Department has received repeated indications that Mr. Otepka's attorney, Roger Robb, was weary of the case and had complained to colleagues that he was losing money by having to turn down more lucrative clients because of the time he had to devote to the Otepka case. The Department knows positively that Mr. Robb is personally "most loath" to go into a long and time-consuming court fight, the source revealed.

THE SETTLEMENT

"The settlement toward which Rogers is groping", the source continued, is to re-instate Mr. Otepka first to his previous civil service grade, from which he was demoted, and then to grant him retroactively his grade-step pay increases. After this, Mr. Otepka would be paid under the settlement for the leave without pay he had taken.

Finally, Mr. Otepka would be re-instated as the Chief Security Evaluator and shortly thereafter "detailed" to some "honorific" job which removed him from an active role in security. Following this, if Mr. Otepka desired, he could be "detailed" or "transferred" to some other Department or Agency or his job "abolished through reorganization", entitling him to immediate retirement if he chose.

TIMING THE CASE

The "timing of the settlement of the case", the source revealed, is presently linked to coincide with the announcement of the departure of Idar Rimestad as Deputy Under Secretary of State for Administration. By "linking the disposition of the Otepka case to the departure of Rimestad", Secretary Rogers hopes to assuage the disappointment and grievance of such supporters of Mr. Otepka as Senator Strom Thurmond and Congressman John Ashbrook who had complained to President Nixon about Mr. Rimestad's retention, the source revealed.

"Mr. Rimestad's head will be the sacrificial offering made to Mr. Otepka's followers", the source revealed.

FDA'S ACTIONS: UNBELIEVABLE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WYATT. Mr. Speaker, ideally this Federal Government of ours should function to aid and serve our Nation's people. If it loses sight of this single objective it cancels out the reason for its existence.

The Food and Drug Administration, as an agency of this Government, has been entrusted with the important responsibility, among others, of protecting the American public from dangerous or ineffective drugs and medicines. Should it cease to do this it is flying in the face of Congressional intent and negating the very reason for its existence.

When the FDA begins, as it has, to interpret the law and its authority in a manner that hinders the practice of medicine it is acting against the people's welfare. When it assumes powers it does not legally have, or takes on duties that are only questionably under its jurisdiction, and uses these powers and duties to actually harm our public it is directly abusing the trust placed with it.

With an incredible, bureaucratic insensitivity to the needs of this Nation, the FDA, more and more, is interpreting its powers to the detriment of our people, and is impinging on the practice of medicine to the point of becoming an absolute hindrance to that practice.

Instead of making an extra effort to use its evaluative and regulatory authority over drugs in a rational and positive manner, it seems the FDA is working toward exactly the opposite extreme. In many cases it appears it is using its power to pick petty points to death, to discard rational evaluation and regulation of drugs altogether, and simply to abuse the medical profession for no purpose except abuse. Such a method of handling its Federal duties is starkly dangerous to the health of the American people.

It is inconceivable that this turn of events should have come about as the specific intent of anyone in the Food and Drug Administration. It seems, rather, that circumstance and the ingrown emphasis on procedure rather than substance in that agency's growing bureaucracy have led to this sorry state.

The fact is that the FDA has too immense and important a set of tasks to perform for the present size of that organization. It is simply overwhelmed with procedure and paperwork. As its duties have expanded, as Congress has asked it to accept more and more responsibility, the FDA's actual ability to handle these chores efficiently has decreased in direct proportion to the increase in authority.

A major overhaul of the Food and Drug Administration is long overdue. Immediate reorganization of the agency is a necessity if the health of 200 million Americans is not to be drastically endangered. The delays and abuses of the

burgeoning FDA bureaucracy must be eliminated. Efficient and professional handling of drug evaluation and control is an absolute must.

Legislation is currently being prepared to deal directly with this problem by restructuring the FDA's entire drug evaluation mechanism. The matter has become one of great national concern.

An editorial in the January 30th issue of the Medical Tribune presents this problem in clear and succinct language. I present that editorial at this point in the RECORD:

UNBELIEVABLE

We recently received a letter from a dermatologist in New Haven, Conn., who enclosed the following communication that he had received from the technical manager of a pharmaceutical manufacturer: "Your letter requesting samples of the ingredients in our Mycolog Cream has been referred to me.

"Until about a year ago we were pleased to be of service to the medical profession by furnishing samples of the ingredients in this product for patch testing. However at that time we received a notification from the FDA that 'the furnishing of components of this product for use in hypersensitivity testing will require a Notice of Claimed Investigational Exemption for a New Drug for each component so used.' Completed and signed forms are required both from the investigator and the supplier and results of the study must be reported to the FDA. As you may imagine, this constitutes a prohibitively laborious procedure for both you and Squibb. Although we have protested to the FDA, we are presently unable to furnish components of products for hypersensitivity testing. We are very sorry."

The dermatologist described the situation as unbelievable and went on to say, "In this case FDA technicalities interfere with good practice of medicine."

Does the law require the FDA to behave in this fashion? We ourselves do not think so, but, conceivably, it is possible to interpret the law as requiring this unseemly behavior. But why should the FDA, whose purpose, we are assured, is that good medicine be practiced to protect the public, make such an interpretation of the law? Does the FDA believe that Congress wanted the law to bear such an interpretation? Surely not. Does the FDA believe the public wants the law interpreted in this fashion? We find this inconceivable. Does the FDA believe that the courts would want the law interpreted in this fashion? But if the FDA without any fardel permitted a manufacturer to provide a physician with the constituent ingredients of a preparation so that he could skin test a patient, who, in heaven's name, would bring this to court as a violation of the law? The patient? The pharmaceutical manufacturer? The physician himself?

The situation is, unhappily, believable, but it is also deplorable. If, for whatever misguided reasons, the FDA believes it is compelled to interpret the law in the fashion described, then it ought to hotfoot it to Congress and ask that the law be amended so that this nonsense is stopped, once and for all. When the practice of good medicine is made difficult by administrative barriers, it is the responsibility of the FDA to promptly eliminate them.

RALPH MCGILL

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FULTON of Tennessee. Mr. Speaker, Mr. Ralph E. McGill, a native

Tennessean and one of the outstanding voices of the Southern conscience, has died.

Mr. McGill received the Pulitzer Prize in 1958 for his editorials opposing racial injustice in the South and denouncing Ku Klux Klan violence.

His strong voice calling for reason and justice and his clear insight into the social problems of the South and the entire United States will be missed by all of his friends and admirers.

Mr. McGill, born on a farm 10 miles from the community of Soddy, Tenn., attended Vanderbilt University in Nashville and worked for a time as a sports writer for the Nashville Banner. He joined the staff of the Atlanta Constitution in 1929, and served as a writer, executive editor, editor, and then publisher.

He gained fame as an advocate of racial justice in the South and that fame he richly deserves. But, Mr. Speaker, we should all remember that it was Mr. McGill's devotion to the principle of justice in the face of strong, dedicated and vocal opposition that set him apart. And it was his continued dedication to the principle of justice that made his voice one of importance for all of our Nation.

Mr. McGill has been praised by political, social, and business leaders of the Nation and his loss to the Nation has been well documented. But the people of the Nation who will miss his call to equality will be the poor, the unwanted, the unrepresented.

Mr. Speaker, these few words cannot do justice to the leadership Mr. Ralph E. McGill gave so freely to our Nation. The greatest tribute the Members of this body can pay to his memory is to honor his commitment to conscience and justice.

SP4C. FRANK J. MARCONI, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that another one of my constituents, Sp4c. Frank J. Marconi, U.S. Army, of Carmel, N.Y., died in Vietnam last month.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article:

[From the Evening Star, Peekskill (N.Y.)
Jan. 28, 1969]

PUTNAM SOLDIER KILLED IN VIETNAM

CARMELO.—Army authorities last night disclosed that Sp. 4 Frank J. Marconi, 19, a member of Troop "C," 1st Squadron, 4th Cavalry, of 44 Everett Road, Carmel, had been killed in action in Vietnam. He had previously been listed as missing.

His regiment is attached to the 1st Infantry Division in its operations against Viet Cong in central portions of the Republic of South Vietnam.

He is the son of Mr. and Mrs. Frank A. Marconi, formerly of Yonkers, who purchased and moved to the community about a year ago. In addition to his parents he is survived by two younger brothers, who attend the local public schools.

According to an Army spokesman, the family has indicated funeral services and interment will be in Yonkers, when the soldier's remains arrive in this country.

BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. SCOTT. Mr. Speaker, each month we send out a newsletter to all residents of the Eighth District of Virginia who have expressed an interest in receiving a report from the Congress and each year we send a questionnaire and a copy of the newsletter to every home in the eighth district by addressing the patrons of each of our post offices.

The response in the past has been very good and I am hopeful that the people of the Eighth District of Virginia will respond to the 158,000 postal patron mailings going out to them this week.

A copy of the newsletter and the questionnaire is inserted at this point in the RECORD for the information of my colleagues:

YOUR CONGRESSMAN, BILL SCOTT, REPORTS THE PRESIDENT

It was good to have so many of you who attended the Inauguration ceremonies at the Capitol on January 20 stop by the office and visit both before and after the swearing in of our new President. Mr. Nixon appeared to say the things that people wanted to hear and I believe his speech fitted the mood of the day. Certainly we hope that his leadership during the next four years will conform to the good beginning.

LITTLE ACTIVITY IN CONGRESS

Only minor matters have been considered since Congress convened. However, most committees have now been constituted, cabinet officers have been confirmed and more important matters will probably be considered after the Lincoln Day recess. Our office has been attempting to utilize this lull by introducing measures of interest and by laying the foundation for favorable consideration of these measures.

PRINCE WILLIAM COUNTY PROJECT

A bill introduced late in last year's session was approved by the House District of Columbia Committee but did not reach the floor for consideration. Therefore, this measure has been reintroduced and I am hopeful that it will receive early and favorable consideration by the House. The measure authorizes the Government of the District of Columbia to convey to Prince William County 350.4 acres of land adjoining the Potomac River at Featherstone Point approximately 27 miles downstream from Washington. I visited the property a few days ago with county officials and they are unanimous in desiring that title be obtained as soon as possible. Of the total, 158 acres will be used for recreational purposes, 25 acres for a water pollution control plant and the remaining 167.4 acres of marsh land will be diked and made available for a sanitary land fill for both Prince William County and the District of Columbia. County officials advise that the marsh land will be filled within a few years and this land will then also be available to meet local recreational needs in this fast growing county.

WASHINGTON AREA TRAFFIC

Commuting to and from Washington has become increasingly difficult over the years

MANASSAS CEMETERY

and there have been a multitude of delays in widening existing roads and building new ones. Certainly, we need to have rapid rail transportation but, in my opinion, this is only a part of a well coordinated system of transportation and we also should complete the planned highways in the metropolitan area. One of the agencies which has delayed the construction of highways is the National Capital Planning Commission and I introduced a bill last Wednesday to abolish this Commission and to transfer its functions to the District of Columbia Government. While the D.C. Government of course, is attempting to meet the needs of the inner city and this does sometimes conflict with the interest of suburban Washington, in my opinion authority and responsibility should be combined in the Commissioner of the District of Columbia who is, to an extent, responsible to both the Congress and the President.

An effort is also being made to let the new Secretary of Transportation know of the concern of Virginians with these delays and the hope has been expressed that the impasse between the Congress and the Virginia Department of Highways on one side and the D.C. Government on the other regarding Interstate #66, Interstate #266 and the Three Sisters Bridge can be finally resolved.

HOW BIG IS OUR GOVERNMENT?

Last year Congressman Bill Roth of Delaware attempted to catalogue all federal programs and tried to obtain assistance from various governmental agencies in order to determine where duplications exist. Although he and his staff spent more than eight months in this effort, he was unable to completely accomplish his purpose. Therefore, I have joined with Mr. Roth and other Members of Congress in a two-prong attack on this problem. We have introduced a Program Information Act and an Executive Reorganization and Management Improvement Act. These twin bills would require every federal agency to catalogue the programs it administers, outline what it is doing and how many employees it has. It would also create a ten-member Hoover-type commission to analyze the Federal Government operation and make specific recommendations for changes. Of course, the purpose is to provide better government at lower cost to the tax payers.

As you know, the closing of Arlington National Cemetery for burial purposes can be expected within a few years and there is no other national cemetery within a reasonable distance of Washington. It has been estimated that one-fifth of the population of the country is eligible for burial in national cemeteries. Therefore, this week I have written to every Member of the House of Representatives, giving them information regarding my bill to establish a veterans cemetery on a portion of Manassas National Battlefield Park and have sought their support. While the Committee on Veterans Affairs will conduct hearings on the nationwide cemetery problem, I wanted the membership of the House to know the facts regarding this area project. Certainly, the Manassas Battlefield is an historic shrine but the use of a portion of the more than 3,000 acres of virtually undeveloped federal land could supplement the Arlington facilities without adding to the Federal Budget. The Director of the National Park Service will accompany me to the Battlefield site on the 10th of this month to see the possibilities and discuss the project.

POST OFFICE DEPARTMENT

Traditionally, the party of the President makes the recommendations to fill vacancies in the positions of Postmaster and Rural Carrier. However, on February 5, the President and Postmaster General announced that the Civil Service Commission will conduct open competitive examinations for all new postmaster and rural carrier vacancies and the top qualified person will be named for each vacancy. This procedure is effective immediately and will tend to remove political patronage from the Post Office Department. In addition, legislation will be introduced to eliminate Senate confirmation of postmasters, making the Postmaster General responsible for all appointments.

OFFICE STAFF

The volume of the work involved in representing 600,000 constituents requires that a considerable portion of the Congressional duties be delegated to the staff. This need to delegate can be illustrated by the fact that a few days ago, while in the Fredericksburg office, 51 people came in to confer on a variety of problems. At the same time, most of the staff was in the Washington office attending to their duties which includes an average

of more than 100 letters per day. I returned at the end of the day to sign the mail. We do have a well-qualified and dedicated staff who have become expert in handling their phase of the work and who exercise initiative and independent judgment. You may be interested in the names and primary responsibility of staff members:

- Flo Hart—Arranges visits to government buildings by individuals or groups and mails out publications.
- Carol Reed—Post Office, Civil Service and employment matters.
- Caroline Boubin—Appointments and speaking engagements.
- Ann Wurfel—Press relations.
- Frances Kiernan—Social Security, Internal Revenue and transportation problems.
- Grace Scott—Military and veterans affairs and academy appointments.
- Dick Sharood—Legal and legislative.

PUBLICATIONS AVAILABLE

Some of the Agriculture bulletins and other publications available for distribution upon request are listed below. Let me know the names of any of these you would like to receive: Growing Asparagus, Flooded Farms, Standby Electrical Equipment, Plumbing Repairs, Mildew, Detergents, Washing Machines, Family Fare, Our American Government, Questions and Answers on Health Insurance for the Aged, Infant Care, Your Child from 1 to 6.

OPINION POLL

Our annual questionnaire is being sent with this newsletter to every home in the 8th District. This is a continued effort to learn your views as the basis for more effective representation. The results will be tabulated and reported in a later newsletter. While this mailing is going to all postal patrons, future newsletters will be sent only to constituents now on the mailing list and those who ask to be included. You may want to use the following form for that purpose. However, if you have been regularly receiving the newsletter and the address is correct, no further action is necessary.

Congressman WILLIAM L. SCOTT,
House Office Building,
Washington, D.C.:

I am not now receiving "Bill Scott Reports" and would like to be put on the mailing list.

Name _____
Address _____
City _____ Zip Code _____

WHAT IS YOUR OPINION?

	Yes	No	No opinion		Yes	No	No opinion
1. Should the method of electing the President and Vice President be changed to provide for:				5. To reduce poverty in the country, do you favor—Con.			
a. Direct popular vote?				e. Federal welfare programs be expanded?			
b. Representation in the electoral college by congressional district rather than by State?				f. Federal welfare programs be abolished?			
c. Binding the States' electors to vote for the candidate who receives the most votes?				6. Should the Federal Constitution be amended to provide a uniform law throughout the country authorizing 18-year-olds to vote?			
d. Retain present system?				7. Should the temporary surtax be:			
2. Should the Post Office be reorganized:				a. Continued at 10 percent?			
a. By placing all appointments and promotions under the merit system?				b. Reduced to 5 percent?			
b. By changing it to a nonprofit public corporation?				c. Terminated at the end of the fiscal year?			
c. By private industry taking over postal functions?				8. Should the right to bail be restricted when a person accused of a felony is already on bail in connection with a prior crime?			
d. Retain present system?				9. Should military draft be:			
3. Should the Hatch Act be amended to permit Federal employees to participate in partisan politics:				a. Abolished?			
a. Locally?				b. Restricted to wartime?			
b. At the State level?				c. Amended to determine military service by lot?			
c. At the Federal level?				10. Should foreign aid:			
d. Retain present law?				a. Be restricted to friendly nations?			
4. Should the 1970 census:				b. Consist only of military assistance?			
a. Be limited to approximately 10 basic questions?				c. Consist only of economic assistance?			
b. Be continued as in past years?				d. Be abolished?			
c. Be expanded to provide additional information?				11. Should the District of Columbia have:			
5. To reduce poverty in the country, do you favor:				a. Local self-government.			
a. A guaranteed minimum annual income?				b. A nonvoting delegate in the House of Representatives?			
b. Government employment of relief recipients on public works projects?				c. Representatives in both the House and Senate similar to the States?			
c. Tax incentives to businesses that hire and train unemployed?				12. Should persons convicted of Federal crimes be given additional mandatory sentences if a firearm was used in the commission of the crime?			
d. Federal welfare programs be retained as they are?							

MIRACLES: OLD AND NEW

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to include in the RECORD a translation of an article that appeared on September 30, 1968, in *La Informacion*, a newspaper published in Santiago, the Dominican Republic.

The article is about the saving of a boy's life. That in itself is somewhat miraculous. But the chain of events that led to that happy occurrence is the miracle of modern technology combined with the aged-old miracle of people.

People who care enough about others to help them, to take care of them. There are a number of people who cared about this little boy: His mother, of course, who wrote a letter to President Johnson, asking him to help save her son from an early death: President Johnson who read the letter and took action; the attaché of Public Affairs at the American Embassy who implemented that action; and the ham operators who relayed information about the case.

One of these operators is James Jacobs of Brookline, Mass. He heard the mother's cry and contacted Dr. Robert Gross, a world famous cardiologist, who operated on the boy.

All of these people, worked together, for a boy they did not know. All that mattered was that he was in danger and that they might be able to help.

The article really speaks for itself. The translation reflects the emotion and the wonder of the acts of all these men. I include it here, not only to tell a wonderful tale, but to remind my colleagues of the importance of each single act. This story reaffirms the obligations of every man to be his brother's keeper. It is uplifting, and encouraging that so many people feel so obliged.

The article follows:

DON'T LET MY SON DIE, PRESIDENT JOHNSON!

As the hot summer days of 1965 went by and among a tragedy of tragedies a Dominican mother ran with anxiety away from death, trying to hide in some charitable corner of this life the piece of her womb that death was trying to snatch away.

Through the streets of misery her cry got entangled, slipping in the impotence of empty hands and of the "desiring is not obtaining".

Anxiety is the mother of despair and even of madness. Don't let my son die! Don't let my son die! The cry resounds like a whiplash on the hearts of those who are unable to help. "I will write to Johnson even if he won't listen to me". Don't let my son die! Don't let my son die! The cry exploded on her ears at the same rhythm of her heart beat.

But President Lyndon B. Johnson, first dignitary of the most powerful nation in the universe, received the letter, and forwarded it to his ambassador in the Dominican Republic, asking him to find a solution for this extremely urgent case.

Mr. Copmann, Attaché of Public Affairs of the embassy, received the letter and hurried to find a solution. The writer of the letter of the Dominican mother is a radio ham, a sort of a modern nomadic knighthood order which allows them to send a S.O.S. among other

hams. Hello C.Q., hello C.Q.!! The Hertzian radio waves travel through space touching the doors of every heart.

In Boston beats a generous heart, with capital "H", which belongs to James M. Jacobs. Deep down in his heart the cry of the Dominican mother was heard. Toward that generous heart, towards that saving shelter in Boston the mother runs. C.Q., C.Q.! Mr. Jacobs calls Dr. Robert Gross, a world renowned cardiologist.

Everything is arranged. The Dominican child will be operated on in Boston.

The first operation is a success, but not a complete success. Another operation, or maybe more operations will be necessary for the child to lead a normal life. At a glance the child looks better, he plays and runs down Santiatog Rodriguez Street in his native city. But on the other hand, his sickness has not been conquered; it is waiting. Mr. Jacobs does not give up. Mr. Copmann has a memory. Even if the years go by, nothing will change; the child is not all right and the generous heart is always ready to help (oh; if those generous hearts were ambassadors!)

The sound of the jet is heard in the distance. It is June of 1968. It is on its way to Boston. Now the mother and the child do not fear the height anymore. They are veterans in their hours of flight as they look through the port holes. Boston, at last . . . ! There is the miracle of generosity. Both represent the zenith of humanity.

Doctors dressed in white—not everyone dressed in white belongs to the KKK in the United States—stand among the lights; with raised hands they represent a complete purity. Noise of instruments. Instruments that move needles and show the vital rhythms. They open his chest. The heart can be seen. Hours. Surgery hours . . . and the mother prays the most profound prayer to the son of man, to him who gave up his life on a cross for all humanity.

Waiting rooms as the elastic time goes by. Whispers in the distance. Everything is confusing when supreme anxiety oppresses reason. Only faith is left. Stretchers in movement. Nervousness. News. Waiting. Always waiting.

Convalescence. Happiness. Health that restores life. Thankfulness. Gratitude to the generous heart who gave a good heart to the sick child. A real sense of gratitude which makes the chest that holds that heart, hurt with happiness. Tears of joy and gratitude, many of them, which are shed inside that mother's heart.

Return to the country, which is now more beautiful, that can be seen through healthy eyes. Next to her son, Austria Espinal, the happy mother, symbolizes happiness and gratitude. And there, farther than the small beaches which submerge towards the land of Franklin, inventor of the lighting rod, and science, her heart goes to embrace a national Mr. Copmann, Mr. James M. Jacobs, and Dr. Robert Gross and an anonymous legion of radio hams, real North Americans, who carry out non-military occupations.

There: The real people of Uncle Sam. Time wrinkles calendars, but not memories, today Mr. Jacobs is in the Dominican Republic, land which he loves, because he learned to know her. He came to visit the child, almost like his own son, Eduardo Espinal, who revealed to the world a message of faith, faith on mankind. To many this has answered the question of whether man can today practice philanthropy, and to enrich in happiness a poor mother, a very poor mother. And the child today, in the dream that became reality, thanks to tremendous amount of dollars that were sent on him, smiles in gratitude next to his mother. And, Mr. Jacobs also came to deliver a very modern medical equipment to a hospital in the Olympic city of La Vega.

Welcome to Santo Domingo, Mr. Jacobs and family . . . !

MR. SCULPTOR: MOLD ME AN AMERICAN

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. LANGEN. Mr. Speaker, it was my privilege last fall to meet an outstanding young lady in Warren, Minn., by the name of Sondra Maruska. She is a student at the Warren High School, and I am happy to report, is a Teenage Republican in a new group formed under the direction of Mrs. H. G. Myhre.

Young Sondra took pen in hand and wrote a very searching poem in honor of Veteran's Day last year. Her words are so moving and pertinent that I would like to share them with my colleagues in the Congress. Entitled "Mr. Sculptor: Mold Me An American," Miss Maruska's poem is hereby included at this point in the RECORD as it appeared in the Warren Sheaf:

MR. SCULPTOR, MOLD ME AN AMERICAN
(By Miss Sondra Maruska, Warren High School Senior, Veteran's Day, 1968)

The sculptor looked down at me with apprehensive eyes. "I've never done much of this kind of work," he said. "But go ahead, describe what you want, I'll do the best I can."

Mr. Sculptor, I want you to mold me—an American.—

Mold me a man so strong, so brave
That to selfish desires he'll not be a slave.
Shape me a son of liberty's bell
That will toll a song so that hearts will swell.
Form me a fighter, afraid not to stand
In defense of his people, in defense of his land.

A man who'll be proud of his right to dissent,
But who knows when his rights become distorted and bent.

Make me a man who thinks and who cares,
And make me a man who can prove that he dares

To stand up when others are burning our flag

And act to prevent this purposeless plague.
Mold me a man who is young in his heart,
Not warped by age and too old to start
Down the road that will help, the way that will save,

Our land of the free, our home of the brave.
Shape me a citizen who's proud of the fact.
Who'll not deny anyone white or black,
The same rights and freedoms he daily employs,

The privileges and liberties he loves and enjoys.

Make him a mixture of races and creeds,
Able to understand all wants and needs
Of those living with him who constantly say,
"We want our rights, we want them today."
Paint him a patriot, so true to his cause,
Proud of his country, ashamed of its flaws.
Ready to do what he knows must be done
To erase its mistakes till success it has won.
Rear him a rebel, for rebels are right,
When their motives are clearly and wisely in sight.

Our nation was built on the dreams of a few

Who dared to rebel and search for the new.
Mold me a man who's aware of the ones
Who died in defense of their land and its sons.

Carve him with courage to do the same deeds

When called by his country to answer her needs.

Shape him with dignity, wisdom and pride,
Too bold to give up, before he has tried.
Make him ambitious, with work as his means
Of attaining his goals, of fulfilling his dreams.
Give him two eyes so that he can see
The hunger and poverty of those who aren't
free.

Two ears that can hear the pitiful pleas
That ask him to help, the pains to ease.
Fill him with faith in a God that's above
Who's price of freedom is nothing but love.
Help him to know that in strength he'll sur-
vive

If our love for liberty remains alive.
And when you have finished this sculpture of
mine,

With values so perfect, with habits so fine
Set him within the heart of our land
Where he'll be an example for every man.
Now, Mr. Sculptor—
Show me an American just like I've de-
scribed

And I'll show you an America built on pride
Of her people who believe from their birth
That their land is greatest of all lands on
earth.

CIGARETTE ADVERTISING

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. VAN DEERLIN. Mr. Speaker, there is a distinctly offensive quality about much of the cigarette advertising carried on television.

Smokers are depicted as young and beautiful people, cavorting with their weeds on beaches, fields, and other playgrounds.

The implication is clear: Instead of being detrimental to health, smoking must be positively beneficial. If you puff away a lot, on a certain brand, presumably you, the viewer, can anticipate being beautiful and vibrant yourself.

It is difficult to defend the brand of nonsense concerning cigarettes that gluts our airwaves.

And now the Federal Communications Commission has rushed in, and is attempting to outlaw all cigarette ads on radio and television.

In my view, the commission has already stepped out of bounds in this matter. Distasteful as the ads may be, the manufacturers have every right to put them on the air. If a product is legally marketable, it also is—or should be—legal to advertise it. And any attempt to limit the right of the industry to try to sell its product would appear to contravene free speech guarantees of the first amendment.

I have supported and will continue to support the requirement for the warning label on cigarette packages. In fact, I will urge this year, as I have in the past, that the warning label be placed on the front of the pack, rather than on a relatively inconspicuous side panel. The hazardous-to-health notice helps the customer know what he is getting, and the chances he may be taking—without infringing on the basic right of the seller to promote his product.

Congress should extend the Cigarette Labeling and Advertising Act of 1965, which is due to expire June 30. We should retain the prohibition on FCC interfer-

EXTENSIONS OF REMARKS

ence in this field—while at the same time making the compulsory warning more visible.

ELECT PRESIDENT BY POPULAR VOTE

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FEIGHAN. Mr. Speaker, on February 4, 1969, I introduced House Joint Resolution 364, which provides for election of the President and Vice President of the United States by direct popular vote. It is my belief that the people should elect the President. The Judiciary Committee began hearings yesterday on electoral college reform. As ranking member of the Committee on the Judiciary, I will push for the adoption of my proposal rather than one of the many proposals pending before the committee that would only slightly alter the present law. The only system that is entirely acceptable is one that will assure equal weight to every citizen's vote.

The following is an editorial in the Plain Dealer of February 2, 1969, which emphasizes the importance of accepting my proposal.

ELECT PRESIDENT BY POPULAR VOTE

The time has come for the United States to discard its unfair, undemocratic and dangerous system of electing a president.

This jerry-built, roundly condemned, double-election system should be replaced with a simple direct popular election.

(We are not referring here to the manner in which candidates are selected by their political parties but only to the way in which one of them officially is elected president.)

If ever there was a reason for Americans to trust the selection of the chief executive to a handful of electors, it has long since disappeared.

The injustice of the elector system was exposed as long ago as 1796 when the first faithless elector, a Pennsylvania Federalist, cast his ballot for Thomas Jefferson, the Republican candidate. "What!" complained an outraged Federalist, "Do I choose Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be president? No, I choose him to act, not to think!"

But the idea persists, among some electors at least, that they enjoy superior judgment than the "uninformed" masses; and constitutionally, the electors may vote for whom-ever they please.

Last year's faithless elector, Dr. Lloyd W. Bailey of Rocky Mount, N.C., knew better than the voters. Though pledged to Nixon, he voted for George Wallace. He would retain the archaic electoral system because "we are dangerously close to becoming" a democracy.

That we are. And is that bad? Bailey's vote did not make any difference in the outcome. But it could have.

In a closer electoral contest, it could have thrown the election into the House of Representatives, which could still be trying to elect a president and making dark deals. Like the deal in the 1876 election which in effect gave Rutherford B. Hayes the presidency on his agreement to withdraw federal troops from the old Confederacy. When the troops were withdrawn, violent forces seized power in the South and deprived Negroes of their right to vote. "It would be almost a century until the nation began to rectify the injustices to the southern Negro which stemmed from the price that was paid for peace in the land,"

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writes Neal R. Pierce in "The People's President."

Why a direct popular vote instead of one of the other plans advanced to end the evils of the electoral system?

It is the only plan that would assure the election of the man most voters wanted to be president. (Three times in our history, the Electoral College has given the office to the man who lost in the national popular vote.)

It is the plan that has the greatest popular support. (Pollsters say it is favored by up to 79% of the voters.)

It is the only plan that would eliminate all the evils of the Electoral College system.

It is the only plan that would give each vote equal weight.

It has a chance to be adopted, because it is picked up support in Congress and in state legislatures around the nation.

It should be adopted and it will be if the citizens who believe in it push their legislators hard enough.

Now is the time to push, with the 1968 election fresh in memory.

BOY SCOUTS OF AMERICA: REPORT TO THE NATION

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, this morning, February 6, 1969, 15 Eagle Scouts who are in the Nation's Capital to make the annual report of the Boy Scouts of America to the President of the United States were honored at breakfast by Members of the House and Senate.

Among the distinguished guests was National Boy Scout Council Treasurer who is also chairman of the board and president of Mack Trucks, Inc., of Allentown, Pa., Zenon C. R. Hansen, who introduced his special guest, Vince Lombardi, at his first formal appearance as a Washington citizen. Also with Mr. Hansen were Bart Starr, Green Bay quarterback, and Clarence "Biggie" Munn, athletic director of Michigan State University.

Tomorrow more than 5,500,000 members of the Boy Scouts of America and 1,500,000 adult volunteer scouters will begin Boy Scout Week observances. The Scouts' slogan for this week of activities is, "America's manpower begins with boypower."

Mr. Speaker, I am pleased to bring to the attention of my colleagues a speech delivered this morning by the distinguished president of the National Council, Boy Scouts of America, Irving Feist:

BOYPOWER, 1976: A LOOK TO THE FUTURE

(Report to the Nation: Congressional Breakfast, February 6, 1969, Washington, D.C., Irving J. Feist, President, Boy Scouts of America)

Honored guests who are giving of your time to be at this breakfast, ladies and gentlemen of Congress, I am—like many of you—one who volunteers his time because I believe that Scouting is important in its influence on boys.

Many of you have indicated to me that we must do more. For we believe that, perhaps, if we had reached more boys and influenced

them more deeply, great segments of our youth would not be in turmoil today.

1968 was our year to set a challenge that will be reached in 1976—the 200th anniversary of the founding of our Nation. And as I have worked in literally hundreds of meetings, I know that we will succeed in our effort to build boypower for the Nation's future.

Even as early as last May, our record-breaking attendance at our annual meeting accepted the mandate from the 90th Congress in its Joint Resolution which said, in part, that the Boy Scouts of America should further advance its services to youth so that "more boys in every segment of our country will be involved in its program and that future generations of Americans will be better prepared."

Boypower '76, this long-range plan to meet the needs of the future, is really based on the purpose of Scouting as it was defined at our beginning in 1910 and in the Federal Charter which was granted in 1916.

We have looked at this purpose carefully in the past year, and we have not changed it, but we have keyed it to the present day.

Our goal, then, for the next seven years is to provide boys with an effective program designed to build desirable qualities of character, to train in the responsibilities of participating citizenship, and to develop in boys personal fitness.

If the boys of today are to be good citizens of tomorrow, they must have personal and stable values firmly based on religious concepts. They must understand the principles of the American social, economic, and governmental systems. They must be knowledgeable about their American heritage and take pride in it. They must understand America's role in the world. They must have a keen respect for the basic rights of all people. They must be prepared to fulfill the varied responsibilities of participating—giving leadership—in American society and in the forums of the world.

The year of 1968 was a memorable year in the lives of all Americans. For many it was a time of doubt and despair. But for most it became a time of hope and renewed faith. Amid unrest and widespread poverty, the people sought answers to many difficult problems.

When we reach the 200th anniversary of our Nation, Scouting will have moved forward with eight years of intensive effort on the prime premise that "America's Manpower Begins with Boypower."

If Scouting has favorably affected the lives of one-fourth of America's boys in the past, there is no reason it cannot more effectively influence a more representative one-third of them in the immediate future. And this means that in 1976, we shall have two million more boys in Scouting than we have today.

Our research studies show that Scouting is highly regarded as part of the American scene. They also show that there is still one-fourth of all boys who want to be Scouts but—for various reasons—haven't had the opportunity. Boypower '76 calls for us to reach into every area where boys are—inner-city, rural America, the suburbs.

American boys today reach out eagerly toward adulthood and have an increasing need to challenge themselves against others in preparation for coping and succeeding in an adult world which stresses practical accomplishment, money, success, and self-improvement. Many of Scouting's values fit into this framework. But we are now working through dozens of national committees of dedicated volunteers so that Scouting will have the best methods to point the way for boys toward contemporary American adulthood.

Camping is still the most popular feature of Scouting for most boys—especially the younger ones—and we shall continue to emphasize the values that come from camping.

But, it is true, that those high-school-age boys to whom we offer Exploring—and even some of those who are younger—want to develop themselves for later life. They want to learn useful things that will help in a job. They want to show what they can do on their own. And, as you've heard, they want to be with girls.

So, Scouting during the period of Boypower '76 will keep to its purpose, but it will keep in tune with the times.

This bold, new venture—this crusade, if you please—has clear and measurable goals that will unite our team and focus its efforts. I have met with our Scout leaders across the Nation, and these goals of Boypower '76 are serious commitments to all adults related to Scouting. There have even been meetings with hundreds of representatives from America's news media, and they, too, are excited about the impact that Scouting can make on our Nation through the attainment of the goals of Boypower '76.

We report to you, then—as these Reports to the Nation Scouts will report to President Nixon tomorrow—that Scouting has launched a program that will rekindle the spirit of '76.

We report to you that Scouting is moving into an exciting new era with an ambitious and courageous program to achieve the great destiny that is ours if we but have the will to reach for it.

Ladies and gentlemen, America needs the old-fashioned patriotism which built our heritage. With the help of hundreds of thousands of volunteer leaders, Scouting will deliver.

America needs support for attitudes of respect. And Scouting is pledged to deliver.

America needs young men motivated to self-reliance. And our challenge is that Scouting can deliver.

This is the great opportunity that lies ahead for us. We call it Boypower '76. And we say Scouting is one of the few ways a boy can have a good time while he builds himself into the kind of citizen his community—and his Nation—can be proud of. We say, America gets its great strength and drive from its manpower. But, it is true, too, that America's manpower begins with Boypower. And Boypower '76 is the name of our game.

THE EVIL OF RACISM

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. REES. Mr. Speaker, a very distinguished constituent of mine, Mr. John Factor, is disturbed, as so many of us are, over the inherent evils of racial prejudice. He recently purchased space in the major newspapers in Los Angeles to bring to the readers his own thoughts on the evil of racism.

I would like to have the text of his message printed in the RECORD so his words might be available to all Americans:

THE EVIL OF RACISM

Race prejudice, a universal human ailment, is the most recalcitrant aspect of the evil in man.

Few of us seem to realize how insidious, how universal an evil is racism. Racism is man's gravest threat to man, the maximum of hatred for a minimum of reason, the maximum of cruelty for a minimum of thinking.

God created different kinds of man, men of different colors and races. From one single man all men are descended. The image of God is either in every man or in no man.

To think of man in terms of white, black or yellow is more than an error. It is an eye disease, a cancer of the soul.

The redeeming quality of man lies in his ability to sense his kinship with all men.

There are people in our country whose moral sensitivity suffers a black-out when confronted with the black man's predicament.

Whenever one person is offended, we are all hurt. What begins as inequality of some inevitably ends as inequality of all.

One hundred years ago the emancipation of the Negro was proclaimed. It is time for the white man to strive for self emancipation, to set himself free of bigotry and contempt.

By negligence and silence we have all become accessory before the God of mercy to the injustice committed against the Negroes by men of our nation.

When blood is shed, human eyes see red; when a heart is crushed, it is only God who shares the pain.

The crime of murder is tangible and punishable by law. The sin of insult is imponderable, invisible.

In the Hebrew language one word denotes both crimes. "Bloodshed" in Hebrew, is the word that denotes both murder and humiliation.

Racial tension and strife is both sin and punishment. The Negro's plight, the blighted areas in the large cities, are they not the fruit of our sins?

The shotgun blasts that have killed those leaders who sought justice and the innocent people who were victims of injustice make us cry for shame wherever we are.

Seen in the light of our religious tradition, the Negro problem is the test of our integrity, a magnificent spiritual opportunity.

Our concern must be expressed not symbolically, but literally; not only publicly, but also privately; not only occasionally, but regularly.

What we need is the involvement of every one of us as individuals. What we need is the constant awareness of the monstrosity of injustice. History has made us all neighbors. The age of moral mediocrity and complacency has run out.

This is a time for commitment, for deed, for action.

UNFAIR TAX TREATMENT OF PERSONS WHO ARE REALLY IN FACT HEADS OF HOUSEHOLDS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. VANIK. Mr. Speaker, present tax provisions discriminate against widows, widowers, and single persons, treating them as single persons even though they may genuinely be heads of their households. Most single persons today operate their own households meeting the full burden of household expense. The tax laws should recognize the special problem of the 4,500,000 single wage earners in the United States.

Therefore, I am today introducing legislation, as I did in the 90th Congress, to remedy this unfair treatment of persons who are really in fact heads of their households.

The following table compares the present tax liability of a single person with what it would be if his income is taxed at the rate applied to married taxpayers filing tax returns as heads of households. This head-of-household rate would apply to unremarried widows, widowers, and single persons over 30 years of age under the legislation which I have introduced.

Total income.....	\$7,500	\$10,000	\$15,000	\$25,000
Personal exemption.....	600	600	600	600
10-percent deduction.....	750	1,000	1,500	2,500
Taxable income.....	6,150	8,400	12,900	21,900
Tax liability (including surtax):				
(a) Single taxpayer rates.....	\$1,285	\$1,916	\$3,154	\$7,680
Percent to total income.....	17.1	19.1	21.0	30.7
(b) Head-of-household rates.....	\$1,203	\$1,760	\$2,819	\$6,578
Percent to total income.....	16.0	17.6	18.8	26.3
Tax saving under Vanik bill.....	\$82	\$156	\$335	\$1,102

As you can see from this table, a single person would save \$82 under my bill if he made \$7,500 per year; \$156 if he made \$10,000 per year; \$335 per year at \$15,000; and \$1,102 per year if he earned \$25,000.

It is my hope that the Ways and Means Committee will be able to consider this bill during its up-coming hearings on tax reform and revision.

A TEACHER AFFECTS ETERNITY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PODELL. Mr. Speaker, it is my sad duty to call to the attention of my colleagues the passing last Tuesday evening of a most remarkable gentleman, Mr. Joel Braverman. This sensitive man, consumed by his great love of children dedicated nearly his entire life to their education. He was founder and for years principal of Yeshiva of Flatbush Elementary and Secondary School in Brooklyn. Under his watchful, fatherly eye the fledgling school grew. Nourished by his dedication, strengthened by his vision and tireless energy, the school matured into one of the finest institutes of Hebrew learning in the United States.

I knew Joel Braverman for many years. It was my privilege to have attended the Yeshiva of Flatbush and to have been exposed to this unusual man. I can truthfully say that he played a profound role in my life. He was more than a principal, more than a teacher. He was a friend, a confidant, a guide, a man loved and emulated by the children he loved. He was the kind of man who influenced and shaped the characters of all who came into contact with him. His interest in each child was genuine and he recognized each of us as an individual. Children were his whole interest, his whole life. His dedication to them and to their education was uncompromising. Those of us who knew him feel his loss intensely and personally.

The loss of Joel Braverman is too great for the cause of education. He was a giant and a leader in the field of Hebrew education. He was a planner and an architect. He designed and brought to life an educational program of the finest quality. It is because of his efforts that Yeshiva of Flatbush has achieved the outstanding reputation which it has. Private education in this country is a tradition. It testifies to our freedom of religion and of conscience, and our right to direct the upbringing and education of our children. The establishment and operation of an institution like Yeshiva

of Flatbush is an exercise and a reinforcement of that right and is, in a very real sense, a contribution to American education. This is part of the legacy which Joel Braverman has left us.

But we will remember him most, I believe, for his warmth, for his great concern for the feelings of others, and of course for his intense love of children. He was the kind of man and friend who makes life more meaningful. Henry Adams once wrote:

A teacher affects eternity; he can never tell where his influence stops.

It consoles me somewhat to think that Joel Braverman will live on in all the children he influenced and in all their achievements.

CITIZENS LAUDED FOR ASSISTANCE RENDERED DURING CALIFORNIA DISASTER

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BELL. Mr. Speaker, recently the Los Angeles area which I represent was struck by disastrous rains which released tons of mud on many homes in the 28th District. Had it not been for the generous and tireless efforts of our city's professional agencies, volunteer organizations, and untold hundreds of citizen volunteers, this disaster from which we are still recovering would have been greatly magnified.

I would like to commend those people who gave so willingly of their time and energy to assist their neighbors in a time of crisis. Unfortunately, it is impossible to name individually each of those fine citizens. They came when there was a need and left quietly when the battle was over—satisfied only with a job well done. The groups involved and represented in assisting the 28th District, however, included the Law Enforcement Explorer Scouts, the Civil Air Patrol, student groups from UCLA, a contingent from Loyola University, and individuals from other colleges and universities in the Los Angeles area. Teenagers from all over the city came forward to assist in bagging more than 2,500 tons of sand. Citizen band groups such as REACT and FORE also assisted the National Guard, the Red Cross, and our own Los Angeles Police and Fire Departments.

The generation gap was closed as young and old alike worked shoulder to shoulder for 2 days in torrential rains to save lives and property. Between 400 and 500 citizens were actively involved in this effort and another 400 had to be

turned away. They are back now helping to clean up the destruction.

In a time of trouble and conflict these citizens have proved that in our country concern is still alive and "involvement" is not a quality of the past.

I am proud to be their Representative in Congress.

Each of the citizens and all of the organizations who came forward to assist the afflicted residents are worthy of commendation, and, at the very least, deserve our sincere thanks and gratitude.

LET WOMEN DOCTORS RELIEVE SHORTAGE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. GRIFFITHS. Mr. Speaker, I wish to congratulate Sydney J. Harris for his article entitled, "Let Women Doctors Relieve Shortage." Anyone who reads this article will realize that Mr. Harris is worthy of the Congressional Medal of Honor.

Mr. Speaker, I include the text of the article in the CONGRESSIONAL RECORD:

LET WOMEN DOCTORS RELIEVE SHORTAGE

(By Sydney J. Harris)

I have written about this before, a dozen years ago, but the situation is now worse than it was then, and still nothing much has been done. I refer to the shortage of doctors in the U.S., and our provincial prejudice against women in the medical profession.

Our country could use another quarter-million doctors, but many young men are not able to go through the lengthy and expensive period of medical education; on the other hand, hundreds of thousands of college-trained women could take up the profession if they were encouraged to do so.

The majority of doctors are women in Russia, and in the Scandinavian countries and throughout Europe generally, there are many times more women doctors than we have in the U.S.

Male Chauvinism does not run nearly as high in those countries as it does here. Even female lawyers are frowned upon in the U.S. (both inside and outside the legal profession), are paid less, given more menial assignments, and rarely elevated to positions of any real responsibility in public service, as their male counterparts are.

It may be a plausible (though not, to me, persuasive) argument that women lack the toughness of fibre to make first-rate lawyers; but surely no similar argument applies to their potential abilities as doctors.

In the first place, women tend to be naturally more sympathetic to physical ailments than men; women are more aware of their bodies, more sensitive to biological processes; more emotionally engaged in the arts of nursing and nutrition and conservation of health.

Secondly, and just as important, women have a naturally deeper understanding of psychosomatic ailments—which are at the bottom of more than 50 percent of all cases seen by doctors—because their own minds and bodies are so intimately related, so delicately interpenetrated by one another.

And, so far as the technical skills of medicine are concerned, these can be learned by any competent and ordinarily intelligent person of either sex. What chiefly distinguishes a good doctor from a mediocre one is pre-

cisely the area in which women excel: the ability to identify with the patient, to communicate and interact on a level beneath the merely verbal and intellectual and clinical.

It is one of the scandals of our society that we fail to extract the vast potential from our women, and still condemn them to second-class citizenship in the profession that needs them most.

CONSUMER INFORMATION IN EUROPE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROSENTHAL. Mr. Speaker, those of us who are working for a Federal Department of Consumer Affairs are aware how far behind the European countries we are. Most of the world's industrialized countries, in fact, have already established strong, effective consumer programs with appropriate cabinet representation.

Prof. Hans B. Thorelli, of Indiana University, has described the various ways European consumer organizations, both public and private, are providing consumer information in the following article:

THE TESTMAKERS—A NONCOMPARATIVE STUDY OF ORGANIZED CONSUMER INFORMATION IN EUROPE*

(By Hans B. Thorelli**)

Europe is rapidly becoming consumer oriented. This development is naturally related to the spread of modern marketing management concepts. To no small part the consumer emphasis is also due to the current rise of interest groups, governmental bodies and other institutions exclusively concerned with consumer problems. This paper is focused on organized consumer information agencies engaged in labeling or in comparative testing of products. A variety of forms, from profit-making journals via consumer-subscriber organizations to state-run institutes are discussed. While some standardization of practices is underway, continued experimentation is likely to accompany the further rapid growth of this movement which may be predicted with great confidence. Special interest, and special problems attach to increasing international cooperation in the field.

The most essential aspect of the marketing process—whether viewed from a producer or a consumer viewpoint—is that it is a communications system. Looking at the spectrum of information flowing in the direction of the consumer we find, among other things, advertising, personal selling, user's manuals, homemaker and hobby journals, editorial and critical copy in the newspapers, general education in so far as it upgrades consumer-ship, some specialized consumer education programs, opinion leaders, coffee klatches, legislated information labels, and a great number of quality seals, marks, and labels issued by standardization bodies and trade associations in various industries. The last

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few decades—indeed, the last few years¹—have also witnessed the emergence of what we may call the testmakers, i.e., agencies engaged in labeling or comparative testing of products on an economy-wide basis (or at least without reference to a special industry or group of products). The term organized consumer information is used here, somewhat arbitrarily, to refer to the output of these bodies. It should be observed that many of these organizations also engage in activities other than comparative testing or labeling, such as lobbying on behalf of consumers, operating complaint bureaus, conducting home economics research of a general nature. These other activities fall outside the scope of the study.

The use of the term consumer information to denote the business of testing and labeling agencies is deliberate, as the generation, analysis, and dissemination of consumer-relevant product information is the common denominator in their activities. It should be remembered, however, that several of the organizations go beyond the presentation of basic facts into the realm of consumer "guidance" or "protection."

This paper may be viewed as a progress report, at least in the sense that it is impressionistic and exploratory. While based on data from all Western Europe, comprising some forty different organizations, the report almost surely has omitted a few bodies of significance and some factual mistakes have likely been included. (Being dealers in information about products not all testmakers excel in giving information about themselves.) Also, while it is fashionable to call any research comprising more than one observation comparative, we shall be content with the adjective non-comparative. We have, however, devoted a section to a synopsis of what we consider a truly comparative study.

TERMS OF REFERENCE

Whatever the degrees of government planning and regulation, all West European economies are based on private enterprise. In such a competitive enterprise system there can only be one ultimate testing place: the market. To the extent that organized consumer information facilitates rational behavior by the consumer, it will strengthen the economic system. To the extent that these programs, by being overly solicitous, make the consumer a passive rather than an active participant in the marketplace they will weaken the system. While it would carry this survey too far to take up these problems, it is clear that different consumer information systems will tend to have different types of impact on consumers.

Of the need for improved consumer information there can be no doubt. Information about the market has always been to varying degrees imperfect. It would also seem fairly clear that the increase in availability of relevant information has not equalled the increased need for such information in the last few decades. The acceleration and diversification of technical progress, the cornucopia of new products, the intricate complexity of many of them, and the proliferation of product brands, these have resulted in a phenomenal increase in the "functional distance" between the producer and the consumer. The "geographical distance" and the "temporal distance" between them has grown apace with the nationalization and internationalization of local markets. The "legal distance"

¹ It is worth noting that one-third of the organizations surveyed here were not even born when the field was last inventoried, i.e., in an OEEC study based on 1960 data. Among the new organizations are also a great proportion of the most important ones in terms of innovation and impact in the field. Cf. Jean Meynaud, *Better Buying Through Consumer Information*, Paris, Organization for European Economic Cooperation, 1961.

poses new problems in public rules governing health, safety and fraud. The mechanization of retailing has meant a rapid structural decline in the role of personal selling as a channel of consumer information.

In this changed environment the consumer finds himself with a multi-leveled set of buying criteria, a diversified group of buying decisions brought abruptly to focus by the striking growth in both discretionary income and leisure time. As he is drawn into new and rapidly changing spending areas the consumer often finds that he and, indeed, his peers, have little prior experience to draw on. It is no accident that the prime movers behind organized consumer information have been middle class and professional groups in Western Societies of relative abundance.²

The joining of forces to ensure corrective or compensatory action on the part of consumers was at first limited to the traditional consumer cooperatives, whose interest in this area has been moderate. In the late forties and fifties a new kind of consumer association was founded in European countries, sometimes at the instigation of governmental authorities and often with the support of other groups with social aims—family federations, women's associations, trade unions. The common purpose: to promote consumption in the sense of the consumer interest and to put it on an equal basis with production and distribution.

The European Productivity Agency convened a meeting in 1960 to discuss consumer information systems. The specific objective was to study three methods of informing consumers: comparative testing, quality markings, and informative labeling. Each category corresponds to a specific aim, and the various systems employ different ways of compiling and disseminating information. One of the most striking is the difference in the attitude to the producer: the advocates of comparative tests generally refuse to cooperate actively with the producer, whereas the supporters of the other two methods require such collaboration to achieve their ends. Despite these differences, however, these various methods of information share certain aims, as well as difficulties.

Today, though the individual organizations persist in following a chosen method, due to the multiplication or re-combination of groups, many countries in Europe, taken as a whole, are gradually tending toward the use of all methods to achieve their goal. Still organizational preferences can be discerned.

The year 1964 saw a tremendous change in European orientation toward consumer problems—a change in both pace and in the placement of concern. Some of these quickenings were set in motion earlier, but 1964 was a year of a new emphasis on the consumer as such and this at the cabinet level, as one country after another moved to create new agencies, appoint investigations, or grant new monies to private or public bodies in the field.

A further outgrowth of the convergence of goals among consumer organizations has been the formation of international bodies. These as yet serve mainly a clearing-house function. When they have taken independent initiatives, execution in the past has largely been the responsibility of national members. International organizations of special interest in the testing and labeling context are primarily the following:

International Organization of Consumers Unions (The Hague, 1960). 25+ member organizations from some twenty countries, including Consumers Union (U.S.). Broad interest, but focused on comparative testing.

² This certainly does not mean that there is no need for consumer information programs in the underdeveloped countries. Only that the need there is not likely to be met spontaneously by local voluntary organizations.

Bureau Européen des Unions de Consommateurs (Brussels, 1962). Hitherto primarily a contact organ for certain consumer groups in the EEC. Will be the sponsor of so-called Eurotests.

Nordiska Komittén för Konsumentfrågor (Inter-Scandinavian Committee on Consumer Matters, Copenhagen, 1958). Denmark, Finland, Norway, Sweden. Inter-governmental. Promotes common approaches, methods, criteria as regards testing.

Centre International pour la Promotion de la Qualité (The Hague, 1962). Austria, Belgium, France, Germany, Holland, Spain, U.K. Thus far has promoted informative labeling as well as quality labeling. London conference 1965 discussed harmonization of national efforts, especially testing methods.

International Organization for Standardization (ISO, Geneva, 1946). In 1964 became interested in SMMP—standard methods of measuring performance of consumer goods. Will work with international and national testing and standardization bodies on this problem.

International Electrotechnical Commission (Geneva). Autonomous affiliate of ISO for standardization of electrical goods. In 1964 initiated work on SMMP for household appliances; hopes to have first recommendations published in 1966.

For the further discussion four categories of activity are distinguished:

1. Comparative Testing

A. Counseling (with overall product ratings)

B. Non-counseling (without overall product ratings)

2. Labeling

A. Quality certification

B. Information labeling

Comparative testing denotes a special kind of market survey carried out by an independent body. This organization selects the individual samples of the brands of a given product (or products, if the focus is on substitute products) to be tested, and also prescribes the characteristics to be tested, and the test methods to be used. The results obtained for each brand are reported (frequently cross-tabulated). A generalized judgement about the whole product—usually including a consideration of price and of non-testable but relevant features—may be added, in the form of an overall rating, or a categorization in terms of relative recommendability ("best buy", "not acceptable" etc.) as a consumer counseling device (category 1A). Other organizations prefer to let the tests of individual characteristics and products speak for themselves, hence generally do not include any overall product ratings (category 1B).

While the use of brand names complicates the work of the testing bodies by multiplying the number of items to be tested, by facilitating the identification of the product for the consumer, branding makes the system workable. Comparative testing is by far the most difficult and the most expensive scheme to administer. It has the advantage of typically (although not necessarily) giving greater depth of information than labeling, in terms of number of product characteristics embraced. The consumer is also given a great range of information, in that the tests generally comprise a great number, if not all, of the brands available.

Labeling here denotes an activity in which an organization, after establishing certain minimal criteria as to product quality and/or range and depth of information about product characteristics, will permit interested producers to attach the quality seal and/or informative label of the organization to their products, as long as these comply with criteria. Quality certification (category 2A)—based on the agency's notion as to what constitutes product "fitness"—tends to include information labeling as well. At times, however, producers content themselves with only

attaching the quality seal to the product. Organizations engaging in information labeling *per se* (category 2B) prefer to let the facts on the label speak for themselves. All economy-wide labeling schemes in existence are voluntary, i.e., dependent on producer cooperation. Routine compliance testing is often entrusted to the producers themselves; all organizations retain the right to undertake control tests *ex officio*. This decentralization makes for economy in operation.

The great advantage of quality seals and information labels is that they provide point-of-purchase data. On the other hand, the number of labeled brands available in a given retail outlet may be small. There are often unlabeled brands among those available; it is not always easy to decide for what reason the producers of unlabeled brands are not in the labeling scheme and what, if anything, this has to do with the quality or characteristics of their products. Due to the relatively lower cost of operation, labeling schemes often embrace a much greater number of different products than comparative testing systems.

Common to the procedures of all these consumer information organizations is that at some stage of events they all involve product testing. Though patterns are changing rapidly it may be convenient to correlate these categories with geographical areas: comparative testing with overall ratings with the U. K., quality certification with the continent and information labeling with Scandinavia. Among the Scandinavian countries Sweden is the classic representative not only of labeling but also of comparative testing of the non-counseling variety. Another generalization: comparative testing in various forms seems to focus on the *market-consumer* relationship, quality marking on the *manufacturer-consumer* relationship, and informative labeling on a *product-consumer* relationship.

Before proceeding to the cross-country overview we may note the striking variety of sponsorship among testing and labeling organizations. These are organizations based on broad individual membership, such as the Consumer's Association in the U.K.; there are private profit-making ventures such as the German DM and Italian Quattrosoldi journals; there are private federated organizations, such as Switzerland's Fondation pour la Protection des Consommateurs. There are government-subsidized but privately administered organizations, such as Union Fédérale de la Consommation in France; there are quasi-government bodies, such as Varudeklarationsförbundet in Finland; there are all-government agencies, such as the Consumer Council in U.K. Frequently organizations with different types of sponsorship exist side by side within a single country, sometimes engaged in different, sometimes in similar activities.

ORGANIZATIONAL FORMS: CROSS-COUNTRY OVERVIEW

In some countries, such as Denmark, all three systems under discussion here are used. In others, the combinations are not as well developed, although in most countries there is quite a flora of interested groups. This pluralistic approach has resulted in many organizations seemingly performing the same function and in many countries comprising the same persons or groups. Unfortunately, the data concerning these organizations are not complete. Several groups are yet to be heard from; undoubtedly many, especially local groups, are as yet not uncovered. These gaps may even distort the picture as a whole, especially on the continent where diverse organizations, some in existence for a long time, have been interested in consumer information systems only in recent years.

Comparative testing

We will discuss first comparative testing organizations which do give an overall prod-

uct rating (category 1A). The first European organization of this character, where brand-named products were compared, ranked with prices, and results made public, was Neytendasamtökin, the Consumers Union of Iceland, formed in 1953. This spunky organization, with under 10,000 members, was quickly embroiled in litigation due to a warning on a harmful detergent, issued as a result of its published findings. As plaintiff prevailed in lower instances, activities of the organization were hampered, but after N. was vindicated in the high court in 1960 the road is clear for organized consumer information in Iceland. Not concerned wholly with comparative testing, Neytendasamtökin receives a government grant comprising about 20 per cent of its \$5,000 plus budget.

The year 1953 also saw the establishment of the Nederlandse Consumenten Bond in Holland, a non-profit organization with 63,000 individual members and 18 organizational members, whose total membership, in turn, reached the 200,000 level in 1964. This organization is totally independent of producers as well as the government. Organizational members are civil service groups, teachers and pensioners. Its annual budget of \$70,000 comes from its membership exclusively. By far its most important function is comparative testing. It has on occasion received financial help from labor unions and cooperatives in running tests, and at least once a test was performed by the Consumers' Association in England, financed by Consumers' Union in the United States, for both the Nederlandse Consumenten Bond and l'Association des Consommateurs in Belgium. The list of items tested through 1964 includes some 22 appliances, from refrigerators and washing machines to batteries and exposure meters, and 34 other items, including such things as glue, can openers, cigarettes, toothpaste, tennis balls. Its periodical, *Consumentengids*, appears eleven times a year.

Another Dutch organization, Consumenten Contact Orgaan (CCO) was set up in 1957 by the cooperatives, the Consumenten Bond and three labor groups, with a family organization joining in 1963. A government grant of \$28,000 in 1963 was intended to cover 70 per cent of the costs of their comparative testing activities. In its 1964 budget CCO claimed to have about \$60,000 for testing; in 1965 about \$85,000. A fascinating development here is that this organization actually has made an attempt to cooperate with the producer. He is contacted usually before and after the tests for comments. He receives the general report in draft, and also the technical data concerning his product. CCO publishes an information bulletin ten times a year.

The Norwegian Forbrukerradet also performs its comparative testings in some cooperation with the producer. Of the total budget of this largely governmental body of around \$175,000 a year, some 70 per cent comes from public funds. What part of the budget is devoted to comparative tests is unknown. Since their establishment in 1953 they have engaged in informative labeling and quality markings as well. Their popular publication, *Forbrukerrapporten*, with a circulation of 100,000 to 10 per cent of Norway's households, appears ten times a year.

There are two comparative testing organizations in France, Union Fédérale de la Consommation (UFC), established in 1951 and Organisation Générale des Consommateurs (ORGECO), established in 1959. UFC is composed of 36 organizational members, with a group of officers including a member of the Ministry of Finance and Economics, the President of Qualité-France, and a number of consumers and economists. Though not primarily a comparative testing organization, it publishes its results in *Que Choisir?*, a periodical appearing bi-monthly, and a quarterly bulletin. About 60 per cent of its budget comes from the government. The other, ORGECO, has already appointed an

officer in charge of its participation in the Eurotests, even though this is thus far a purely experimental development. It publishes bi-monthly the *Information Consommation*, with a top circulation of 25,000 copies. Thirty per cent of its annual budget of about \$40,000 is supplied by the government.

Great Britain's Consumers' Association, established in 1957, with a present membership of about 450,000, is perhaps the most active of these comparative testing organizations. Its publication *Which?* has been well received indeed, and its research and editorial staff of 50 is vigorous and has proven to be an effective advocate of this system. It is a dedicated group. Non-profit making in form, it staunchly holds to its policy of no other relationship to producers than that they are invited to comment on CA's results as to technical specifications of products, before these results are published.

CA's pre-test data collection covers such topics as market share, availability, and advertising expenditures. They use panels of consumers and panels of scientists and technicians to help determine which brands to test, sampling procedures and what tests to make. As with all comparative testers, shopping is done anonymously.

With an annual budget of around \$1.7 million, this organization is financially equipped to show results. From 1957 to June 1965 the CA tested and reported on over 400 products, some few more than once as newer models appeared or changes occurred, or as different aspects of products became important. In addition CA has reported on such diverse consumer problems as installment buying, funerals, resale price maintenance, and trading stamps.

L'Association des Consommateurs (formerly Union Belge des Consommateurs) was formed in 1957 as a non-profit independent organization of private consumers. With a membership of only 11,000 and a budget of \$50,000 annually, this organization publishes in both French and Flemish an eleven-issues-a-year periodical, *Test Achats* and *Test Aankoop*, respectively) carrying results of its comparative tests. A member of both IOCU and the BEUC, this organization participates in Eurotest and other jointly sponsored tests, several in cooperation with NCB in Holland.

In 1961 Verein für Konsumenteninformation was established in Vienna. Sponsored by labor, agriculture and producer groups (some of which are semi-governmental in nature), it presents a different composition than many of the other consumer associations. Multi-purpose, it has not hesitated, however, to undertake some comparative testings and to issue reports, both intermittent market surveys and a bi-monthly periodical, *Konsumant*. Early in its operation it, too, was involved in litigation due to a warning on a dangerous stove. A special feature of this group is the maintenance of a permanent exhibit of recommended products in Vienna. Subscribers account for about 10 per cent of its budget, non-commercial grants for almost 90 per cent.

La Fondation pour la Protection des Consommateurs set up only in September, 1964, in Switzerland by three labor unions and the cooperatives, hopes to perform one test a month. Their tests, as far as is known, have so far dealt with soaps, stockings, and different brands in regular and premium gasoline, professional-type standing hair dryers, and watch repair and service. Not unreasonably, the name of their publication is *Test*.

None of these organizations has its own testing laboratories. Consumers' Association in England does maintain its own facilities for automobile testing. These agencies rely on university and private laboratories.

Dramatic in its appeal is the German *DM*—Verleger Waldemar Schweitzer, a private firm publishing a weekly magazine, *DM*, selling at a price of one Deutsche Mark.

Established in 1961 this magazine had published the results of more than 250 comparative tests by January 1965. It claims a circulation of 500,000, and its fame might suggest the figure were even larger. The yearbook, which carried the results of 91 tests in 1964, was given an initial imprint of 250,000. *DM* maintains its own laboratory near Stuttgart, with 22 engineers and technicians. Unabashed in style, it passes judgment in a flurry of publicity. It has been involved in a great deal of litigation, the most notorious concerned the Volkswagen 1500. To date many matters, including the VW controversy, have been settled, if not amicably, at least finally, out of court. Others are still pending. *DM* also carries other reports, such as services of charwomen, garages, and the waywardness of watchmakers' repair service.

Quattrosoldi (Fourpence) is the other European privately-owned magazine, which publishes results of comparative tests on a monthly basis. Begun in 1961 in Milan, it currently claims a circulation of 200,000. *DM* and *Quattrosoldi* have little in common. *DM* is aggressive, very doggedly certain; *Quattrosoldi* is philosophical, with moral uplift tone. *DM* is terse; *Quattrosoldi* is florid. Both accept advertising; perhaps as much as 25 per cent of the pages in *Quattrosoldi* and about 10 per cent of *DM* are devoted to advertising. *Quattrosoldi* is a glossy, slick, eye-appealing monthly costing 50 cents a copy, with only about 15 per cent of its space devoted to comparative test results; *DM* is a functionally oriented, technically-worded weekly with almost 40 per cent devoted to test results. One of the purposes of *Quattrosoldi* is to provide a means for persons with little savings (fourpence) to invest their money in stocks, and the journal carries regular consumer information reports on leading Italian and international securities. Outside the normal channels of investment, ways have been established through *Quattrosoldi* for the individual to buy as little as one share.

Akin to the testing organizations just described are those comparative testmakers who generally do not include overall product ratings (category 1B). Many of these function as sections of home economics institutes or are connected with standards associations, or set up as quasi-independent agencies financed by the government. Their work varies from testing many branded products and reporting on each individually according to specific points to reporting detailed test results run on one specific product or brand. Some develop or set up test methods, such as Germany's Ausschuss für Gebrauchstauglichkeit (AGt), some experiment with alternative methods of performing household functions.

The Danish Statens Husholdningsrad, set up in 1935 but reorganized in 1960 within the province of the Ministry of Interior, conducts group testings on household items and appliances, publishing results bi-monthly in both a popular periodical, *Rad og Resultater*, and a technical journal, *Tekniske Meddelelser*. The testing of small utensils, such as can openers or paring knives, may result in the improved utensils bearing the label "Made in Collaboration with the Government Home Economics Council," or in informative labeling stating characteristics of the article concerned. Husholdningsrad has had its own laboratories since 1956. With a budget of around \$200,000 a year this institution has other aspects which border into the quality marking area.

Sweden's Statens Institut för Konsumentfrågor, financed by the government with a budget of around \$300,000 has roots as far back as 1940, though its present form dates from 1957. Primarily engaged in consumer education broadly, household studies and research, it does a good deal of comparative testing, Viking style. That is, branded products, such as washing machines, are individually tested in many areas of performance,

with strictly factual reporting. The products are not ranked; nor are they generally given any rating such as recommended or not recommended. Prices may not be stated. Konsumentinstitutet also conducts tests on request of industry. It publishes a popular periodical, *Rad och Rön*, ten times a year and at least two other series dealing specifically with different product groupings or household functions, such as its famed home laundry and vacuum cleaner studies.

Schweizerisches Institut für Hauswirtschaft (SIH), established in 1948 by the Women's Third National Congress in Zürich, unites 43 member organizations and others to test products, publishing results in *SIH für Sie* quarterly and *Elektrische Haushaltgeräte* monthly. It also conducts research and studies in many areas of household management. Its funds, about \$60,000, come from subscriptions and sale of publications. Two organizations loosely federated in the Commission Suisse des Consommatrices (1963), the Federation Romande des Consommatrices (1959) and Konsumentinnenforum der Deutschen Schweiz und des Kantons Tessin (1963), claim to do testing. As yet, as far as is known, not much has been published.

France's Association Pour la Diffusion des Techniques Ménagères, a non-profit private organization set up in 1952, is composed primarily of some one thousand schools of home economics and nine other organizations with broad appeal. It maintains its own testing house, where it also permits producers to have their products tested. Looking at quality, function and price it publishes brochures on many different products, such as water heaters, sewing machines, freezers, and refrigerators. It also publishes a bulletin quarterly. The government contributes 18 per cent of its annual budget of \$40,000.

The Laboratoire Coopératif d'Analyses et de Recherches affiliated to the cooperative movement, is at the disposal of consumer groups for analyses and tests. With a budget of \$100,000 including government subsidies, this 1955 organization conducts tests itself on such items as cheese, ham, and frozen fish. It has several publications, such as *Je voudrais savoir* and *Bulletin d'Information*. Bundesforschungsanstalt für Hauswirtschaft, sponsored in 1951 by the German Ministry for Food, Agriculture and Forestry and the Board of Home Economics Research, is composed of representatives from home economics schools and the government. Its testing is for fundamental research only, developing test methods and testing types of products such as refrigerators, freezers, and mixers.

Germany's Arbeitsgemeinschaft der Verbraucherverbände (AGV), a 1953 non-profit federation of twenty member organizations comprising a total of seven million individual members, tests products itself and also uses other testing laboratories, giving out purchase guides and other studies. Its electric iron study gave a complete outline of the market situation: 140 irons with specifications of their most important characteristics and their price. On request single tests are made on behalf of producers. It also develops test methods and elaborates test conditions for other organizations. Of its total income, \$75,000 annually, 55 per cent comes from the sale of its publications, two of which are *Verbraucher Politische Korrespondenz*, 36 issues a year, and *Verbraucher Rundschau*, a monthly. The former publication is a broad consumer-policy interest, while the latter focuses on testing.

The new German Stiftung Warentest, not a year old yet, will commission tests from existing scientific and technical institutions. Results will be published in a bi-monthly periodical, but there will be no system of rankings. Funds will come from the Economics Ministry, \$100,000 to equip headquarters, and an operating budget this year, 1965, of \$500,000, and \$1 million for each of 1966

and 1967. They hope to do about 70 tests a year.

The Warentest foundation is a compromise result of several years of sometimes violent debate concerning the role of the federal government in consumer information. While given sizeable resources the agency at least initially leaves no one fully satisfied. Interestingly, the AGV has gotten together with industry and trade to form an Aktionsgemeinschaft für Warentestfragen, with the aim to strengthen the cooperation between consumers, trade and industry as regards comparative testing and to support the Stiftung Warentest "by proposals and constructive criticism." As its first contribution this joint venture has published a memorandum to the foundation of considerations which should be taken into account in the selection of commodities for testing.

Two organizations in Belgium test goods, Union Fémine Pour l'Information et la Défense du Consommateur, and Raad Van Huisvrouwen, both in Brussels. The former, a 1959 non-profit organization, does a more basic type of test: determine composition or properties of products, using results for broader educational work. They do not automatically publish results. The latter organization was set up in 1958 by a labor group to inform itself through testing. These tests may result in recommendations to manufacturers and also to awarding "quality labels."

Quality certification

First in issuing quality marks of the sort described here (category 2A) was Association National Pour la Défense de la Qualité Française, better known as Qualité-France. Established in 1947 it was followed by similar organizations in Belgium in 1952 and subsequently in Holland, Germany and Spain. In 1959-1962 Italy also had a similar organization, Istituto Qualità Italia, and for a while it seemed as though Austria's Wirtschaftsförderungsinstitut der Bundeswirtschaftskammer would institute such a system, although this organization now seems more interested in labeling. Austria is still a member of the Centre International Pour la Promotion de la Qualité which held a meeting in London in May of this year (see p. 54 above). Great Britain's Consumer Council is also a full member of this international agency, though it has no quality-marking arrangement nor is it planning to institute one. Other organizations not engaged in quality-marking in the strict sense also participated in the London conference, that is, from Denmark, Sweden and Switzerland.

Qualité-France is governed by a 25 man board with representatives from consumer groups and trade associations, producers, distributors and the government. It is financed by annual fees, user fees and testing charges imposed on participating producers and by government subsidies. The Director-General insists that the agency is administered independently of the government. Encompassing manufactured products in a wide array from foods and textiles to domestic appliances and furniture, Qualité-France had by the end of 1964 issued quality markings to 600 firms manufacturing some 3,000 products. In addition to seven technicians employed full time by Qualité-France, the institution has access to forty outside professional laboratories. Use tests are run by home management organizations or Qualité-France's Consumer Panel of 300 members. Questionnaires are also used to assess the acceptance of their threshold standards. Information concerning quality marks is circulated by bulletins and through an annual catalogue, but as with all labeling organizations consumer awareness is created primarily by the label itself at the point of purchase.

Qualité-France uses a descriptive label, in many ways similar to the information labeling device used in Sweden. The manufacturer is required to use the whole label, giving his

specifications which must, of course, meet the minimum but can give a higher range on any characteristic on which the product exceeds the quality threshold. At one time Qualité-France reported that out of two or three hundred cases submitted every month, all but about twenty were withdrawn as soon as the applicants realized what was involved, and only about ten of these were actually approved. Five of the ten largest firms in France are reported to have had products rejected. Moreover, ten to twenty are eliminated every year due to their lowering their quality or modifications made in the technical specifications. Complaints are handled judiciously. Of the two thousand complaints a year one-half are unjustified; the product was used improperly or was completely worn out. Whenever the firm is at fault it is obliged, under its agreement with Qualité-France, to repair or replace the product. Qualité-France thus far has given seals only to French producers.

Qualité-Belgique, Office Pour le Contrôle de la Qualité, maintains a permanent committee to draw up technical specifications. It is composed of twenty-one members taken from diverse sectors—textiles, chemicals, food service. There are 81 such specifications. This technical committee sets up criteria of approval, selects laboratories, organizes use tests and analyses data collected. If it refuses to grant a label, a detailed report goes to the applicant.

As of October 1964 Qualité-Belgique had outstanding quality marks for 135 firms in textiles, metal manufacturing, clothing, furniture, cleaning materials and household equipment. No permits had been revoked during the period from January to October 1964, but during 1963 four firms who did not fulfill their obligations were excluded. Laboratory analyses reached the 160 mark during the nine-months period. Qualité-Belgique uses local Clubs de Consommateurs (as does Qualité-France to some extent), but their thirty clubs are part of La Ligue des Familles Nombreuses de Belgique, which also circulates (450,000 copies) information on Qualité-Belgique in their weeklies in French and Flemish. Qualité-Belgique's current operations are financed by annual fees and charges to producers for costs of tests and controls. However, it has also issued 3,523 shares of which 2,653 are held by consumer groups. At least as far as finances are concerned, Qualité-Belgique is independent of the government.

The Dutch quality marking organization, Instituut Tot Voorlichting Bij Huishoudelijke Arbeid (IVHA), originally sponsored by the Nederlandse Vereniging van Huisvrouwen, tests and issues quality marks theoretically for all products, except foods, textiles and furniture. By the end of 1964 it had outstanding 517 quality marks. Its monthly *Denken en Doen* gives detailed descriptions of approved goods. IVHA awards quality marks for a two-year period only. After this interval products must be retested before the marks are re-issued. Annual fees charged for the use of the label are set on a sliding scale based on retail price of the commodity.

RAL beim DNA (Ausschuss für Lieferbedingungen und Gütesicherung beim Deutschen Normenausschuss) is both a quality-marking and an informative-labeling organization. Set up within the framework of the 1925 German Standards Commission, this agency also belongs to CIPQ. Adequate instructions on use and handling care necessary to maintain the tested properties of the goods are included on the marking label.

Calitax, the Spanish Calitax Quality Promotion Foundation, located in Barcelona, is also a member of CIPQ and has adopted similar procedures. Minimum threshold specifications are supplied to the manufacturer in advance. He submits his technical specifications or a list of characteristics claimed

for the product. After scrutiny, the factory is visited where samples are taken and the equipment and quality control methods examined. Laboratory tests are performed. The staff and manufacturer agree on the information needed and wording of the quality label. National newspaper advertising is used to circulate the names of the articles tested with favorable results. At least forty producers have such markings.

The Danske Husmodres Forbrugerråd dating from 1947 has recently gained added life by introducing last year a new bi-monthly periodical, *Taenk*. This organization consists of representatives from twelve associations representing half a million housewives. It is independent of the government. It seems especially concerned with work dealing with standardization and quality-marking of articles, having established its own quality certification. The manufacturer binds himself by contract to keep certain specifically agreed quality standards and to subject himself to the control of Forbrugerråd.

Belgium's CENATRA, Centre National d'Assistance Technique et de Recherche Appliquée, founded in 1958 at the suggestion of the Ministry of Economic Affairs, has created a number of association marks of approval, primarily washability and laundering marks. In the field of standardized qualifications Germany's AGV has worked out the labeling in the textiles field.

Information labeling

In Europe today it is the Scandinavian countries, Denmark, Finland, Norway and Sweden, which have taken the far lead in information labeling (category 2B). The Molony Committee (Great Britain's Committee on Consumer Protection) reporting in 1962 suggested that, "in any system of consumer protection adequate information is the first line of defence." As a result of their recommendation the Consumer Council will launch in late 1965 or early 1966 a labeling scheme which will have much in common with the Swedish scheme.

Sweden's Varudeklarationsnämnden (VDN) was established in 1951 as an independent affiliate of the Swedish Standards Association. The chairman is appointed by the Government on nomination of the Standards Association. The cooperatives, labor, the government Consumer Council, the government testing laboratories, distributors, producers, agriculture and private consumer groups and the association of home economics teachers, all have representatives on the board of fourteen members. Except in cases where health and safety might be affected (life vests), VDN like other labeling institutions does not call for minimum standards, but issues a list of characteristics about which information has to appear on the label. It also specifies the standard method of measuring performance, as well as the scale, to be used by the producer in evaluating the performance of his product on each characteristic. The label will give all characteristics and the guaranteed performance on each.

Through July 1964, 118 technical specifications were compiled and available, 791 licenses issued to 503 licensees. In many areas, foods, household items and appliances, and wearing apparel, specifications are available. Yet to be established are rules for most consumer durables and luxury goods—areas into which VDN is now moving fast.

The government contributed 55 per cent of VDN's more than \$100,000 budget for 1963-64. Eighty-five per cent of the other funds resulted from license fees. VDN also received outside its regular budget some \$40,000 from the government Consumer Council to develop test methods. One reason for the relatively low cost of the VDN operation is the decentralization of the system, which mainly relies on producers themselves to check that their products meet the specifications they place on the labels. In addition, VDN naturally

uses consumer complaints to police manufacturers when necessary.

Norway's Hovedkomiteen for Varedeklarationer og Kvalitetsmerking is primarily engaged in informative labeling, although the name suggests quality marking as well. It was sponsored by the government Forbrukerrådet in late 1954, but with representatives from sixteen member organizations. Of a budget of about \$17,000, seventy per cent comes from industry and trade, the remainder from the government.

DVN-Dansk Varedeklarations-Naevnd, dating from 1957, has a broad representation from ten national organizations, including the Danish Standards Association, with the chairman the director of the Research Laboratory of the Ministry of Fisheries. Their budget of about \$15,000 is financed by contributions from organizations and yearly fees by firms who want goods labeled. By the end of their fiscal year 1963-64 they had 15 specifications, 21 licensees and 126 licenses.

As with other labelers theirs is not a guarantee of quality, but in Denmark, there is more often a requirement that the goods must be "fit" for use to be labeled, in which case there is a lower limit to the quality. DVN also circulates to the other Scandinavian institutes their drafts of specifications before they are adopted. The Danes prefer to have the goods independently tested before manufacturers are permitted to affix the label.

Outside Scandinavia, interest is picking up for informative labeling. In the Netherlands, for instance, a 1950 organization, Nederlandse Huishoudraad (NHR), composed of sixteen women's groups, has been engaged, among other things, in textile labeling since 1957. Together with other organizations, especially Consumenten Contact Orgaan, NHR sponsored in 1964 a brand new agency Stichting Voor Informatieve Etikettering, which has as its aim "to promote informative labeling in the Netherlands" on the Swedish plan.

RAL beim DNA has recently moved into the information labeling area, publishing its first RAL-TESTAT label in May 1965, on a camel-hair blanket. The system adopted by this German organization is closely parallel to the Swedish one.

Especially exciting this fall is the anticipated English system of informative labeling, the so-called Tel-Tags. The British will probably apply minimum performance standards somewhat more frequently than their Swedish inspirators. There will be another difference in orientation between the two. In Sweden all groups—producers, consumers, distributors—are included directly in the formation of the specifications and what the labels are to include. In Great Britain, the Consumer Council plans to draft the label in its own labeling section, then to circulate it to consumer bodies. After an outline specification is prepared by the Council, which defines the items included in the label and indicates methods of measuring performance, it is sent to the British Standards Institution (BSI), to trade associations involved, and to other interested parties with expert knowledge. The Labeling Advisory Committee of Consumer Council and BSI representatives, assisted by a Panel of Advisors who represent appropriate manufacturing interests are to meet under the Council's chairmanship to consider the technical aspects of the labels and specifications. Finally the label with outlined performance specifications is discussed by a regular BSI Technical Committee. The task of this Committee is to lay down the standard methods of measuring performance. These will then be published as a British Standard.

Believing that the validity of the information given on the label depends on the manufacturer's having a proper production quality control system and that the manufacturer may need a bit of needling to test an adequate proportion of the goods labeled,

the Consumer Council, in the contract made with each manufacturer, will lay down the proportion of output of any given class of goods he must check for performance in accordance with the British Standard methods for that class of label. In addition sample purchases will be made in the open market for independent checking, and the manufacturer's works will be visited at least once a year to ensure that production testing and quality control are satisfactory. BSI will be in charge of these checkings and visits. The system will be open to foreign importers wherever they are situated. In contrast with the Swedish system products in Britain (as in Denmark) will be tested *before* labeling is allowed. Moreover, while the British are planning factory control visits, a procedure also used in the quality-marking systems, such visits are not a regular part of the Swedish scheme.

AN ECOLOGICAL FRAMEWORK FOR A COMPARATIVE STUDY

It was stated by way of introduction that, because of resource limitations, this exploratory study was not comparative in any stringent sense of the word. On the basis of the spadework done it should be possible, however, to outline the contours of meaningful future research focused on cross-cultural comparison.

Institutions do not grow in a vacuum. To fully understand a given consumer information organization one must study it in relation to its environment. Such an environmentalist, or ecological approach seems particularly fruitful in the comparative study of organized consumer information. It would seem, further, that the individual country provides a logical starting point. At least at present, organized consumer information is not nearly as significant a phenomenon at the local or the international level as at the national. Most organizations view the national territories and cultures of their respective countries as their natural task environments, and take their cues from that environment. At a later stage we may well find it possible to cluster the nations (including their consumer information systems) into various internationally similar groups. An elementary model of such a framework is given in Fig. 1.

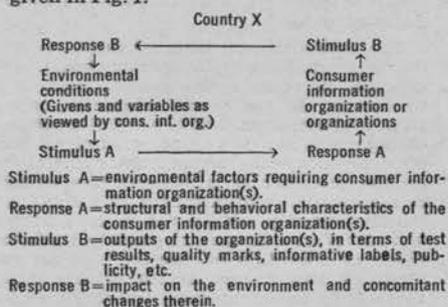


Fig. 1 Framework for Ecological Comparison of Consumer Information Systems.

While the action presumably begins with a set of environmental stimuli (A) provoking the creation of organized consumer information, we are really postulating a reiterative interaction process. The "second time around"—indeed every cycle—will see some change in the composition and relative intensity of stimuli as well as responses, due to the dialectic of the interaction process itself, influences from cultures outside of country X, and so on. Please note that no pretense is made that an ecological approach will explain everything about these organizations. Due to "slack" and other factors, the coupling between organizations and their environments is sufficiently loose to permit the survival of mutually fairly different organizations in a given environment. The effect of time lags in the interaction process will

often be such as to permit intervening events from interrupting the cause-effect relationships which might have been expected. There are many wholly or partly accidental factors, such as the emergence of weak or strong, single-minded or open-minded leaders of these organizations, and so on. It is maintained, however, that cross-cultural study of the type advocated here would represent a major step towards understanding and predictability in this field.

The data at hand were not sufficient to undertake such a study here. Given more time it should not be too difficult to get a significant body of data for a comparative analysis of stimulus-response relations of the A type. On the other hand, organizational output data (stimulus type B) is amazingly troublesome to obtain, and impact information suitable for quantitative comparison (how many consumers were guided in how many buying decisions, how many manufacturers improved their product, to what degree were consumer-producer relations improved or damaged) is next to unobtainable in most countries. Initially, therefore, we would recommend research focused on stimulus-response relations of the A type. Figure 2 shows an illustrative inventory of environmental and organizational variables of presumed special interest and relevance.

FIGURE 2

Environmental variables

- Population size.
- Extent of middle class.
- Standard of living.
- Proliferation of products and brands.
- Standard of education in general, of consumer education in particular.
- Degree of government intervention in consumer matters.
- Polarization of potentially interested groups (propensity for voluntary organizations, heterogeneity in language, religion, regional values, intensity of political cleavages).
- Social radicalism, notably extent of debate of marketing ethics, advertising.
- Faith in private enterprise in general, degree of buyer-seller trust in particular.
- Quality-consciousness.
- Liberality in international trade policies.
- Faith in wisdom of experts.
- Quantity and quality of advertising.
- Degree of mechanization of distribution, and such related variables as height of sales and service salaries relative to other salaries, quantity and quality of packaging materials.
- Functional, spatial and temporal separation between buyer and seller.²

Organizational variables

- Number and diversity of consumer information organizations.
- Dominating type (comparative testing, quality marking, informative labeling).
- Age of organization(s).
- Resources.
- Sponsors.
- Profit and/or non-profit organization(s).
- Extent of unrelated activity carried on by the organization(s).
- Types of goods and services involved.
- Quantity and quality of inter-organizational relations.

Clearly, many of these variables are interdependent. In the environment, for instance, quality-consciousness is probably related to liberality in international trade policies (with concomitant intensity of competition in domestic and overseas markets). On the organizational side, strong government influence is likely to make improbable the co-existence of profit-making organizations (although DM in Germany may still survive the Waren-

² Inclusion of the separation variables was inspired by Robert Bartels, *Comparative Marketing—Wholesaling in Fifteen Countries*, Homewood, Ill., Irwin, 1963, p. 302.

test foundation). Too, some of the variables—the general level of education comes to mind—while quite relevant for purposes of comparison between, say, Nigeria and Belgium, may exhibit too little variation within Western Europe to be of much interest in research confined to that area.

A system of hypotheses for the proposed comparative study is created by relating environmental to organizational variables. Size of population may be positively correlated with presence of profitmaking consumer information organizations.⁴ A sizable middle class, as well as a strongly polarized set of interested groups, is likely to result in a relatively great number, and a considerable diversity, of consumer information organizations. Low quality consciousness among consumers and/or producers may set up a preference for quality marking schemes. These are a few illustrations of some of the possibilities which would seem to grow out of this type of research. For some purposes it may also be fruitful simply to relate various organizational variables to each other. This is tantamount to a comparative study of consumer information organizations *per se*, without special reference to their operating environment.

MERIT PROMOTIONS IN THE POSTAL SERVICE

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FLOWERS. Mr. Speaker, I am pleased and delighted at the remarks made by the Postmaster General, Winston M. Blount, yesterday in announcing a new postal policy removing all postmaster and rural letter carrier appointments from politics. This is a courageous step forward, and is hopefully the first of a series of reassessments of traditional Post Office Department operating procedures which will result in providing the American public with the best possible postal service.

I am, however, concerned about some aspects of Postmaster General Blount's announcement. The wording of yesterday's statement could indicate that merit promotions of career Department employees to postmasterships will no longer be possible. If this is the case, then I am hopeful that further consideration will be given to this matter by the Post Office Department. I am convinced that proper consideration must be given to civil service rated postal employees in order that they may be motivated to seek advancement from within the ranks. Indeed, promotion of experienced, qualified employees would seem to go hand in hand with the elimination of outside influences on Post Office personnel policies. I am certain that the Congress will follow the actions of the Post Office Department and the Civil Service Commission with interest and concern, in order to make certain that

⁴ Cf. *DM* and *Quattrosoldi*. In Sweden a corresponding journal, *Test*, was published in 1962-63, but was not able to remain in business. *Neue Zürcher Zeitung* on Jan. 20, 1965, expressed the view that perhaps Switzerland, too, was too small to permit a profitmaking venture of this kind.

the "top qualified person" to whom Postmaster General Blount referred may come from within as well as without the Department, and that due consideration of the status of veterans of military service will be continued.

STATEMENT SUBMITTED TO THE HOUSE COMMITTEE ON RULES BY REPRESENTATIVE SHIRLEY CHISHOLM

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. CHISHOLM. Mr. Speaker, today the Committee on Rules must make a decision on a very important matter. I refer to your decision on whether or not to report Chairman ICHORD's resolution, House Resolution 89, to the floor of the House.

The Ichord resolution would change the name of the House Un-American Activities Committee to the Committee on Internal Security and would greatly expand the committee's mandate to make mischief.

As you know, HUAC has a history of expensive printing and staff bills and a lackluster record of legislative achievements.

Despite the Supreme Court's ruling that a committee may not conduct hearings solely for the purpose of exposure, HUAC has continued to conduct hearings which have rivaled only the "happenings" staged by the hippies, yuppies, and flower children for their color and chaos.

The "clarifying language"—as Mr. ICHORD's office prefers to call the language expanding the committee's mandate—provides:

The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

Under this "clarifying language," I expect that the committee would feel free to haul any number of the contemporary protest groups before the committee. I

for one feel that these professional demonstrators get enough attention from the national news media as it is, and I do not feel that the American taxpayer should have to foot the bill for their "happenings" before the committee.

Perhaps because of the excesses of HUAC in the past there are some who feel that the name of Committee on Internal Security will enhance the committee's public image. Unfortunately, only the name has been changed. The procedures by which the committee operates have not been changed one iota.

We already have several agencies which perform the function of protecting our internal security. Our local and State police forces, the FBI and the CIA have been performing in that capacity for many years.

It is my firm belief that the interests of this legislative body and this country can best be served not by adopting House Resolution 89 but by adopting House Resolution 134, of which I am a cosponsor. The latter resolution would amend the rules of the House so as to eliminate the House Un-American Activities Committee and affirm the Committee on the Judiciary's responsibility in this area by further defining the Judiciary Committee's responsibilities to include "counterfeiting, sabotage, and other overt acts affecting internal security."

House Resolution 134 would also provide that "all property and records of the former Committee on Un-American Activities are hereby transferred to the Archives, not to be open to official or public inspection."

The final provision is very important because in the past HUAC's "unevaluated files" have been utilized to smear some of our most respected national figures. The reputations of such prominent Americans as Dr. Martin Luther King, Jr., and Eleanor Roosevelt have been besmirched in this manner. All citizens notable and unknown ought to be protected from this sort of ugliness in the future.

JOHN COTTON INSTALLED AS PRESIDENT OF NATIONAL ASSOCIATION OF REAL ESTATE BOARDS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, it has come to my attention that Realtor John Cotton was inaugurated as the National Association of Real Estate Board's 1969 president in Washington on January 28. It was my privilege to meet with Mr. Cotton a few days following his inauguration. His enthusiasm together with his great talent should make him an exemplary leader for the Nation's more than 87,000 realtors.

John Cotton has spent a lifetime in the real estate profession. He has served NAREB both as a director and as a vice president, and is a member of several professional affiliates of the national association.

His inaugural address stressed the serious crisis facing our cities and he urged members of the association to undertake projects that will lead to the solution of these problems. He reiterated the aims and objectives of NAREB's make America better program, and saluted those several boards of realtors throughout the country that are already sponsoring local projects in furtherance of the program. He pleaded with realtors to "become involved" in the solutions to the problems which plague the urban community; and he cites forming a limited-profit company to build low-cost housing, and hiring a Negro as examples of involvement in finding these solutions.

Mr. Speaker, under unanimous consent I include John Cotton's inaugural address in the RECORD at the conclusion of my remarks:

INAUGURAL ADDRESS OF JOHN COTTON

Chairman Davis, honorable and distinguished guests, fellow Realtors and friends; I can never fully express my appreciation for the honor you have bestowed upon me in electing me to the presidency of the National Association of Real Estate Boards. Let me assure you that I approach this undertaking with humility and a realization of the obligation which I have assumed. May God give me the strength and the courage to discharge this responsibility in the fine tradition of the 59 presidents who have preceded me. I pray for, and believe that I will have, the cooperation of a great team of Realtors, today more than 87,000 strong; and I thank God that I will be able to rely upon the counsel of the great men of past years, men such as our immediate past president Lyn Davis who represented us so well during the year just closed.

This ceremony is taking place at a significant time in history and, certainly, a significant place. What greater honor could come to any Realtor from California than to assume this office here in our beautiful national capital almost concurrently with the inauguration of that distinguished Californian, Richard Nixon, as the President of the United States? And in your name I have offered our President the full cooperation of this Association and its membership in 1969. There are other events that set it apart as a new era in human history.

Those of you in the residential field know the term "caravan." For the benefit of others, a caravan is a parade of Realtors and salesmen on a periodical inspection of new listings, sometimes with coffee or breakfast as an early-bird inducement. Often the inspections are detailed—sometimes only cursory from the bus.

Well, now it would appear the government may be going into competition with us in promoting the most extravagant caravan in the history of the universe. Imagine spending \$2 billion or more to send out a three-man caravan just to make a windshield inspection of a piece of real estate; and they didn't even come back with a listing because they don't have any comparable sales. As they made their first turn between the moon and the sun, one of the men said to another, "Oh look, it's nearly a full earth tonight." If this had been discussed 35 years ago when I entered the real estate field, it would have had an air of lunacy. Now we call it the Lunar Era, a new era of achievement.

Yes, Apollo 8 was a breathtaking adventure, boldly planned and courageously executed. Man's mastery of nature, his skillful use of new techniques, and superlative command of mind over matter brought about the world's greatest achievement in teamwork. Thousands of scientists and technicians worked millions of man days to mark that indelible time on history's calendar.

All this was a product of American industry and education. It was the product of the Establishment, if you please, not of the yuppies, the New Left, the self-serving militants or misguided sympathizers shouting obscenities in Chicago or at San Francisco State College. Disciplined imagination and know-how produced this spectacular feat.

What does all this portend for America? Apollo 8 has an additional meaning for us. I see it as a challenge to achieve new heights of precision, of teamwork, of the mastery of techniques. I see in it a message that anything is possible if we set our hearts and minds to it.

Now that we are back to earth; now that Lyn and his crew have splashed down, let's take a look at our objectives for 1969. What are our obligations to the people of America and to the preservation of property ownership?

I have been asked, "Cotton, what is your program going to be in 1969?" Our Association already, through its delegate body, has adopted a definitive Statement of Policy. To those of you who have not read it, I urge you to do so. There is some latitude of activities within the framework of our stated policy—room for emphasis and even specialization which will allow a president's program to unfold, which I may call my program.

A major portion of our community service and public relations activities will continue to be embraced within the framework of our Make America Better Program, with six major objectives and 43 suggested activities which was reaffirmed by our directors and endorsed by the delegate body in convention. MAB is designed to be an action vehicle. Literally hundreds of Realtors and boards have been getting a piece of this action already. I want the emphasis for the other 87,000 of us to be "Become Involved." Do something—don't just talk about it—do it. In selling we have always learned, "Nothing happens until somebody sells something." In MAB we emphasize that nothing happens until somebody does something. Don't wait to accomplish the gigantic, but take a page from our President Nixon's message and involve ourselves in "those small, splendid efforts that make headlines in the neighborhood newspapers instead of the national journal."

What do I mean "Become Involved"? I mean do something that will lead to the solution of the problems of our cities. I mean this is not the time for dialogue or confrontation or just talking about someone else doing it.

Have you ever created a part-time job for a boy or girl? Have you personally ever helped a disadvantaged family get a house? Have you yourself personally ever given a deserving youngster a scholarship? Formed a limited profit company to build housing? Participated in construction of rent supplement units? Have you ever appeared before your city council with a plan to participate in the leased housing program? Have you ever hired a Negro in your office, or if you didn't have a minority applicant, gone out to find one?

By becoming involved, I mean stop talking about what others should do. I mean go out and do it yourself.

Two of the six objectives in MAB relate directly to housing, but its whole concept is based upon the realization that housing alone is neither the cause nor the cure for the deep-rooted economic and sociological crises of our cities.

You can't solve traffic congestion just by building more cars; and just building more houses is not the solution to the urban problem.

An important objective in MAB has to do with law enforcement and reduction of crime, vandalism, and juvenile delinquency. When I was a youngster, it never occurred to me to be afraid on the street alone, day or night. The first civil right for all Americans

is to be safe from personal assault. Our Light the Night program and other action ideas in Make America Better are ready for Realtors to push in their communities. Let's pursue them even more vigorously.

Incentives for vocational training tie in with the problem of juvenile delinquency. Take mechanics as an example. According to *U.S. News and World Report*, in 1950 there was one mechanic for every 73 cars and trucks in America. Now there is one mechanic for every 130 vehicles; a shortage. Wouldn't we do better to encourage some of the dropouts from academic classes to enter this field in vocational school? Or carpentry—or masonry? You can help at home in directing emphasis toward vocational education.

Our principal responsibility in the great housing industry is that of the marketing medium. We sell and rent housing in the market. One of our MAB objectives is to "further appropriate programs to assist property owners in marketing housing on a non-discriminatory basis."

I have been asked, in view of the 1968 law and court interpretations of a 100-year old law, "Do Realtors have an obligation to educate the public in the morality of racial discrimination?" No, that is not our responsibility. But we should impress upon the owners the effect of federal law in determining certain aspects of an owner's rights in disposing of his property. The 1968 Act set up a stage-by-stage program to eliminate color or religion as a factor in the sale or rental of housing. One effect of this law was to punish the broker, since it permitted freedom of choice for the owner who tries to handle the transaction himself, but after this year would deny this right if he employed a broker.

Then the Supreme Court interpretation in the *Jones vs. Mayer* case changed all that. We must take positive steps to inform our clients and the general public, that this decision prohibits—not next year—but now—any discrimination against racial groups in the sale or rental of property. In other words, all Americans are under a law now, and the owners' exemptions of the Civil Rights Act are, in general, negated.

You may be sure this is an area which our National Association will watch closely in 1969, cooperating with government, in bringing this information to the attention of our membership and the public—and working with the government to make certain that inequities do not develop in the administration of this law.

Just a word about business in 1969. It has been more than 20 years since we saw a peak of real estate activity measured by transfers per capita. Now it seems, another is at hand. From 20 to 24 years is the age at which many young people marry, enter the work force, and set up households. This age bracket numbered about 12 million in 1948, then declined as babies born during the depression years reached maturity. Now, since 1962, the number has increased by four million, and the trend continues up.

In light of developments during the past few weeks, with interest rates at an all-time high for this century, it is not easy to see an early way out of the cyclical changes in financing that have hit the housing industry with force during the past three years. Realtors will have to continue their ingenuity in finding substitutes for usual financing.

At our national level we have a responsibility to provide leadership in this field. The housing industry is too important to the nation's economy to be treated as a financial step-child as it was in 1966. Last year, the outstanding home mortgage debt rose to a quarter trillion—an indication of the magnitude of the industry. New sources of money must be developed. It is time now to take a long-range look at housing and financing

problems and abandon the habit of waiting for a crisis before taking action.

In closing—a little shop talk. We often discuss our public interest and our public service, but let's not forget we have businesses to run. Let's remember that it is the profit and loss system that made America what it is today—yes, the Establishment.

Many of you contribute a day a week toward community activities, city, state, or Association projects, and I think you should, but don't be embarrassed to look toward the profit motive in our businesses and to associate with the profit motive when we participate in a rent supplement housing program or other activity. Check first to see how we could do it with a limited profit corporation. In leased housing, check to see how we can fit in as leasing agents, or property managers, or brokers selling to investors and receiving fair remuneration for our services. Private incentive must be kept in the picture if we are to Make America Better.

As we go forward in our public service and in our business activities, let's keep in mind the importance of continuing specialized education through the Realtor Institute courses of our state associations, which we have approved; through the educational programs of our specialized Institutes, Societies, and Councils, and through the universities and colleges with real estate courses which we support.

Let's keep in mind, in implementing our Make America Better Program, that you don't help a man permanently by doing for him what he could and should be doing for himself. Realizing that we must build a better man before we can build a better society, let us concentrate on building a better opportunity for the disadvantaged.

Let us have less talk, more action, and all become personally involved.

UNDERSTANDING RURAL PROBLEMS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, as a Representative of an urban-rural area I have heard the complaint many times that people in the city just do not understand the problems of the rural areas. It is true that each area has its own problems.

I would like to take this opportunity to share with my colleagues the ideas of one city man who does understand what is happening in the rural communities around him.

Norman J. Baratt, a Rochester, N.Y., attorney, took the time to attend a meeting of persons concerned with the economic development of Wayne County—a rural county to the east of Rochester. His understanding is demonstrated in an article he prepared for the Daily Record, a Rochester law journal.

I am sure, Mr. Speaker, that you and my colleagues will find Mr. Baratt's article enlightening. I am also including an article on the meeting he attended: [From the Rochester (N.Y.) Daily Record, Dec. 5, 1968]

INDUSTRIAL DEVELOPMENT AND THE RURAL COUNTIES

(By Norman J. Baratt)

The patronizing litany of so many real estate oriented city dwellers, when referring to the rural counties, seems to be "Let the cows inherit that earth!"

I often think it should be the other way around—that the smugness of the urbanite should be tempered with a little "We who are about to die salute you" sentiment.

Both cities and hinterlands have their unique problems, and, as a corollary, their unique opportunities. To write off comparatively undeveloped rural counties is like going through life feasting continuously on half-plums.

Today's real estate investor has to develop regional insight. Anyone who doubts the vitality that is being evidenced in converting agricultural areas into industrial environments should have attended the all day session, a few weeks back, of the workshop sponsored jointly by Wayne Economic Development Corp. and New York State Assn. of Industrial Development Agencies.

Now I'll admit to having more than an academic interest in Wayne County. I'm already involved in several projects there. The perspective, however, transcended the specific county and was applicable to almost every area in the northeast core, which, although constituting only 7% of the country's area, has 43% of the population, 70% of the industrial base, and 53% of the gross national income.

There are profit opportunities in rural county projects, a fact which seems to escape so many city real estate people. In this space age, many seem to have lost sight of the fact that thriving residential, industrial, and commercial areas in suburbia were rural not too long ago.

The three upstate musketeers known as Syracuse, Rochester, and Buffalo are now bursting at the seams, with expansion into adjoining counties inevitable in the very near future. I think that Genesee and Wayne counties will receive the main thrust.

In addition to the spillover from Erie, Monroe and Onondaga counties, there's another factor that so many in the cities lose sight of.

There are now more than 20,000 local industrial development corporations in the country, and almost every one is vying aggressively to attract new industry to the respective community. (Incidentally, industry no longer means belching smokestacks. It means any business enterprise which creates payroll be it retail establishment, nursing home, amusement parks, manufacturing plants, etc.)

The thing is, though, that the community salesmen employed or voluntarily donating their time to attracting new industry realize full well that they cannot do the job alone. They therefore welcome, with open arms, profit-minded private groups intent on implementing specific projects, and stand ready to assist to the limits.

Many of the local development corporations have instituted projects of their own, and although they are not to well known in the city areas, the results have been, or will be Horatio Algerish.

People like George Maloy, past president of the Clyde Industrial Development Corp. Catastrophe threatened their single industry town a few years ago when General Electric announced a pullout. They had the gumption to ask and get the plant from GE, and then they systematically solicited 150 prime prospects until they convinced Parker-Hannifin that Clyde could be a home away from home for several hundred employees. After that triumph, other industry was lured, and now the local development corporation is as active as any.

People like John Mancuso of the Batavia Industrial Center. He's helped mobilize community morale and convinced more than one firm that his neck of the woods is their sort of town.

People like David Woods of WID (centered in Sodus and the northern tier of the county). He's currently spearheading a mammoth

project to convert Sodus port, considered by many to be the finest natural harbor on Lake Ontario, into a Rochester gateway for commercial freight and a major coho salmon fishing area to boot.

The New York State Job Development Authority in business for less than seven years, has already provided assistance for 352 projects amounting to \$43 million, creating 88,000 direct and peripheral jobs.

Not only JDA, but also the Small Business Administration, bends over backwards to assist in rural area development. There 502 loan program is one of the most soundly conceived and best implemented concepts that has appeared on the national scene. And, of course, many of the new FHA programs lend themselves very well to projects in rural counties.

I came away from that Wayne County workshop convinced that there are many more people waking to the fact of opportunity galore in rural counties adjoining metropolitan areas.

The businessmen and real estate investors in those counties are no longer willing to take a back seat until the city folk come bobbin' long. But there's such unlimited potential, real estate-wise, that it's possible for both city and rural investors to share sizeable pieces of the profit pie.

[From the Sodus (N.Y.) Record, Nov. 28, 1968]

ONE HUNDRED TWELVE ATTEND COUNTY INDUSTRIAL MEETING HERE LAST WEEK

In economic and industrial development, "by just standing still, you fall behind," Larry Sweetland, vice president of the New York State Association of Industrial Development Agencies, told 112 Wayne County business and governmental leaders at a workshop held in Sodus last week Wednesday.

The all-day industrial development workshop held at the Normandy Inn was co-sponsored by the NYSIDA and the Wayne Economic Development Corp.

Sweetland, keynote speaker for the affair, told the group, "Small counties do have a problem. They haven't kept up with the economic growth of New York State as a whole. They have become complacent and haven't taken advantage of the programs that would help them grow and prosper.

"Small communities can't sit back and watch the world go by. By doing so, they lose their greatest resource—their young people."

The workshop was divided into three sections:

"What does Wayne County have to sell?"

"How do we sell it?"

"How do we finance it?"

On the first point, Dr. Steward Denslow, director of the Genesee Finger Lakes Regional Planning Board, presented the regional viewpoint.

He told the group that general government is very important to an industry coming in. It must be up to the expectations of the modern day industrial climate which could be a lot different from what is adequate to Wayne County's rural population today. Wayne must also be receptive to new ideas—"be willing to risk failure in order to establish a firm industrial base," he said.

As to resources, he pointed to adequate underground water and closeness to the lake as two of Wayne's assets. In transportation, he foresaw the need for drastic changes, "additional and higher grade roads integrating the present road system to the county, and building an airport," were some of the changes he called for.

Robert Peterson, Wayne County planner, spoke on the county viewpoint. He pointed to the county's location as an asset, with Lake Ontario to the north, the Thruway on the south and "two of the boomingest towns in the country, Rochester and Syracuse on the west and east."

"There is a good possibility for growth," he said. "In fact, we've predicted great growth. At present there are 75,000 persons in the county. We expect there will be an added 50,000 in the next 20 years and an added 10,000 in the next 50 years. Some of the western towns in the county will increase from 3,000 to 30,000."

"We'll need housing to accommodate this growth—all the way from low cost public housing to expensive, deluxe areas." He said that most of the towns and the county are "starting to gear up for this growth."

Most of the towns and villages are undertaking extensive water and sewer projects. The county is preparing a general development plan and working with other counties in the region. It is also working with the state to improve Routes 104 and 31.

"The county and towns are starting to recognize the need for progress," he concluded.

George Maloy, past president of Clyde Industrial Corp., traced the Clyde story from the "bleak day" of May 4, 1965, when General Electric announced it was going to close its Clyde plant, throwing 500 persons out of work, to the present.

He told of asking GE for the plant free and getting it. And then of sending out 3,000 flyers and putting ads in all major papers in hopes of attracting an industry to the community. This brought in 130 prospects and of these only one really panned out—Parker-Hannifin.

He said, "Economic adversity can be converted to economic success" if everyone will work together for that success. "This can't be reduced to any precise formula. All communities are different. But all must have community desire. Find out your faults and then have the courage to correct them."

Speaking on how to sell the community to a new industry, Joseph Mancuso, president of the Batavia Industrial Center, advised, "I'd live off Rochester and Syracuse. I'd spend my whole day going to firms in those communities and trying to get branches for my town."

He laid down five attributes for the "ideal community."

"A nice place to live.

"Enough help for a small industry.

"Old buildings at low rates—an industrial incubator.

"An industrial park for expansion.

"And an industrial group to help with the financing."

But most of all, he explained, "you must have the desire—not just you, but the whole community must want new industry. And you don't even have to worry about getting new industry if you can't keep the old ones happy. Treat industry fairly—don't try to soak them with taxes."

He also pointed out that the conception of what is an industry must change—"Industry is not factories alone. We have to consider everything—anything that employs people. We're interested in payrolls."

But, he explained, desire alone cannot bring industry to a community. "The community must be ready. Industry isn't interested in what you will do in 10 or 20 years—it wants to know what you have now."

He summed up his advice: "Economic development is preceded by industrial development and industrial development is preceded by community development."

Michael Vadala, State Commerce Department regional manager, speaking on keeping present industries, said the big problem is in communications.

"It is too late to fix a problem when the industry announces it is going to leave a community. We must know about the problem beforehand. We need a pipeline and the Wayne Economic Development Corp. can be that pipeline."

At the luncheon, Assemblyman Joseph Finley asked the group to think about a

rapid transit system between Rochester and Wayne County. "It's not more costly than building expressway-type highways."

Rep. Frank Horton, Rochester Republican, called the Wayne County story "one of the great success stories." He told the group they were on the verge of "building a better Wayne County."

EX-CONS FIND HELPING HAND AT CREDIT UNION

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PATMAN. Mr. Speaker, the credit unions of this country have a slogan—"Not for profit, not for charity, but for service." Perhaps there is no more fitting example of the truth of this slogan than a recently established credit union for ex-convicts in the Boston area.

The Boston credit union does not offer a handout to the ex-convicts but, rather, offers them an opportunity to better their lives and also to rehabilitate the men into useful citizens.

This past weekend I was in Boston to address the Massachusetts CUNA Credit Union Association, and met one of the organizers of the credit union, Mr. Earl R. Eriksen, who is an employee of the Massachusetts CUNA Credit Union Association. I was particularly impressed with Mr. Eriksen's outlook for the future of the credit unions and the benefits to the credit union movement in general that have been received from the establishment of the credit union for ex-convicts.

The January issue of the Credit Union magazine carries an excellent story on the Boston ex-convict credit union. The article is extremely valuable because it shows that if a group of ex-convicts, with the help of professional credit union organizers, can operate a credit union there is no reason why any group of people cannot make a success of a credit union.

Mr. Speaker, I am enclosing a copy of the credit union article in my remarks so that it can be enjoyed by credit union members across the country. I hope its publication will encourage others to form new credit unions.

The article referred to follows:

CREDIT UNIONS FOR EX-CONS

Credit unions have some unusual common bonds. These are credit unions for members of a Chinese-American family and for Hollywood movie stars; there are others for members of symphony orchestras and for dishwashers. But who has ever heard of a credit union for ex-convicts?

Eyebrows were raised when J. Bryan Riley and Earl R. Eriksen of Boston began to explore the feasibility of this common bond. Eriksen, who is director of public relations and organization for the Massachusetts CUNA Credit Union Association, admitted that "six years ago we would have been locked up in an institution for even thinking such a thing was possible."

"Today, people listen," he added. "These are changing times, and people seem to be learning that nothing is impossible."

Eriksen and Riley know that Massachusetts Half-Way Houses, Inc., of which Riley is

director, would be no ordinary common bond. But would it work?

In Riley's words, "These men are the losers of society. They include the undereducated who for the most part lack a saleable skill. Many have been institutionalized from time to time since they were teen-agers."

As a whole, 70 per cent of Massachusetts' ex-convicts return to prison after release, most of them within six months. These are the men Brooke House—the sole half-way house yet established by the corporation—exposes to "reality therapy," which confronts the men with vivid illustrations of the consequences of their behavior.

Residence in Brooke House, which lasts from three to six months, involves a lot of person-to-person relationships, as well as group meetings. Whether ex-convict or Ph. D. candidate, a staff member makes an issue of questionable thinking or behavior among the 17 to 20 occupants.

Said Riley: "If a guy should complain about the food by throwing it on the wall or hitting the cook on the head, we would control him and then talk to him about the consequences of his behavior, its causes, and some more acceptable reactions. He may have plenty of excuses. His mother was mean, or nobody ever gave him a chance. But we don't accept excuses. He must take full responsibility for his behavior and take the consequences."

A half-way house does, in fact, fill an enormous void among criminal institutions. Most prisons, said Riley, spend 90 per cent of their budget on security and confinement—protecting and avenging society. Yet 97 per cent of all prisoners eventually return to society, and prisons do relatively little to help them adjust.

Brooke House's responses are multiple. Its program includes occupational testing and evaluation. It shares with ex-convicts insights on where to look for education or training, how to find jobs, how to solve legal difficulties, and so on.

One problem it has not been able to solve is money, a universal problem among ex-convicts.

Massachusetts' county jails provide prisoners up to \$2.50 upon their release, after as much as two-and-a-half years of detention. The Commonwealth's state prisons provide convicts \$50 upon release, including the savings of half the 25 to 50 cents a day earned by prisoners who work in state prison industries.

While a few emerge with more than \$50, because of accrued savings, what does \$50 buy these days?

Imagine for a moment that you are an ex-convict, resolved to make good upon your release from a prison in the Boston area. Riley invited. You would likely behave as most do.

Leaving the prison gate, you would head for the bus station to buy a \$2.50 ticket to Boston. You hit town and want a good steak dinner for a change. It's been a long time. There goes \$4.50. Institutional clothing provides a bare minimum, and you can't wait to buy underwear, socks and other items. You also need a haircut, shaving cream, a new razor—goodbye to \$10.

Now it's time to visit your parole officer, who will suggest where you can find a room. You don't know the subways and decide that just this once, you'll take a cab—\$5. The room will cost \$15 for the first week—and it's only a rooming house, which means you'll have to eat out. And that reminds you, it's dinnertime: \$1.25.

You've been out of circulation for a long time and become self-conscious about the feel of your institutional clothing. Besides, you have to look for a job tomorrow, and you're convinced that you'll never make the grade in prison clothes. But you have to buy smokes, and you wanted to see a cheap movie tonight. Suddenly, you realize you're already

down to \$10, and it's your first day out! Those clothes will have to wait.

Suppose you could start a job your parole officer lined up for you on your first night out, an extra streak of luck. Pay day is two weeks away. Could you make it on \$50? In today's jargon, you'd be "up tight" at the end of the second day.

Of course you could pick up a \$5 or \$10 bill from the Salvation Army, the Massachusetts Aid to Discharged Prisoners or St. Vincent de Paul Society, but you've got pride, too. There's always a loan shark who will help out—at a price. If you couldn't get a job, of course, you could go on welfare for \$28 a week.

What would you do?

Sounds like a big enough need for a credit union!

But could it work?

Said Eriksen: "You've probably heard that 'an ex-con will steal you blind.' Maybe you've also heard 'There is honor among thieves.' During our meetings with these men, we heard more than once, 'This is our last chance to establish our credit. It's our chance of a life-time to really make it.'"

For the ex-cons of Brooke House, it is their last chance. First of all, it was their idea to come to Brooke House, where they knew they would have what in prison was unthinkable—the opportunity to make honest mistakes and to learn from them, instead of being punished for them.

If they should continually fail to use this new freedom responsibly, there is just one alternative: return to prison.

In fact, about 40 per cent of the House's occupants do return to prison, compared to 70 per cent of the ex-prisoner population as a whole.

Potential membership in the credit unions extends beyond the 17 to 20 occupants of the House at any time. All who went through the program are eligible to belong, including the 71 who completed it last year. In fact, membership in the credit union provides a convenient reason to visit the House when things get rough.

Also eligible to belong are the 23 volunteers and employees who comprise the staff, as well as the board of directors, whose 75 members constitute something of a Massachusetts "Who's Who." Its members include Governor John A. Volpe, Endicott Peabody, a former governor, and other distinguished leaders in the professions, business, government and non-profit organizations.

Each working occupant of Brooke House contributes only \$17 a week to its operation, and this is insufficient to operate its program. Donations are the key to its growth, as well as its operation. And Massachusetts Half-Way Houses, Inc., has some big hopes, which could one day swell membership in the credit union:

Non-resident ex-convicts, too, could benefit from parts of a half-way program, even though they spend sleeping hours elsewhere.

The Half-Way House might one day keep potential convicts out of jail by helping them keep out of trouble.

Facilities are needed for females and youths.

Even among men, the existing program is a mere small-scale demonstration. One downtown Boston jail alone admits 8,000 inmates a year!

The credit union, located at 79 Chandler St., opened its books on September 9, 1968, a few days after Federal Charter 18932 was presented Hugh Jones Jr., a director of Half-Way Houses, by Walter W. Mode, regional director of the Bureau of Federal Credit Unions.

Ex-convicts account for two of the five-member board. All are bonded. The vice-president, too, is an ex-convict, not to mention one of the three members on each the supervisory and credit committees.

By October 11, the credit union's 37 members had accumulated savings of \$1,213.76 and had approved four loans totalling \$500.

The first loan gave a federal ex-convict, just released, \$80 to buy clothing to attend his sister's wedding and buy her a gift. The 24-year-old borrower, training for his first job in life as a window washer, was earning \$2.50 an hour, with an earning potential of \$4.50 an hour.

Two subsequent loans enabled one member to make a down-payment on furniture and another to buy drafting tools for night study at the Boston Architectural Center.

A cold question remains. The whole idea renews faith in the potential goodness of man. But can it succeed?

"Who knows?" admitted Frank Franzen, the Bureau's associate regional representative in Boston. "It's a pilot project, and you have to start somewhere."

Jones, Half-Way House director, recalled "Nobody believed the halfway house would work, but it has."

Nor has it been many years that mental hospitals have operated on open ward principles, allowing their residents freedom to come and go, Riley added.

"Credit unions in slums are working, too, aren't they?" he asked.

Lawrence Albert, part-time psychologist with Brooke House, added: "Many of these people are driven back to crime by their profound need for money. If forced to take a handout, their old feelings of inferiority return."

"My experience has taught me that handouts only perpetuate feelings of worthlessness and dependency, the feelings already fostered in a correctional institution, but not in the community. If a man had the opportunity to borrow money, this would be a significant sign to him that he was being treated as a responsible, mature person who was expected to make out well so he could pay his loan back."

"The potential of men acting responsibly if treated responsibly is great. Treat them as crazy nuts, and they'll act the part."

Although the fate of Massachusetts Half-Way Houses FCU is unknown, the FCU has already produced some beneficial side effects. Publicity from the experiment generated several phone calls to the Massachusetts League.

"In fact," said Eriksen, "I'm convinced that we organized several new credit unions because of all the publicity we got. I got the feeling that the managements had felt that their employees were not capable of running a credit union. When they heard about the ex-convicts starting one, they began to wonder."

HOW CAN WE MAKE GOVERNMENT MORE RESPONSIVE TO THE WILL AND NEED OF THE PEOPLE?

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MARSH. Mr. Speaker, in the Sunday edition of the Washington Post appears an article taken from a book recently published entitled "The Age of Discontinuity" by Peter F. Drucker. The article is entitled "Rx for a Sick, Flabby Government." I was much impressed by a number of the points Mr. Drucker made and he certainly raises serious questions as to the direction that we should take in our legislative programs.

The article points to the inadequacies of bureaucracy and seems to me to raise

the basic question that confronts us at this time, and that is, how can we make Government more responsive to the will and need of the people?

Because of its length, I have divided it into several insertions, of which this is the first:

[From the Washington Post, Feb. 2, 1969]

RX FOR A SICK, FLABBY GOVERNMENT

(By Peter F. Drucker)

(NOTE.—Drucker is on the graduate faculty of New York University. The following article is excerpted by permission from his book "The Age of Discontinuity," published last week by Harper & Row.)

Government surely has never been more prominent than today. The most despotic government of 1900 would not have dared probe into the private affairs of its citizens as income tax collectors now do routinely in the freest society.

Even the czar's secret police did not go in for the security investigations we now take for granted. Nor could any bureaucrat of 1900 have imagined the questionnaires that governments now expect businesses, universities or citizens to fill out in ever-mounting number and ever-increasing detail. At the same time, government has everywhere become the largest employer in the society.

Government is certainly all-pervasive. But is it truly strong? Or is it only big?

There is mounting evidence that government is big rather than strong; that it is fat and flabby rather than powerful; that it costs a great deal but does not achieve much. There is mounting evidence also that the citizen less and less believes in government and is increasingly disenchanting with it. Indeed, government is sick—and just at the time when we need a strong, healthy, and vigorous government.

There is obviously little respect for government among the young—but the adults, the taxpayers, are also increasingly disenchanting. They want still more services from government. But they are everywhere approaching the point where they balk at paying for a bigger government, even though they may still want what government promises to give.

LOVE AFFAIR ENDED

The disenchantment with government cuts across national boundaries and ideological lines. It is as prevalent in Communist as in democratic societies, as common in white as in nonwhite countries. This disenchantment may well be the most profound discontinuity in the world around us. It marks a sharp change in mood and attitude between this generation and its predecessors.

For 70 years or so—from the 1890s to the 1960s—mankind, especially in the developed countries, was hypnotized by government. We were in love with it and saw no limits to its abilities or to its good intentions.

Rarely has there been a more torrid political love affair than that between government and the generations that reached manhood between 1918 and 1960. Anything that anyone felt needed doing during this period was to be turned over to government—and this, everyone seemed to believe, made sure that the job was already done.

The Fabians in Great Britain or the German Social Democrats started their love affair with government before 1900. It became general with World War I, when government, using taxation and the printing press, mobilized social resources way beyond what anyone earlier would have thought possible. When the Great Depression hit, a decade later, everyone immediately turned to government as the savior.

It is pathetic to recall the naive beliefs that prevailed in the late 1930s—such, for instance, as was preached in one of the best-

sellers of the depression years, "To Plan or Not to Plan," by the British Labor economist Barbara Wootton. The book's author, honored by the British government with a life peerage as Lady Wootton, is still alive and active, but nothing is more remote from us today, or less appealing, than the messianic innocence of this fervent love letter to government.

All it says, and it says it on every page, is: "Utopia is here—all that's needed is to take everything away from the wicked, selfish interests and to turn it over to government." World War II reinforced this belief. Again, government proved itself incredibly effective in organizing the energies of society for warfare.

But now our attitudes are in transition. We are rapidly moving to doubt and distrust of government and, in the case of the young, even to rebellion against it. We still, if only out of habit, turn social tasks over to government. We still revise unsuccessful programs over and over again, and assert that nothing is wrong with them that a change in procedures or a "competent administrator" will not cure. But we no longer really believe these promises when we reform a bungled program for the third time.

Who, for instance, any longer believes that administrative changes in the foreign aid program of the United States (or of the United Nations) will really produce rapid worldwide development? Who really believes that the War on Poverty will vanquish poverty in the cities? Who in France believes that one more commission on administrative reform will really change the system? Or who in Russia really believes that a new program of incentives will make the collective farm productive?

We still repeat the slogans of yesteryear. Indeed, we still act on them. But we no longer believe in them. We no longer expect results from government. What was torrid romance between the people and government for so very long has now become a tired, middle-aged liaison which we do not quite know how to break off but which only becomes exacerbated by being dragged out.

What explains this disenchantment with government?

We expected miracles—and that always produces disillusionment. Government, it was widely believed (though only subconsciously), would produce a great many things for nothing. Cost was thought to be a function of who did something rather than of what was being attempted. There is little doubt, for instance, that the British, in adopting the "free health service," believed that medical care would cost nothing.

All that such a health service can be, of course, is a form of "prepaid" medical care. Nurses, doctors, hospitals, drugs and so on have to be paid for by somebody. But everybody expected this "somebody" to be somebody else.

At the least, everyone expected that under a "free" health service, the taxes of the rich would pay for the health care of the poor. But there never are enough rich people around to carry the burden of any general service.

All such plans are, in effect, taxation and compulsory saving that force the individual to pay for something whether he wants it or not. This is their whole rationale, and it is not necessarily a bad rationale. But the illusion persisted that government could somehow make costs go away and produce a great deal for nothing—or at the expense of only an affluent minority.

AUTOMATICALLY CORRECT

This belief has been, in effect, only one facet of a much more general illusion from which the educated and the intellectuals in particular have suffered; that by turning tasks over to government, conflict and decision would be made to go away.

Once the "wicked private interests" had

been eliminated, a decision as to the right course of action would be rational and automatic. There would be neither selfishness nor political passion. Belief in government was thus largely a romantic escape from politics and from responsibility.

One root of this argument was a hatred of business, of profit and, above all, of wealth. That motives other than the desire for monetary gain could underlie self-interest and that values other than financial values could underlie conflict did not occur to the generation of the 1930s. There was a world in which economics seemed to be the one obstacle to the millennium.

Power did not appear in their vision—though this blindness in the decade of Hitler and Stalin is hard to imagine, let alone to understand. C. P. Snow's description in "The Masters" (1951) of the conflict for power within the "selfless" and "disinterested" small community of an Oxbridge college profoundly shocked the sensibilities of a generation that had grown up believing that conflicts were always motivated by economic self-interest and could be avoided by eliminating gain; that is, by nationalizing the economy.

One need not be in favor of free enterprise—let alone a friend of wealth—to see the fallacy in this argument. But reason had little to do with the belief in government ownership as the panacea. The argument was simply: "Private business and profits are bad—ergo government ownership must be good." We may still believe in the premise, but we no longer accept the "ergo."

Thus the Labor government felt committed in 1967 to renationalize the British steel industry (just at the time when, ironically, the industry was on the verge of long-term decline and when, therefore, takeover by government meant the highest possible windfall profit for the shareholders). But it immediately declared that the industry would have to be run for profit. It put in as chief executive the purest of archcapitalists, Lord Melchett, heir to one of the world's greatest industrial fortunes (his grandfather and father founded and built Imperial Chemical Industries), a hereditary peer and a top-flight investment banker in addition to being a life-long Tory!

By contrast, less than 20 years earlier, when steel was first nationalized in Britain by an earlier Labor government, an ideologically "pure" trade union stalwart had been the chief executive-designate.

There is still a good deal of resistance to the responsibility of politics and resentment of the burden of political decision. Indeed, the young today want to "drop out" altogether—in a frightening revival of the hostility to responsibility that made an earlier young generation, 40 years ago, so receptive to totalitarian promises and slogans. But no one, least of all the young, believes any longer that the conflicts, the decisions, the problems would be eliminated by turning things over to government. Government, on the contrary, has itself become one of the wicked "vested interests" for the young.

TWO "ACCOMPLISHMENTS"

The greatest factor in the disenchantment with government is that government has not performed. The record over these last 30 or 40 years has been dismal. Government has proven itself capable of doing only two things with great effectiveness. It can wage war. And it can inflate the currency. Other things it can promise, but only rarely accomplish.

Its record as an industrial manager, in the satellite countries of Eastern Europe as well as in the nationalized industries of Great Britain, has been unimpressive. Whether private enterprise would have done worse is not even relevant. For we expected near-perfection from government as industrial manager. Instead, we only rarely obtained even below-average mediocrity.

Government as a planner has hardly done

much better (whether in Communist Czechoslovakia or in de Gaulle's capitalist France). But the greatest disappointment, the great letdown, is the fiasco of the welfare state.

Not many people would want to do without the social services and welfare benefits of an affluent, modern industrial society. But the welfare state promised to do far more than to provide social services. It promised to create a new and happy society. It promised to release creative energies. It promised to do away with ugliness and envy and strife.

No matter how well it is doing its jobs—and in some areas, in some countries, some jobs are being done very well—the welfare state turns out at best to be just another big insurance company, as exciting, as creative and as inspiring as insurance companies tend to be. This explains why President Johnson's spectacular performance in enacting the unfinished welfare tasks of the New Deal failed to make him a hero with the public.

The best we get from government in the welfare state is competent mediocrity. More often, we do not even get that; we get incompetence such as we would not tolerate in an insurance company. In every country, there are big areas of government administration where there is no performance whatever—only costs.

This is true not only of the mess of the big cities, which no government—United States, British, Japanese or Russian—has been able to handle. It is true in education. It is true in transportation. And the more we expand the welfare state, the less capable even of routine mediocrity does it seem to become.

A PAPER HARVEST

I do not know whether Americans are particularly inept at public administration—though they are hardly particularly gifted for it. Perhaps we are only more sensitive than other people to the incompetence and arrogance of bureaucracy because we have had, until recently, comparatively so much less of it than other people.

In any case, we are now appalled to realize that, during the past three decades, Federal payments to the big cities have increased almost a hundredfold for all kinds of programs whereas results from this incredible dollar-flood are singularly unimpressive. What is impressive is the administrative incompetence.

We now have ten times as many government agencies concerned with city problems as we had in 1939. We have increased by a factor of 1000 or so the number of reports and papers that have to be filled out before anything can be done in the city. Social workers in New York City spend some 70 or 80 per cent of their time filling out papers for Washington, for the state government in Albany and for New York City. No more than 20 or 30 per cent of their time, that is, almost an hour and a half a day, is available for their clients, the poor.

As James Reston reported in the New York Times (Nov. 23, 1966), there were then 170 different Federal aid programs on the books, financed by over 400 separate appropriations and administered by 21 Federal departments and agencies aided by 150 Washington bureaus and over 400 regional offices. One congressional session alone passed 20 health programs, 17 new educational programs, 15 new economic development programs, 12 new programs for the cities, 17 new resources development programs and four new manpower training programs, each with its own administrative machinery.

This is not perhaps a fair example—even of American administrative incompetence. That we speak of "urban crisis" when we face a problem of race explains a lot of our troubles. But in other areas, the welfare state has not performed much better. Nor is the administrative mess a peculiarly American phenomenon.

The daily press in Great Britain, in Germany, in Japan, in France, in Scandinavia—and increasingly in the Communist countries as well—reports the same confusion, the same lack of performance, the same proliferation of agencies, of programs, of forms—and the same triumph of accounting rules over results. Everywhere, rivalry between various agencies is replacing concern with results and with responsibility.

ENDS IN THEMSELVES

Modern government has become ungovernable. There is no government today that can still claim control of its bureaucracy and of its various agencies. Government agencies are all becoming autonomous, ends in themselves, and directed by their own desire for power, their own narrow vision rather than by national policy.

This is a threat to the basic capacity of government to give direction and leadership. Increasingly, policy is fragmented and execution is governed by the inertia of the large bureaucratic empires rather than by policy.

Bureaucrats keep on doing what their procedures describe. Their tendency, as is only human, is to identify what is in the best interest of the agency with what is right, and what fits administrative convenience with effectiveness. As a result, the welfare state cannot set priorities. It cannot concentrate its tremendous resources—and therefore does not get anything done.

The President of the United States may still be the most powerful ruler—more powerful than either the prime ministers of parliamentary regimes dependent upon a majority in parliament, or the dictators who can be overthrown by conspiracies against them among the powerful factions within their totalitarian apparatus. And yet even the President of the United States cannot direct national policy any more.

The various bureaucracies do much what they want to do. The Antitrust Division of the Department of Justice, for instance, has been making its own policies and pursuing its own course these last 20 years, with little concern for what the incumbent President believes or orders. The Soil Conservation Service and the Bureau of Reclamation, the Forestry Service and the Weather Bureau, the Federal Trade Commission and the Army Engineers have similarly become "independent" rather than "autonomous."

Not so long ago, policy control by the political organs of government could be taken for granted. Of course, there were "strong" and "weak" Presidents as there were "strong" and "weak" prime ministers. A Franklin Roosevelt or a Winston Churchill could get things done that weaker men could not have accomplished. But this was, people generally believed, because they had the courage of strong convictions, the willingness to lay down bold and effective policies, the ability to mobilize public vision. Today, a "strong" President or a "strong" prime minister is not a man of strong policies; he is the man who knows how to make the lions of the bureaucracy do his bidding.

John Kennedy had all the strength of conviction and all the boldness of a "strong" President; this is why he captured the imagination, especially of the young. He had, however, no impact whatever on the bureaucracy. He was a "strong" President in the traditional sense. But he was a singularly ineffectual one. His contemporary, Nikita Khrushchev in Russia, similarly failed to be effective despite his apparent boldness and his popular appeal.

By contrast, bureaucratic men who have no policies and no leadership qualities emerge as effective—they somehow know how to make red tape do their bidding. But then, of course, they use it for the one thing red tape is good for, i.e., bundling up yesterday in neat packages.

This growing disparity between apparent power and actual lack of control is perhaps

the greatest crisis of government. We are very good at creating administrative agencies. But no sooner are they called into being than they become ends in themselves, acquire their own constituency as well as a "vested right" to grants from the Treasury, continuing support by the taxpayer and immunity to political direction. No sooner, in other words, are they born than they defy public will and public policy.

COLLAPSE INTO BARONIES

The crisis of government domestically is nothing compared to the crisis of government as an effective organ in international life. In the international arena, government has all but disintegrated. The "sovereign state" no longer functions as the effective organ for political tasks.

This is not happening, as the liberals had always hoped, because a political world community has transcended the narrow, petty boundaries of national states. On the contrary, the national state is everywhere in danger of collapsing into petty parochial baronies—whether French Canada or an independent Flanders, Biafra in West Africa or self-governing Scotland.

To our grandparents, around 1900, it was clear that the trend ran toward larger government units. It was clear to them that the national state created political organisms capable of effective cooperation in international society. This had been the lesson of 19th century history. Indeed, the century closed with the last "unification," though an imposed one: the taking over of the Boer republics of South Africa by the British and their incorporation into the British Empire.

Since then, the process has been one of steady fission. It began in the Balkan wars, which, undertaken to create larger unified countries, ended by creating more small ones. It has accelerated ever since. Even Czechoslovakia, the most successful of the new countries created in World War I, proved incapable of becoming the effective agent of unification but was torn apart by the strife of the national minorities—German, Hungarian and Slovak—that refused to be "unified."

Not one of the new countries established since World War II has so far created the unified nation that, to the 19th century, was so obviously the end point of history. Instead, we are getting tribal splinters pretending to be national states, imposing on their citizens all the costs of a national state, driven by all the jealousies, resentments and pride of a national state—but incapable of being an effective organ either of domestic government or of the international community. Increasingly, we are fragmenting the world into governmental pygmies, each endowed with tremendous power vis-à-vis its citizens, each perfectly capable of tyranny but incapable of governing.

In 1900, there were fewer than 50 sovereignties in the whole world—20 in Europe and 20 in the Americas, with the rest of the world having fewer than a dozen. World War I increased the number to about 60. Now we have more than 160, with new "mini-states" joining the ranks almost every month. Only on the American continents has there been no splintering of sovereignties.

There are 20-odd sovereignties of 1900 that are still, by and large, the political reality of today (except in the rapidly fragmenting Caribbean area). Some of the new sovereignties are very large countries: India, Pakistan, Indonesia. But most of them are smaller than the Central American countries an earlier generation contemptuously dismissed as "banana republics" and much too small to discharge the minimum responsibilities of sovereignty.

Today we have scores of "independent nations" whose population is well below a million people. Indeed, we have some whose population is hardly as large as that of a good-sized village.

DOUBLE JEOPARDY: BLACK AND POOR

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OTTINGER. Mr. Speaker, during the early days of the Peace Corps I was privileged to meet and work with Franklin H. Williams, a dynamic person who came to the Corps from an outstanding career as special counsel and west coast director of the NAACP and assistant California attorney general. Since 1964, Frank Williams has served with distinction as the U.S. Representative to the U.N. Economic and Social Council and as the U.S. Ambassador to Ghana.

Currently the director of Columbia University's Urban Center, Mr. Williams recently presented an incisive and well-documented paper, at a Syracuse University conference on crime, on capital punishment and the discriminatory practices which are frequently followed. The issues he has raised in this paper are well taken and deserve sober reflection and careful consideration by us all.

I commend this paper to the attention of our colleagues and am pleased to insert it, herewith, for inclusion in the RECORD:

Public opinion favoring the death penalty decreased from 68% in 1953 to 38% last year, according to the latest Gallup poll.

This is a striking statistic, in and of itself. Far from being encouraged, however, I find it dismaying on two counts. First, it is to me incredible that over a third of the country supports what I consider to be a cruel, barbarous and archaic method of punishment. Second, there is increasing evidence that the trend is being reversed: That with the current hue and cry for law and order, people are beginning to push for more severe punishment for crimes up to and including the death penalty.

An ominous example of this is occurring right here in New York State. In November, State Senator Edward Speno released the results of a survey showing that 84 out of 118 New York State judges favored reinstatement of the death penalty for those crimes to which it had previously been applied. In October, he conducted hearings on restoration of the death penalty. Spectators were angry and vociferous in their demands for harsher sentences—including death—and applauded every police demand for a return to executions. The change from the hearings in 1965—when the death penalty was abolished in New York in all but a few cases—was frightening—and to me far more striking than the Gallup poll. All the evidence points to a determined effort to return the death penalty for felony murder in New York in 1969.

We are all aware of what lies behind this new stridency. Americans have been inundated with scare headlines about riots and increased crime rates. The President's Commission on Law Enforcement and Administration of Justice recently reported that "The existence of crime, the talk about crime, and the fear of crime have eroded the basic quality of life of many Americans."

A climate of near-hysteria has polarized the country. On one side are the advocates of law and order. An extreme example of this position is Anthony Imperiale, who stated: "You got law and order, you don't

Footnotes at end of speech.

need justice, because you got law and order." On the other end of the spectrum are those of us who believe that justice is a basic pre-requisite of a democratic society and the maintenance of law and order must be subject to the guarantees of justice.

There is no escaping the racial overtones of this dichotomy. The fear and guilt of White America, and the anger and frustration of Black America, have been amply documented. The Kerner Report simply made that official. It is racial fears and tensions, above all, that are responsible for the Imperiales and the harsher legislation now being advocated.

The battle over capital punishment is a microcosm of this larger Black-White, rich-poor confrontation tearing at our society. Consequently, it is in this framework that I would like to view the issue of death penalty.

Clarence Darrow once wrote that "Questions of this sort . . . are not settled by reason: They are settled by prejudices and sentiments or by emotion. When they are settled they do not stay settled, for the emotions change as new stimuli are applied to the machine."

The abolition versus retention debate has changed little since the time when Caesar debated Cato on what to do with the Catiline Conspirators.

Ever since the single argument most consistently advanced in favor of capital punishment has been that it deters crime. This argument is tenaciously—one might say irrationally—upheld in the face of numerous statistics, all of which point to the opposite conclusion and show that the presence or absence of the death penalty makes no particular difference in the amount of murder in any given state. Its murder rate will closely parallel that of adjoining states, where conditions of life and social-culture attitudes are similar. A leading midwestern advocate of abolition put it quite succinctly: "The death penalty is related to the homicide rate in the same way an Indian rain dance is related to the production of rain. When the rains come, they come."

Clearly the homicide rate is the product of larger forces than the punishment for murder. For example, the homicide rate in the United States moved upward from 1900 until the middle of the thirties, dropped sharply during the next ten year period, and then started an upward swing after the second World War. The trend does not coincide with the application of the death penalty. To be more specific: A study of the death penalty in Oregon, which was abolished in 1914, restored in 1920, and reabolished in 1964, reveals that the homicide rate was totally independent of the death penalty.

Thorsten Sellin, President of the International Society of Criminology, has made an exhaustive study of the effect of the death penalty on homicide rates. In his report for the Model Penal Code Project of the American Law Institute, he examined in detail the homicide rates in abolition and retention states, and found no correlation between the two. In comparing the homicide rates of Michigan, Indiana and Ohio, for example, he points out that although Michigan is an abolition state, its homicide rate has remained below that of its two neighboring death penalty states throughout the last forty years. Similarly, a comparison of Maine, Vermont and New Hampshire shows the homicide rates moving along similar lines even though Maine has been an abolition state since 1887, and Vermont only partially abolished the death penalty in 1965.

Sellin's data also makes it clear that the abolition or imposition of the death penalty has no bearing on the homicide rate within a particular state. Seven American states have completely or partially abolished it and then reintroduced it—usually after a particularly heinous and much-publicized crime. There is no evidence that restoration affected the murder rate in these states.

The experience of other countries bears out this thesis. Seventy-two countries have now abolished the death penalty, and studies in Austria, Germany, Australia and the Netherlands, among others, indicate that there is no relationship between executions and homicide rates.

Sir Ernest Gowers, Chairman of the British Royal Commission on Capital Punishment, 1949-53, states: "Before serving on the Royal Commission, I, like most people, had given no great thought to this problem. If I had been asked for my opinion, I should probably have said that I was in favour of the death penalty, and disposed to regard abolitionists as people whose hearts were bigger than their heads. Four years of close study of the subject gradually dispelled that feeling. In the end I became convinced that the abolitionists were right in their conclusions—although I could not agree with all their arguments—and that so far from the sentimental approach leading into their camp and the rational one into that of the supporters, it was the other way about." Significantly, he concludes his book—"A life for a life?"—by returning to the question of deterrence:

"There remains the argument," he wrote, "That without the uniquely deterrent value of capital punishment more murders would be committed. This is the only serious utilitarian argument in favour of capital punishment, and the one on which thoughtful supporters of it almost wholly rely. It is also the argument that can be put most readily to the test of evidence in the proper sense of the word: And, as we have seen, such evidence as there is goes to show that the abolition of capital punishment does not in fact have this result."

Supporters of capital punishment also make the case that it protects policemen and prison guards—which is why New York State retains it for murders of law enforcement officers and prison guards. Once again, the evidence shows no relationship between the death penalty and murders of policemen or prison personnel. Sellin studied police homicide rates over a 25 year period in 11 capital punishment states and 6 abolition states: The rate in death penalty states was 1.3 per hundred thousand persons, and 1.2 in abolition states.

Logically, if the death penalty is designed to be a real deterrent, we should let the public witness an execution. As Evelle J. Younger, writing in the American Bar Association Journal, pointed out, "The spectacle might save someone from a crime he might otherwise commit . . . by making our executions as private and as humane as possible, we admit that if any influence at all is exerted, it must be debasing or positively harmful." Douglas Lyons, Leonard Lyons' son, who has been active in the movement to abolish capital punishment in California, now has a case pending against the warden of San Quentin to show cause why the next execution should not be televised—and he has the consent of the condemned man next in line. It is a brilliant idea, because it helps expose the sham of deterrence for what it is. As Camus put it, "Indeed, one must kill publicly or confess that one does not feel authorized to kill. If society justifies the death penalty by the necessity of the example, it must . . . show the executioner's hands each time and force everyone to look at them—the over-delicate citizens and all those who had any responsibility . . . or else it admits that such revolting ceremonies can only incite crime or completely upset opinion."

There are in fact indications that capital punishment may actually be an incentive to murder. James French, the last man to be executed in the United States, on June 2, 1967, refused council. He was electrocuted in the Oklahoma State Prison for strangling his cellmate. Before he died, he told a Uni-

versity of Oklahoma psychiatrist that he was angered that his first conviction did not result in a death sentence. His basic motive in the second murder, he stated, was to force the state to execute him.

Chaplain Byron Eshelman of San Quentin described a similar case, that of a prisoner who committed murder because "He decided he did not want to live, but knew he did not have the courage to kill himself. The thought came to him, after reading about an execution, that if he killed someone else, the state would take his life in return."

Numerous other cases of this nature have been documented. As Professor Henry Wehlofen put it, "Capital punishment may serve as an incentive to crime in three cases: First, the suicidal group, . . . second, those to whom the lure of danger has a great appeal—possibly a large group—for whom the danger of capital punishment may act as actual incentive to acts like robbery with violence, and third, the exhibitionist group. The exhibitionist wishes for a time successfully to pit his wits against the police . . . but sooner or later he would arrange things so that he was found out and had the satisfaction of a spectacular trial."

Similarly, Dr. Stuart Palmer wrote, in his book *Study of Murder*, "Capital punishment probably does not lead to a decrease in known murder because it is not based on psychologically sound principles. People about to commit murder do not rationally weigh the act against the penalty. On the other hand, some individuals have unconscious drives to place themselves in positions where they will be punished with utmost severity."

Unfortunately, whether they desire it or not, murders do have spectacular trials. For obvious reasons, murder and rape—which accounted for over 98% of all executions in the United States between 1930 and 1967, are the crimes which receive the most lurid press coverage. We are all familiar with this phenomenon and for a case in point I refer you to Strobbe versus California. The point to remember, whether or not the accused are actually guilty in such cases, is that court procedures cannot be impartial—let alone infallible—under such conditions.

We know for a fact that juries are not infallible, because numerous cases of innocent men being executed have been documented. Palmer in the same book, estimated that of the people in several groups studied who were executed or imprisoned for life, ten per cent—ten per cent!—were later found to have been innocent.

Unfortunately, when individuals are executed, it almost invariably puts an end to efforts to establish their innocence. Nevertheless, errors are more likely to occur in death sentence cases because the fact-finding process is muddled by many factors: undue police coercion, newspaper publicity, the low mental state of the accused, the unequal financial resources of the state and the defendant, and the difficulty of obtaining an impartial death-case jury.

You are all familiar with cases of last-minute reprieves. There are a number of cases here in New York where the death penalty was narrowly averted—and the men subsequently freed or their murder convictions reversed. One such is Isidore Zimmerman, sentenced to death in 1938 for the killing of a detective. His sentence was commuted by the Governor at the last minute, and he was therefore able to press his claim of innocence—which he had always maintained. However, it took him 24 years to succeed. He had been so close to execution that his head was shaven and he was asked what he wanted for his last meal. He finally won his freedom when the court of appeals found that a prosecution witness had lied, and the prosecutor had concealed the fact.

Zimmerman's case typifies one of the cruelest aspects of the death penalty: the

Footnotes at end of speech.

senseless and irrational manner of its application. Less than one per cent of those convicted for non-negligent homicide are actually executed. The rest spend years of uncertainty in death row. There are nearly 500 people in condemned cells throughout the country today. Median elapsed time is now almost 4 years and some of them have been there as long as 13 years. It can be fairly argued, I think, that this delay constitutes the "cruel and unusual punishment" forbidden by the constitution.

Now let's probe deeper into the question of the less than 1% who are actually executed. Who are they? Out of the thousands convicted of capital crimes, why are they, specifically, chosen for the electric chair, the gas chamber, the firing squad or hanging?

Some misguided people still assume that the death penalty is supposed to punish the most heinous offenders, who constitute the handful out of thousands of killers whose execution would most protect society. They are living under a dangerous illusion.

In the first place, the death penalty discriminates quite blatantly against the poor. The middle-class or well-to-do murderer is virtually always eliminated from the ranks of the condemned.

Anyone who can afford a good criminal lawyer obtains better counsel than a defendant who must rely on assigned counsel. A popular myth has developed concerning our system of assigned counsel which would have us believe that the indigent defendant in a capital case received the benefit of the very best legal talent. Unfortunately, this is simply not true. Nor can such a defendant afford the extensive costs involved in preparing an adequate defense—and the state certainly doesn't provide it. As Father Daniel McAlister, former Catholic chaplain at San Quentin points out, in Duffy and Hershberg's *88 Men and 2 Women*, "The death penalty seems to be meant for the poor, uneducated, and legally impotent offender."

In the second place, the death penalty discriminates against Blacks to an extent that is only beginning to be fully clear. Let me illustrate.

First: Of the 3,859 persons executed since 1930, 53.1% were Blacks. If we relate this figure to poverty, the percentage is closer to 100%.

Second: Of the 455 men executed for rape since 1930, 405, or 89%, were Black men convicted of raping White women, 398 of these were convicted in the south, as compared to only 43 Whites. In that same time no White man was executed for this crime by the District of Columbia, Virginia, West Virginia, Florida, Mississippi, Louisiana, or Oklahoma.

Third: forty of the fifty people sent to Sing Sing under sentence of death from New York City between November, 1957 and November, 1962, were Black or Puerto Rican. Twelve of the 50 were executed: One White, one Puerto Rican—and ten Blacks.⁵

In commenting on similar statistics, William Reichert wrote in the *Kentucky Law Journal*: "While this might seem to imply that Negroes are basically more violent in temperament or nature than are Whites, the facts do not bear out this conclusion. Obviously the law has been brought to bear more heavily on Negroes than Whites."

It is unfortunately true that "When crime and color converge, the individual is in double jeopardy," as Marvin Wolfgang has pointed out in his excellent study, *Crime and Race*. The number of the poor and the uneducated within the White majority is tripled within the Black minority. Thus, even if there were no race bias in the administration of justice, the social and economic system would itself carry a burden of blame for the lack of equal protection and uniformity of treatment.

Footnotes at end of speech.

The story has not changed much since Myrdal wrote his classic study. He described the atmosphere thus: "One has only to visit a southern community at a time when some Negro is on trial for the rape or murder of a White person to obtain a vivid picture of the hate and passion and desire for vengeance which is often aroused in the hearts of the southern Whites . . . under circumstances of this kind it is rather difficult for the jury or even the judge to escape being influenced by the feeling which permeates the throng."

He further reported that, for the period 1920 to 1930, out of 479 Blacks killed by White persons in the south, *over half* were slain by White policemen.

A study of homicides in 10 counties of North Carolina between 1930 and 1940, showed that 94% of the indictments were made when Blacks killed Whites. Of those charged with first degree murder 28% of the Whites who killed Blacks, but *only 15%* of the Blacks who killed Whites, were acquitted. Of those convicted, none of the Whites who killed Blacks was sentenced to death, contrasted with 37% of the Blacks who killed Whites.

Such statistics bear out the old southern saying amusing to many Whites, but not particularly humorous to Blacks—that if a Black kills a White, it is murder; if a White kills a Black, it is unfortunate. But if a White man kills a White man it is probably in self-defense, unless the fight was over a woman, in which case death was caused by apoplexy.

There are many such studies, all pointing to the same conclusion. Let me cite one more. A study of over 550 homicide cases in Richmond, Virginia, and part of North Carolina disclosed not a single conviction when Whites killed Blacks. When Blacks killed Whites, over 90% were convicted. It was also noted that of the 141 Negro-Negro homicides, not one resulted in the death penalty and only 8 in life imprisonment; but of the 22 cases with Black offenders and White victims, six concluded with a death sentence and seven with life imprisonment.⁶

Not only are Blacks more likely to be convicted of crimes: They are also likely to receive more severe and longer sentences. A review of national prisoner statistics shows that in most states Blacks are committed to prison longer than Whites for the same types of offenses.

Furthermore, about 10 to 14 per cent more Whites than Blacks proportionately are annually granted some form of parole. The increasing number of Blacks in our prisons stems partly from this discriminatory pattern of release.

The trend extends to the commutation of death sentences as well. A 1962 study showed that between 10 and 20 per cent more Blacks than Whites have had their sentence of execution carried out.⁷

Fortunately, a concentrated attack has finally been mounted against the death penalty. The case which triggered its opening campaign was *Hamilton versus Alabama*, in which a Negro was charged with burglary with intent to rape. According to the state's evidence—and they contend there is considerable doubt as to what actually happened—Hamilton entered the apartment of an old woman near Birmingham, Alabama, and was found there looking at her. No one even claims he touched her. Yet he was sentenced to death for burglary with intent to commit rape. The case went to the Supreme Court and the conviction was reversed.

At about the same time, Justice Goldberg wrote a brief opinion in a case questioning whether capital punishment in rape cases was not cruel and unusual punishment, in view of the fact that no life had been taken. Hamilton had not even injured anyone. The NAACP Legal Defense Fund then began gathering statistics which might isolate the racial factor and began pushing the cruel and unusual punishment claim.

Together with Anthony Amsterdam and Marvin Wolfgang of the University of Pennsylvania the fund devised a questionnaire which inquired into every possible factor a jury might take into account in deciding whether to impose life or death, such as the viciousness of the crime, the prior relationship of defendant and victim, the time of the attack, the place, the number of attackers, whether, a simultaneous crime occurred, whether the defendant testified at trial, and an exhaustive array of every other conceivable factor which might influence sentencing.

A team of law students searched the records in 2,500 cases, and the results were subjected to rigorous statistical analysis. The one constant factor in distinguishing between cases receiving the death penalty and those which did not, was race. If the defendant was Black and the victim White, the chance of a death penalty was high. With any other racial combination it was remote.

Armed with these statistics, the fund mounted an all-out attack on the death penalty, on four grounds: Due process; equal protection; lack of standards, and cruel and unusual punishment. As a result of their class actions, all executions in the United States have been stayed. Consequently, death house populations are soaring. In late April, San Quentin prison opened 13 new death cells to help accommodate the overflow of prisoners. As the warden put it, "If we can't carry out the sentence, we should get the men off the row and into a program to help them."

On October 15th, the Supreme Court agreed to consider cases from Arkansas and New Jersey that raise all four of the claims made by the legal defense fund. Conceivably, the court's decision may end the question of capital punishment once and for all.

Whether or not this occurs, there remains a terrifying large body of people to whom increased crime statistics operate like a red flag. Their response is a totally irrational one, because it refuses to even consider the causes or cures of violence. Nor does it recognize the facts themselves. For example, it is a fact that police safety is not increased by increased penalties. A recent legislative study in California showed that assaults with deadly weapons on police rose 90% over a five year period of steady increase in penalties for such assaults.⁸

I think all of us would be naive to assume that the Black Power Movement has not triggered much of this fear and desire for repressive measures. Let me quote former Police Chief Wagner, speaking before the Ohio State Legislature in May, 1965: "We need capital punishment to keep the Negro in line."

Wagner, and many, many others like him, are still living in the nineteenth century. They cannot understand that delinquency and crime are, in a sense, normal responses to a society that shuts most Black people out. The Black man suffers more prejudices, discrimination and segregation than the returning White criminal. Grier and Cobbs, in their book, *Black Rage*, document in stark and moving language the unbearable psychological burden of being Black in America. They conclude, quite simply, that the Black man cannot put up with much more.

I submit, therefore, that we must attack crime both before and after the fact. We must first concern ourselves with the conditions that deny Blacks even the minimal promises of the American dream, and lead many to despair and frustration. We must also develop a truly workable system of rehabilitation.

Most penal institutions offer the worst possible preparation for re-entry into society. Nor is much being done to improve the situation, as is shown by the fact that less than 1% of the United States crime budget is spent on research.⁹ The 1962 White House

Conference on Children and Youth revealed that 100,000 children were held in jail each year, because of the lack of detention facilities. Furthermore, 6 out of 10 juvenile probation officers had no social work training; 3 out of 10 state training institutions for delinquents had no staff social workers; and 4 out of 10 state training institutions for delinquents lacked staff psychologists.¹⁰

How can we possibly expect these children to be "rehabilitated"? And why should we be surprised when we hear that in 1967 the single age producing the most arrests of the greatest violence was fifteen.

These are appalling statistics. In my judgment police "crackdowns" tend, if anything, to increase crime. Our only possible hope will come through offering Black people—and all disadvantaged groups—a chance to participate fully in our society, by improving the conditions that drive them to frustration, despair, and crime. They must be made to believe that they have something to gain—or lose—in American society. And they certainly are never going to believe it unless a lot of private—and public—attitudes change radically. According to the Kerner Report, close to half the White policemen in predominantly Black districts in one city showed extreme racial prejudice against Blacks. The witness, a professor at the University of Michigan, went on to say this: "What do I mean by extreme racial prejudice? I mean that they describe Negroes in the terms of the animal kingdom."

You can't realistically expect a Black man to believe in—or even aspire to—the so-called American dream when he confronts such attitudes. It is bad enough to be poor today—but to be poor and Black is to be in double jeopardy. If we are to move forward toward justice, it must be justice for all of us, rich or poor, White or Black. America is going to have to put it on the line, and root out the racism permeating our society. Blacks will not wait much longer. The burden of blame for the past—and the burden of proof for the future—belong to White America.

FOOTNOTES

- ¹ *New York Times* this Last November.
- ² New York Committee to Abolish Capital Punishment.
- ³ *Death Row Chaplain*, 1962.
- ⁴ *The Urge to Punish*.
- ⁵ New York Committee to Abolish Capital Punishment.
- ⁶ Guy Johnson, "The Negro and Crime," *The Annals of the American Academy of Political and Social Science*, (1941).
- ⁷ Marvin Wolfgang, *Journal of Criminology Law, Criminology and Police Science*, 1962.
- ⁸ New York Committee to Abolish Capital Punishment.
- ⁹ Report of the President's Commission on Law Enforcement, 1967.
- ¹⁰ *White House Conference on Children and Youth*, 1962.

YOUR MOVE, MR. PRESIDENT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HANNA. Mr. Speaker, yesterday's Wall Street Journal confronts the Nixon administration with a critical challenge: Will it supply the money needed to stimulate a high level of private participation in meeting our Nation's need for housing? Congress has, in the Housing and Urban Development Act of 1968, demonstrated its commitment to this approach. Corporations, as the Wall Street Journal article reveals, are ready to roll

if the Nixon administration will only reveal its readiness to furnish the required increment of Government support. The desire of millions of Americans now living in substandard housing to improve their lot is self-evident. In summary, everyone is anxious to see action. Your move, Mr. President.

The article referred to follows:

HOUSING THE POOR: PLAN AIMED AT SPURRING PRIVATE LOW RENT UNITS AWAITS NIXON ACTION—NEW CORPORATION SET TO SEEK INVESTORS IF ADMINISTRATION BACKS NEW AID FOR TENANTS—THE PROMISE OF HIGH RETURNS

(By Monroe W. Karmin)

WASHINGTON—The "engine of private enterprise" that Richard Nixon has promised to use for social goals is ready to roll toward the goal of housing the poor.

The National Corporation for Housing Partnerships, created by the Johnson Administration and now awaiting a go-ahead from the Nixon Administration, is confident it can raise \$50 million from private industry for "seed money" investment in low-rent housing projects. The planners figure this starter could generate \$1.9 billion of financing later on.

But there's a catch. In order to start up the private-enterprise corporation, President Nixon apparently must commit himself to spending more Federal funds—at a time when his aides are searching for budget economies.

"Unless there is a substantial increase in the appropriations requested for rent subsidies, declares Edgar F. Kaiser, the industrialist who heads the corporation, "there's great question whether the corporation is needed or can be of service." In effect, Mr. Kaiser wants the Government to guarantee a supply of tenants through various programs to ease their rent burden.

Will Mr. Nixon comply?

ROMNEY'S ROLE

Mr. Kaiser is optimistic. Noting that the President has rejected resignations offered by the corporation's directors, he says he believes "there will be a substantial (budget) increase for low-income housing."

So far, Urban Secretary George Romney is noncommittal on this point. He simply says that "the bulk of the money (needed for housing) must be stimulated from the private sector." A Romney spokesman adds: "We have a sympathetic concern for the corporation's objectives, but we've reached no decision as to how far we can go."

If the Nixon Administration is willing to go far enough (just asking Congress for increased rent subsidies, without waiting for it to act, is deemed sufficient), then the Kaiser-led corporation is ready to go about the business of formally lining up investors. Mr. Kaiser believes he would have no trouble finding takers, beginning with his own company, Kaiser Industries Corp., and those represented on the corporation's board of directors. These include:

Westinghouse Electric Corp., World Airways, Metropolitan Life Insurance Co., Deere & Co., Ling-Temco-Vought Inc., Loeb-Rhoades & Co., Lomas & Nettleton West Inc. of Dallas, Lazard Freres & Co., Penn Central Co. and the Mechanics & Farmers Bank of Durham, N.C.

BACKING FROM BANKS

A canvass of two dozen other major corporations found many interested parties, Mr. Kaiser reports, and investors are also expected to come from among the 15 big banks that already have agreed to lend the corporation \$1.5 million for start-up expenses. They are:

Chase Manhattan Bank, First National City Bank, Bank of America, First National Bank of Houston, First Pennsylvania Banking & Trust Co., Philadelphia, Mellon National Bank & Trust Co. of Pittsburgh, Citizens

Southern National Bank of Atlanta, Republic National Bank of Dallas, First National City Bank of Cleveland, First National Bank of St. Louis, First National State Bank of New Jersey in Newark and the Riggs National Bank of Washington.

In addition, more than 300 inquiries have come into corporation headquarters from such diverse potential local investors as the Columbia Gas System Service Corp. of New York City, Formica Corp. of Los Angeles, the International Association of Holiday Inns, based in Memphis, Coggans Realty Co. of Eufaula, Ala., C. Looney Realty of Twin Falls, Idaho, and the Imperial Development Co. of Meadville, Pa.

It's the purpose of the National Corporation for Housing Partnerships (NCHP) to mobilize private industry to help meet the goal, set in last year's housing act, of producing six million subsidized housing units for low and moderate-income groups over the next decade. (Low incomes are defined as \$2,400 to \$4,500 per family, moderate incomes as \$4,500 to \$8,000.)

This means raising total U.S. output of such housing from the present level of about 50,000 units yearly to 600,000 units yearly. The NCHP hopes that perhaps within three years it will be producing 10% of this total, or 60,000 units annually.

SCATTERED PROJECTS

As a starter, the NCHP would like to see work begin on 10,000 units in its first year, distributed among 35 to 50 projects. This would be equal to what the very largest private homebuilder now produces in a year. NCHP officials hope to distribute their prototype projects widely around the country, using different types of technology to provide different types of units for different types of tenants.

"We hope to put our emphasis on providing housing for those who need housing," says Howard R. Moskof, NCHP vice president, "which means black people, white people, Spanish-speaking people and Indians—in the city, in suburban areas and in rural areas."

In addition, the NCHP has other goals in mind.

One is to serve as a catalyst, to stimulate other builders and investors to undertake low-cost housing by showing that it can be done profitably. "We hope that once we demonstrate what we can do in local communities, our success will encourage others to do the same," says Mr. Moskof.

Another aim is to encourage home ownership by the poor. Though the NCHP-sponsored housing would be built as rental units, Mr. Moskof says, "The idea is to build, hold for a reasonable length of time, and convert to condominium, cooperative or non-profit ownership by tenants." The NCHP has asked the Federal Housing Administration to change its mortgage insurance regulations to ease the conversion.

None of this can be accomplished, in the NCHP view, unless the Government comes through with substantial aid so that low-income tenants can afford the housing—in effect, creating a guaranteed, Government-supported market to attract profit-motivated private industry and investors.

"If you don't have subsidies of one kind or another for the tenants, then you don't have the market," declares Mr. Moskof, "and business can't produce housing for low-income tenants without subsidies."

In particular, the NCHP wants Mr. Nixon to ask Congress to fully finance the program, enacted last year, under which the Government pays a mortgage interest rate subsidy that keeps housing investors' interest costs as low as 1% and thus holds rents down. Congress granted the program \$25 million for the current fiscal year (ending June 30) out of an authorized \$75 million; the NCHP would like the President to request the \$50 million difference for this year, plus \$100 million for the year that begins July 1.

Without committing himself to any increase, Secretary Romney has spoken highly of the interest subsidy idea, observing that it originated with Republicans in Congress.

When and if the Nixon Administration promises to seek increased subsidies from Congress, the corporation will seek clearance from the Securities and Exchange Commission for the stock it will issue to participants. It's expected SEC approval could be obtained by spring.

The NCHP hopes to line up 500 charter stockholders, mostly from the business and financial world. Each would be asked to invest \$100,000, for a total original investment of \$50 million. The corporation would keep \$2.5 million of its original capital for operating expenses and create a national partnership (with the same membership of 500) to invest the remaining \$47.5 million. This money would be invested in local partnerships, up to a maximum 25% participation in each; local investors would put up the remaining 75% or more to finance the low-rent housing projects in their communities.

It's figured this "seed money," by providing 10% down payments with mortgages covering 90% of the cost, in time could generate \$1.9 billion of construction financing. That would be enough to build 130,000 units, officials say.

The attraction to the investors is a potentially handsome return. Not only is it calculated that local housing projects will return a basic 6% profit (distributed among the national and local partners in accordance with their participations), but the advantage of fast tax depreciation would be available to both local and national investors.

Because of this tax advantage, it's calculated that investors would receive an actual return on their investments ranging from 24.4% in a project's second year to 16.8% in its 10th year. That return, says Mr. Muskof, would be "comparable to the yields sought by most industrial investors" and is required to attract private financing to low-cost housing.

A TIME TO SPEAK OUT

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FARBSTEIN. Mr. Speaker, I bring to the attention of my colleagues a letter written to the editor of the New York Times by Mr. Eugene P. Connolly, a prominent citizen of New York City. The letter is particularly worthy of our consideration at the present time in view of the unfortunate challenges of the blacks in the city of New York:

New York, N.Y.,
January 24, 1969.

The Editor,
The New York Times.

DEAR SIR: There is a time to be silent and there is a time to speak out. Now is the time for many voices, black and white, to cry out if we are to save our city from the limitless horrors of an urban society where neighbor hates neighbor and people hate people. To hate is to fear and to fear is to rot.

As one who has lived almost his entire adult life in New York City, no counterpart to what is taking place today has existed in our midst. The feeble, futile efforts of the Nazi Bund just prior to World War II earned them only the contempt of the people and the attempt to win converts to the anti-human cause of the "Master Race" foun-
dered in well-earned ridicule.

What is most alarming is that a small minority is able to create this discord and disension in a city that has been in the forefront of every meaningful fight for civil liberties in our history as a people. Because New York was the focal point of all immigration and the city represented those of all races and creeds and colors, its sympathies and heart responded to the oppressed and the needy.

Today, when most Americans recognize that the greatest unsolved domestic problem of our nation is to finally and at long last insure to our black brothers the full rights that are theirs by nature and law, it is unthinkable that we permit the development of what is becoming an open and brazen anti-semitism to infect our society by a small minority, unbelievably encouraged by some civic and political leaders who seemingly are unconscious of the effect of their acts. It is tragic that some black leaders adopt a tactic used against their own people for untold generations past.

Hearteningly, black leaders are increasingly speaking out against the prejudice and demagoguery used against them by those who oppose the struggle of the Negro people to obtain their full civil rights.

The incredible reading of anti-semitic poems in classrooms and on the air, or the inclusion of such material in a catalog issued by Mr. Hoving's Metropolitan Museum of Art, are not only shocking but inexcusable.

New Yorkers should be proud that so many dedicated Jewish teachers have chosen what is so often a troubled and difficult area and career. Since there is and has been a serious and growing shortage of teachers, and since the rolls are open to all those qualified, we should be thankful they have been willing to take up that torch on the road of education so basic to the winning of a fruitful life for the students of our city.

Before these incidents become a spreading canker that can poison our relations one to another, let responsible people stand up and be heard while time may still favor our hopes.

Very truly yours,

EUGENE P. CONNOLLY.

ELECTORAL COLLEGE REFORM

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MANN. Mr. Speaker, there are many proposals being put forward to change the electoral college system for electing the President and Vice President. One of the more interesting I have encountered is that of the seventh-grade history class at Evans Junior High School in Spartanburg, S.C., taught by Mrs. Lucy Stroup. I recommend that my fellow Members take a look at their proposal, which shows that intelligent interest in public affairs is not limited by age. This class is to be commended for their initiative in coming up with a solution to this complex problem. I include their amendment in the RECORD at this point, along with its letter of transmittal:

EVANS JUNIOR HIGH SCHOOL,
Spartanburg, S.C., November 21, 1968.
HON. JAMES R. MANN,
House Office Building,
Washington, D.C.

DEAR MR. MANN: We are members of a seventh grade history class at Evans Junior High School, and have followed the elections this year with much interest and excitement. We have learned a lot, too.

We are happy to have you as our new representative in Congress, and hope that one of the first jobs you perform will be to propose a Constitutional amendment which would revise the Electoral College system.

Our class has been studying Presidential election processes, and we have discussed weaknesses in the Electoral College system. We have written a proposed amendment to Amendment 12, and we are enclosing a copy for you to read. We suggested five changes in the Electoral College system.

We are hoping that changes will be made before the next Presidential election.

Respectfully yours,

Ricky Satterfield, Jimmy Isom, Donny Powell, Sally Nan Barber, Daniel Weeks, Jim Burchfield, Randy Stroupe, Sotires P. Kaleores, David J. Farmer, Paula Hines, Mary Anne Burch, Lanier Laney, Russell Jones, Merri Turner, Gary Graham, Deede Williams, Faith Cox, Ricky Pennebaker, Steve Jobe, Fran Yoffe, Cathy Patton, Mark Smith, Karen Cavin, Mary Pat Denham, Dale Petty, Ric Thomas, Tom Adams, Kathie Bell, Steve Pool's

PROPOSED AMENDMENT TO AMENDMENT 12 OF THE CONSTITUTION

All slates of electors shall meet in their respective states and vote for President and Vice President, casting the exact number of votes received for their candidates in the direct popular election held in their state. They shall sign these votes and transmit them, sealed, to the seat of the Government of the United States directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all certificates, and the votes shall be counted. The Presidential candidate and his Vice Presidential running mate having the largest number of votes, if such number be at least 40 per cent of the total votes cast, shall be declared President and Vice President. If no candidates receive as much as 40 per cent of the total vote, or if candidates receiving 40 per cent have an equal number of votes, then, from the two candidates having the highest number of votes, Congress shall meet jointly and shall choose immediately, by ballot, the President and Vice President. The votes shall be taken by states, with each state casting as many votes as there are members from that state in Congress. A quorum for this purpose shall consist of two-thirds of the whole number of Senators and members of the House of Representatives.

FRAN YOFFE,
MARK SMITH,
MARY PAT DENHAM,
RIC THOMAS,
KATHIE BELL,
Committee Members.

THE NEW PUTNAM, CONN.

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ST. ONGE. Mr. Speaker, a very interesting article about my hometown of Putnam, Conn., was published recently in the Worcester, Mass., Evening Gazette. The article, entitled "The New Putnam, From Disaster to a Blossoming Community," is written by Albert B. Southwick, the very able chief editorial writer of the Gazette.

Under leave to extend my remarks, I wish to insert this fine article into the RECORD and to call it to the attention of

my colleagues, particularly those of our neighboring New England States. It reads as follows:

THE NEW PUTNAM, FROM DISASTER TO A BLOSSOMING COMMUNITY
(By Albert B. Southwick)

Ask the man on the street in Marlboro how to get to Putnam or Killingly, Conn., and he might scratch his head in puzzlement.

The same might apply to the average person in Shrewsbury—or Worcester—or Auburn—or Fitchburg.

But in two short years, all those communities will have something in common and they will know the quickest way to get to each other.

By the end of 1972, according to current predictions, they will be strung together like daisies in a chain by superhighways Route 52 and Route 290. By the end of 1974, Leominster and Fitchburg will be linked up to the northern extension of Route 52.

The big road has already pushed up from New York, New London and New Haven, through Killingly, Putnam, and Thompson to the Connecticut line at Webster.

It is finished from Gold Star Boulevard here in Worcester to Route 20 in Auburn.

When the gaps are filled in, travel time will be cut dramatically. The winding drive from Worcester to Putnam, which now takes an hour, will be slashed to about 30 minutes of smooth freeway travel.

BLOSSOMING COMMUNITY

All along the route, communities are pondering the implications of the big highway, much as the small towns in upper New York pondered the Erie Canal 140 years ago.

The impact of Route 52 is already being felt in Putnam. In the past few years, the city has blossomed forth as the retail center of northeastern Connecticut. One shopping center, with 17 businesses, is flourishing, a second is being developed in the city, while a third is being planned for the town.

The city. The town. Persons from Massachusetts do a double take when they run up against the quaint relics of government that still hang on in Connecticut. Yes, Virginia, there is a town of Putnam. Also a city of Putnam. The city is only a small part of the town in area, but it contains most of the 8,500 people. The city has a mayor and a council. The town is run by a board of selectmen. Everybody agrees that the arrangement is ridiculous. It may be phased out within a few years.

But if that seems complicated, travel down the road to Danielson and-or-Killingly Danielson, an independent city for all intents and purposes, is a borough of the town of Killingly. Like the folks in the city of Putnam, the folks in the borough of Danielson get taxed twice.

ACT OF GOD

Unlike Putnam, Danielson has not seemed to profit from Route 52. Between 1961 and 1966, when Putnam was increasing its annual retail sales from about \$16 million to \$25 million, Danielson's retail sales were falling in inverse proportion—from \$21 million to \$15 million.

The go-getter types in Putnam say that Danielson is too conservative, afraid to take risks. But why should Putnam be so different?

It was partly an act of God, as the insurance companies put it. Putnam was a sleepy, shabby little mill town in the first weeks of August, 1955. Then came Hurricane Diane. The rushing waters of the French and Quinebaug Rivers, which merge just above the city, came thundering through with the force of 100 express trains. More than a hundred homes were wiped out, and another 400 devastated. Dozens of businesses were shattered. The heart of Putnam was scooped out and shoved downstream.

"Instant redevelopment," they still call it.

CHARMING

It might be more accurate to call it "instant demolition," for the center of the town was not completely rebuilt until 1964. Now, thanks to millions of dollars in federal and state funds, and the unfailing concern of Conn. Gov. John Dempsey (he was Putnam's mayor for eight years), and competent leadership at the local level, Putnam is perhaps the most charming little mill town around. The devastated core of downtown along the river is now a lovely park, where people walk and band concerts are held against the backdrop of the waterfalls.

The city is protected from future floods by the West Thompson Dam upstream, completed by the Army Engineers a few years ago.

In addition, the city has built a number of attractive public housing projects. Except for small areas of blight, like the famous "Ballo's Village," there are no slums at all.

Putnam has also been helped in its rehabilitation by a couple of spectacular fires that eliminated some less-than-elegant buildings. Plans are afoot for more civic projects.

Compared to other cities of its size, Putnam is miles ahead in the redevelopment race. Its future looks rosy. But is it all smooth sailing ahead?

A group of prominent citizens chewed that question over at lunch. Robert Bulger, long time head of the Putnam Redevelopment Agency and Housing Authority, and the sparkplug of Putnam's physical renaissance, still thinks much more should be done, especially in the field of housing.

Roger Kinne, former president of the Putnam Area Chamber of Commerce, feels that the tidy prosperous appearance of the city may be somewhat deceptive.

"We've got to find some way to keep our young people here," he asserted, echoing a cry heard in small communities across the land. "We don't have enough for them—no youth center, no art center, no YMCA. Putnam is just not an exciting place for young people."

But if youth does not think Putnam swings, it appeals to others—the settled family people, the old folks. Northeast Connecticut has the highest percentage of persons over 65 in the state.

A drive through the lovely countryside explains why. The rolling fields, the stone walls, the delightful town commons are like something from the last century. Grandma Moses would have loved Woodstock, and Thompson and Pomfret. The area is a sort of oasis from a turbulent world. No wonder many people love it.

LABOR MARKET

And also no wonder that eager youth finds it sedate and unexciting.

What does Putnam want? Does it want to become an industrial center, all hustle and bustle? Mayor R. Roger Brodeur looked pensive at the thought. In many ways, the people of Putnam like it as it is.

But times change. It is getting harder all the time to hire mill help for \$2 or \$2.50 an hour. Young people head for Hartford, New Haven or New York and the higher wages.

Low wage industries in larger cities have been saved by Puerto Ricans and Negroes. Would Putnam want to undertake that sort of sociological transformation?

Even if it wanted to, could it attract wage earners?

"If somebody wanted to come in here tomorrow and build a new factory," said Kinne, "we wouldn't know what to do. We couldn't supply the help. If he brought his own help, we couldn't supply the housing."

Putnam faces precisely the same dilemma faced by hundreds of other small communities.

THEY WOULD LIKE TO KNOW

But it has definite advantages. It is in a splendid location. It has plenty of land for expansion (in the town, if not the city). And it has talented leaders who can see the need of such things as art, recreation, and culture.

And, of course, it has the big highway, open south all the way to New York, and scheduled to open north to Worcester, Marlboro, Fitchburg and Boston in a very few years.

Will those cars and trailer trucks roll right through Putnam, north and south, or will the community become a productive magnet for enterprise and wealth? Will the road bring people in or take people away?

Putnam would like to know.

FASCELL JOINS COLLEAGUES IN URGING U.N. TO CONSIDER IRAQI CRISIS IN SECURITY COUNCIL

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FASCELL. Mr. Speaker, all Members of Congress, as well as all other Americans and, indeed, all of the civilized world, were shocked by the appalling persecution of Jews recently in Iraq. All of us are determined to do everything humanly possible to end this tragic episode and see that it never resumes.

As one Member of Congress, I have joined with many of my colleagues in sponsoring legislation to end the murder and tyranny of Jewish alleged spies in this Arab nation. We have called on the President to instruct our representative at the United Nations to seek a special meeting of the U.N. Security Council which would seek ways and means of preserving the human rights of the people of Iraq. We reverently hope that this approach will stop the bloodbath. In the meantime, we are also calling on all appropriate international agencies and diplomatic channels to use their influence in preventing the threatened genocide of Jews in Iraq.

If there is any possible other step that the Congress can take, I am sure that we will spare no effort in doing so. We cannot stand idly by while demagogues launch what could be a chilling effort to systematically abolish the Jewish community in Iraq.

Mr. Speaker, a few decades ago the world watched silently as one demagog prepared his master plan to rid his nation of what he called enemies dangerous to the well-being of the State. In his mind, the plan was so thorough that he called it the "Final Solution," indicating that after the completion of his work the problem would no longer exist. By ignoring the demagog and his scheme, by feigning ignorance of its aims, and by pleading noninvolvement, because the "problem" and the "solution" were internal matters and not the business of outsiders, a complacent world allowed the tyrant to begin his practice of genocide.

By the time men of good will were able and willing to assume the responsibility of stopping the tyrant, millions of Jews and other imagined opponents were ex-

terminated by the Nazis. The results of his insane acts are an historical monument to the philosophy of noninvolvement, a condemnation so absolute that men have pledged themselves never to allow "Final Solutions" to happen again.

On a recent Monday morning in Baghdad, the frightening pattern began anew, to the cheers and festive dancing of a deluded populace. On 14-foot scaffolds in the city squares of Iraq, men were executed for crimes against the state, crimes undocumented and unproven. While there is much doubt concerning the validity of the indictments for espionage and spying, there can be no doubt that nine of these men were convicted and killed because of their religion.

In the enlightened nations of the world, religious faith is not a crime, let alone one punishable by death. The thought of religious persecution is abhorrent, but to carry persecution to the extreme of death is nearly beyond human comprehension.

In the Arab States, there are many Jews being held against their will as hostages in the Arab campaign to destroy the State of Israel. Once proud communities of Jews in Iraq, Egypt, Yemen, and Algeria have been decimated to a few frightened people who again face the threat of extermination because of their religious faith.

Past attempts to save these survivors have been met with the same intransigence and unreasonable hatred that has typified the Arab attitude toward the peace offers of Israel. Just as the Arabs have avoided the conference table, they have ignored the ancient plea, "Let my people go." We ask now that the U.N. investigate the conditions of this captive people and find ways to free the Jews of Iraq from the Iraqi generals and judges who mete out their sentence of death without the sanction of law or the benefit of reason.

The other dangerous ramifications of the Iraqi hangings are evident; the atmosphere of crisis in the Middle East has heightened and the cause of peace has been handed a staggering setback. For the cause of world peace, as well as for the cause of simple human mercy, the outrages of Baghdad must be ended at once.

We sincerely hope that the conscience and perseverance of free men everywhere will be enough to halt the acts which have brought us once again in sight of the monster of the "Final Solution"—a monster which, if unleashed again, could destroy us all.

EXTREMISTS FOR PEACE OR PROPHETS OF DOOM?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. RARICK. Mr. Speaker, extremist citizens masquerading in the cloth and parading as prophets of peace must be placed in proper perspective for our peo-

ple. Their objective is not peace, but doom and death.

Maneuvering under the appealing label of "Clergy and Laymen Concerned About Vietnam," they serve only as Ho Chi Minh's little helpers. Their self-proclaimed objective may be peace, but always on Communist terms. Their disloyal expressions promote death to our loyal sons who serve in South Vietnam, that they, the unfaithful, have freedom to be disloyal.

That they were able to obtain a rendezvous with Mr. Kissinger—security adviser to our President—their mockery of our people by dignifying deserters from the armed services, basking in safety in Swedish sanctuaries, are outrages against all loyal Americans. These are intelligent people who are accountable for their acts and appreciate fully they serve to continue the war and prolong any peace results in Paris.

Most Americans are convinced that the intentions of this bunch of rabble-rousers is but to soften public opinion to a defeatist image in favor of Communist North Vietnam's butchers and to strengthen the Communists for additional concessions at the peace table.

One of their members, William Coffin, was granted the privilege, by force of Federal court order, to address the students of the University of Auburn. The Federal judge further aggravated this disgrace by forcing Auburn to provide facilities and payment from school funds to this convicted felon—a conspirator against the draft laws of our country.

So that our colleagues might have current information on the anti-American activities of these prophets of doom, I insert news releases from the local papers following my remarks:

[From the Washington (D.C.) Post,
Feb. 6, 1969]

MRS. KING, CLERICS TALK PEACE WITH
KISSINGER

Six leaders of the Nation's religious movement for peace, including Mrs. Martin Luther King Jr., spent 40 minutes at the White House yesterday outlining their views to President Nixon's national security adviser, Henry A. Kissinger.

President Johnson and his staff declined to grant similar White House appointment to representatives of the same group in 1967 and 1968.

The White House session followed an outdoor religious ceremony on the Constitution Avenue steps of the Justice Department at which the peace group, Clergy and Laymen Concerned About Vietnam, commissioned an Episcopal priest to serve as pastor-at-large to American deserters in Sweden.

The Rev. William Sloane Coffin, chaplain of Yale University, who acted as spokesman for the group when they left the White House, said Kissinger had given them "a very respectful hearing for which we are very grateful."

QUESTIONS ON WAR

Mr. Coffin was one of several anti-war figures convicted last year of conspiring to abet violations of draft law. An appeal is pending.

Mr. Coffin said he and his colleagues raised the following points with Kissinger:

They questioned the purpose of continuing fighting in Vietnam while the Paris negotiations are under way.

They feel that U.S. peace aims are still unclear, and that the question of whether this country will accept a neutralist government in Vietnam is unanswered.

They asked whether the President's enunciation last week of a policy of nuclear "sufficiency" includes the proposed erection of a "thin" anti-ballistic missile system.

The peace group feels that as the Vietnam conflict draws to a close, amnesty should be granted to imprisoned draft resisters and to persons who have gone to self-exile or into hiding to avoid military service.

The organization also believes that the current mutiny trial of 21 prisoners in the Army's Presidio stockade in San Francisco is unjust and betrays "a real note of panic on the part of the military."

DECLINE COMMENT

Following the customary etiquette of meetings with White House officials, Mr. Coffin and others in the group declined to say what Kissinger had said to them.

In addition to Mrs. King, the group also included other familiar peace movement figures: Rabbi Abraham J. Heschel, a professor at Jewish Theological Seminary, New York; the Rev. Richard John Neuhaus, pastor of St. John's Lutheran Church, Brooklyn, N.Y.; Gerhard Elston of the National Council of Churches, and the Rev. Richard Fernandez, national director of Clergy and Laymen Concerned.

About 500 persons marched peacefully from Metropolitan African Methodist Episcopal Church, 1518 M st. nw., along the 15-block route to the Justice Department for the commissioning ceremony.

Mrs. King, who arrived in Washington in the morning, led the marchers as far as 15th and I streets nw. and then covered the remainder of the route by car. She carried a small bunch of violet chrysanthemums.

Organizers of the march said a chronic leg ailment makes it difficult for her to walk long distances and that she also was still fatigued from her just-completed journey to India.

In her talk outside the Justice Department, Mrs. King suggested the present era in America matches Charles Dickens' characterization of the French Revolution: "The worst of times and the best of times."

The Vietnam War—"Goliath's futility," she called it—continues, but "there is an emergence of modesty for the first time among tens of millions of Americans who have recognized we are not the world's policeman."

Echoes of the peace movement's jousts with President Johnson were recalled as Mrs. King spoke of "political leaders who have the temerity to offer both guns and butter as if they were equivalents."

She evoked cheers from the crowd, a group that ranged from long-haired young men and women to elderly couples, as she declared: "I do not want guns, with or without butter."

The Rev. Thomas L. Hayes, who is currently the executive secretary of the Episcopal Peace Fellowship, has agreed to spend a year in Stockholm as the emissary of Clergy and Laymen Concerned to the American deserters living in Sweden.

Officials of the organization estimate that deserters there now number about 300. Possibly another 50 are said to be living in Paris.

At the edge of the group, about 50 counter-demonstrators led by the Rev. Carl McIntire displayed signs calling for victory in Vietnam. Dr. McIntire is a fundamentalist radio preacher.

Caption under picture: Coretta King and members of Clergy and Laymen Concerned About Vietnam commission an Episcopal priest, the Rev. Thomas Hayes, as pastor-at-large to American deserters in Sweden at the Justice Department yesterday. From left, Rev. Richard Neuhaus, a Lutheran minister, Rabbi Abraham Heschel and Mrs. King. In the background is Rev. Richard McSorley, Georgetown University professor.

Caption from picture, Washington Post, January 25, 1969: ACCEPTS TAMBURE.—Coretta King receives from India's President Zakir Husain the Jawaharlal Nehru Award for

Understanding, given posthumously to slain U.S. civil rights leader Dr. Martin Luther King Jr. Dr. King's widow said she accepted the certificate and check for \$13,300, "not as an award for a job accomplished or a victory won," but "as a tribute to a well-fought fight and progress."

[From the Washington (D.C.) Evening Star, Feb. 2, 1969]

MOBILIZATION AGAINST WAR TO OPEN HERE

The third national mobilization of Clergy and Laymen Concerned About Vietnam will be held Monday through Wednesday at Metropolitan AME Church, 1518 M St. NW, and other Washington churches.

Heading the list of scheduled speakers are Sen. George McGovern, D-S.D., and Rep. John Conyers, D-Mich. Both will address the opening session Monday morning at Metropolitan Church.

Hiber Conteris, a Uruguayan novelist, playwright and editor, will speak at an evening session Monday on the U.S. role in developing nations. Other speakers at general sessions and smaller lecture-discussions include Marcus Raskin, Arthur Waskow and Richard Barnet, all of the Institute for Policy Studies here, and David Harris, now appealing a three-year sentence as a draft-resister.

Some of the laymen and clergymen who will take part in the mobilization also were signers of a statement issued last week by Clergy and Laymen Concerned demanding that the Army drop plans to court-martial six soldiers charged with mutiny for taking part in a sit-down at the Presidio Stockade in San Francisco. The soldiers were protesting the killing of a disturbed prisoner who was trying to escape.

Among at least 35 signers were the Rev. John Sheerin, editor of the Catholic World; Rabbi Abraham Heschel, professor of Jewish ethics at Jewish Theological Seminary; Methodist Bishop Francis E. Kearns of Ohio; Harvey Cox, author of "The Secular City," and the Rev. Jon L. Regier, associate general secretary, National Council of Churches. Sheerin and Heschel also will speak during the mobilization.

[From the Washington (D.C.) Evening Star, Feb. 2, 1969]

COMMUNISM TOPIC OF TWO FRIDAY TALKS

Two guest speakers will discuss communism at different Catholic-sponsored events on Friday.

The Rev. Paul Oestreicher, a British journalist and ordained Anglican minister, will speak at 8:15 p.m. Friday in Gaston Hall, Georgetown University. His subject will be "The Christian-Marxist Dialogue."

[From the Washington (D.C.) Post, Feb. 6, 1969]

U.S. COURT VOIDS BAN ON COFFIN

(By J. M. McFadden)

MONTGOMERY, ALA. February 5.—A Federal judge overruled Auburn University's president here today and ordered that the Rev. William Sloane Coffin, Yale chaplain, be permitted to speak at the Alabama school Friday.

Auburn President Harry Philpott said he would appeal to the Fifth Circuit Court of Appeals in New Orleans and would ask a stay of the court order.

Calling Dr. Philpott's campus speaker rules "blatant political censorship," U.S. District Judge Frank M. Johnson Jr. ordered Auburn to provide Coffin facilities and payment from school funds.

The ruling said Philpott's oral rules controlling speaker invitations are unconstitutional and called them a violation of the First Amendment.

The Yale chaplain was convicted with Dr. Benjamin Spock last year of urging students to resist the Vietnam draft. He is free on appeal.

Last month, Philpott vetoed Coffin's appearance at Auburn and the sponsoring student-faculty group sued in Federal court.

Recreation in Alabama to the court's ruling was swift. Gov. Albert Brewer called the order "an insult . . . to the people of Alabama." "This decree not only undermines the capable administration of Auburn University," he said, "but even goes so far as to direct" the University to pay a "convicted felon who has sought to influence young people to betray their country."

The court order said the State cannot "regulate the content of the ideas students may hear."

"To so is illegal and thus unconstitutional censorship in its rawest form."

While upholding Philpott's ultimate power to determine whether a speaker is invited to the campus, Johnson said, "This determination may not be made for the wrong reasons or for no reason at all."

Philpott ruled that students could not invite (1) a speaker who could reasonably be expected to advocate breaking a law; (2) a speaker who had been previously convicted of a felony; and (3) a speaker of the type represented by Coffin because he said it would be tantamount to University sanction of what the speaker advocated.

SAILORS OF THE WORLD

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. DULSKI. Mr. Speaker, recently many Members had the pleasure of meeting two Polish sailors who had just completed a voyage across the Atlantic in a 22-foot sailboat. They had sailed from Denmark where they had been granted asylum after a successful escape from Poland. They reached Miami last Christmas Eve.

An interesting story of these two brave sailors—Mieczyslaw and Piotr Ejsmont—has been written by Sidney Field in his popular column "Only Human," which appears daily in the New York, N.Y., Daily News.

The article is not only a tribute to these young courageous Poles, however, its deep significance lies in the spirit which motivated their daring adventure.

They named their boat *John* in honor of President Kennedy. They were sailing under a white and red Polish banner with the inscription "FPS"—free Polish sailors. Their dream was to place a wreath on President Kennedy's grave.

By doing so they wanted to tell the world that Communist oppression did not extinguish the love of freedom and centuries old ties between Poland and the West.

The Ejsmonts belong to the generation which has grown up under the post-war totalitarian system that has been imposed upon Poland.

Their deed speaks more eloquently than anything else of Poland's true spirit, and the bankruptcy of communism.

Following is the text of Mr. Field's article in the January 27 edition of the News. I hope it will serve to remind all of us of our continued concern for the people of Poland who, despite their present fate, retain a deep commitment to

freedom and warm friendship for our country:

SAILORS OF THE WORLD

(By Sidney Fields)

The journey covered 7,250 miles over water, from Poland to Denmark to the Canaries and across the Atlantic in a 22-foot sailboat.

The Ejsmont brothers, identical twins, 28, ruddy-faced and bearded six-footers, made the extraordinary voyage for an ordinary reason: they love the sea and its freedom. But even the waters around Poland's proletarian paradise is a prison.

"This is bad for boys who always dream of sailing around the world," said Piotr, pronounced Pete.

"In Poland, even if you have government orders, you cannot leave port without inspection by maritime security police," said Mieczyslaw, pronounced Mike.

"They always come aboard," Pete added, "and if there is more food than what is allowed, it is confiscated, you are fined and you can be put in jail."

They were brought up on the rivers and lakes around Grodno, northeast Poland, part of the vast real estate the Russians gobbled up after World War II. Their parents; a sister, Wanda; and a brother, Jan, are still there.

The twins were trained for the Polish Navy, served for three years and captained tourist boats going to Scandinavia and the Baltic countries. Too confining. So, in 1959, when they were 19, they decided to take a little boat trip to Denmark.

RELEASED AFTER 6 MONTHS

A Polish patrol boat picked them up 10 miles from Copenhagen. They were brought back and jailed. For the next three weeks they were in solitary confinement and interrogated every night.

"They did not believe that we only wanted to sail around," Pete said.

"No, they did not mistreat us," Mike said, "but the food was terrible. We lost 20 pounds."

After six months their xenophobic captors agreed that the teenage twins were not on the CIA payroll and released them. But they were not allowed on the same ship together. After each trip their passports were taken away. For six years they were not permitted to leave Polish waters.

When they could, they carefully planned a second split. In July, 1965, Pete took a boatload of tourists to Copenhagen, told his first mate he was very sick and had to see a doctor at once and ordered him to take the ship back to Poland. When Mike arrived in a second boat, he suddenly got sick, too, and ordered his boat back to Poland. The brothers asked the Danes for political asylum. It was granted.

They then went to work, making beer bottle caps, electric cables, textiles; learned Danish and English; and when they saved enough money proceeded to build a 20-foot sailboat. It took them 10 months. They called it *John I*, after John F. Kennedy.

"By then we decided to sail to America and lay a wreath on the grave of Kennedy," Pete said.

Mike caught my skeptical eye. "In Poland, Kennedy is more revered than here," he said. "Especially by the young. People were still weeping in the streets three days after he was killed."

They set sail in *John I* on June 11, 1967. On the night of June 16 they were hit by a Danish freighter, which just kept going. For the next 30 hours the twins frantically bailed water out of their boat with pails. It had no pump. They barely made it to Bremerhaven.

"The boat was finished," Mike said. "A wreck. We had to take a train back to Copenhagen."

They simply began over again. Each held down two jobs. On weekends they built John II, 22 feet long. On May 4, 1968, they left Copenhagen and reached the Canaries in late July. For the next three months they resupplied, repaired and refurbished their boat, while outwating the hurricane season. They sailed from the Canaries on Oct. 20. Their first land fall was Antigua, 33 days later.

WREATH ON J. F. K. GRAVE

"Two days from Antigua we had no food left," Pete said. "But we met a Dutch freighter and the captain gave us food, also oranges, and a case of beer and a bottle of whiskey."

"After Antigua," said Mike, "our course was to St. Thomas, past Cuba, to the Bahamas and then Miami. But 50 miles off Cuba a gale came. It washed our food away. So for two days we did not eat. But worse, we were afraid the wind would blow us to Cuba and they wouldn't let us out."

They reached Miami on Christmas Eve and to their delight discovered that a port officer was of Polish extraction. He steered them to the Polish-American Immigration and Relief Committee and they got more Christmas dinner invitations than they could accept.

With the committee's help they made their way to Washington and went directly to Arlington National Cemetery. They laid a wreath on JFK's grave, knelt and prayed, then moved over to Robert Kennedy's grave to say a prayer, too.

"We were sad," Mike said, "but we were content in a way. We kept our pledge."

They were given tourist visas and are now visiting Polish groups around the country. When their visas expire next June, the twins will return to Denmark where they still have an apartment. Will they ever return to Poland?

"After this," said Peter, "even if we were not jailed, Poland would still be a jail. We will try to come to America."

"Who doesn't want to come here?" Mike asked.

"But we still have a big voyage to make," Pete said.

They both nodded, as if they were impatient to start it at once.

"Around Cape Horn," Mike said. "All around the world."

FCC RULING ON CIGARETTE ADVERTISING

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. KOCH. Mr. Speaker, I rise on this occasion to stress certain important implications of yesterday's decision by the Federal Communications Commission to ban cigarette advertisements from the air and to solicit the support of the Members of the House for the FCC's proposed ruling.

In 1965 the Congress passed the Cigarette Labeling Act which precludes the Federal Trade Commission from requiring a health warning in the advertising of cigarettes. The FCC has likewise interpreted this provision as precluding it from taking action against cigarette advertising on radio and television. Congress wisely provided that this provision would last only until July 1, 1969, so that it could carefully reconsider the two factors upon which it based its decision to stay the hand of the FTC.

The first reason was the feeling by

some Members that the case against cigarette smoking as a health hazard had not been proven. Yet, whatever doubts remained in 1965 have surely been resolved by the Surgeon General's report of 1968 with the results of thousands of additional research studies clearly showing that deaths attributable to cigarette smoking have reached truly epidemic proportions. The second reason, the promise of voluntary regulation by the tobacco industry, has likewise proved unsuccessful. The FTC has twice indicated that cigarette advertisements have continued to employ the same seductive lures in ever-increasing frequencies, and last year reported how the industry deliberately planted a misleading prosmoking article in True magazine and then meretriciously advertised and promoted the article as though it were prepared by unbiased authority.

The FCC has now put Congress on notice that unless Congress deliberately acts to block it, the Commission will ban all cigarette ads from the public's airways. In so doing, it will follow a recommendation the FTC made to Congress last June. If Congress contravenes such a ban we will be flying in the face of the recommendations of the two agencies most competent in this field and we will be turning our back on the examples of countries such as Great Britain, Denmark, Italy, Norway, Sweden, and Switzerland, all of whom have long since banned such advertising. We will be voting to allow the public airways to be used to seduce over 4,000 children a day—over a million per year—to take up a habit which kills more than 200,000 Americans each year and according to one estimate may kill one-seventh of all Americans now living. Those who are encouraged to smoke are coking the ovens in their own bodies to produce cancer, heart disease, emphysema, and a host of other maladies. Those who would seduce the young and shorten their lives cannot avoid our censure.

The FCC's courageous decision has already been attacked by tobacco and broadcasting interests and urgently needs additional support. I would move, Mr. Speaker, that we in the House stand ready to defend one of the most basic interests of our Nation's people, good health, from those who would subvert it.

TALK OF EARLY RETIREMENT WAS MERELY CONVERSATION

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. GRIFFITHS. Mr. Speaker, last week I read a most interesting article in the Washington Evening Star, entitled "Talk of Early Retirement Was Merely Conversation," written by Joseph Young. Mr. Young was too kind to mention it but, to the end of the story, I believed Farthington was a Congressman. The real truth is that the pay and pension system for Congressmen delays retirement. It should be corrected.

Mr. Speaker, I include the full text of the article in the CONGRESSIONAL RECORD for the benefit of my colleagues:

TALK OF EARLY RETIREMENT WAS MERELY CONVERSATION

(By Joseph Young)

When I first started covering the government beat in the good old days of 1945, one of the first government career officials I met was a chap named Farthington.

Farthington was a trim, youthful 46, bright-eyed, with black hair and a splendid mustache.

He was most helpful in furnishing us with good news leads and we remarked appreciatively that we hoped we would enjoy a long and pleasant association with him.

"I'm afraid not," he said. "As soon as I can I'm going to retire."

We expressed surprise, since he was so young.

"Why shouldn't I retire?" he asked, warming up to what apparently was his favorite subject.

"I don't want to hang around until they force me to retire at the mandatory age of 70, feeble and no good to anyone," he said. "No, sir! I want to get out and enjoy life while I'm still young."

We wished him luck and asked when he thought he might take the plunge.

"Well, I'm angling for an involuntary separation so I can get out and get my retirement annuity at the age of 50," he replied.

When he reached the age of 50 and still remained on the job, we expressed mild surprise that he was still there.

"Well, there's a government pay raise coming up this year, and that will boost my high-five-year average salary on which my annuity will be based," Farthington said. "So I'll wait another year."

The next year and another five years came and went and Farthington was still around, and we found the subject of his projected retirement too delicate to mention.

But when Congress was considering the bill to allow employees to retire on full annuities at age 55 after 30 years' service, Farthington brought up the subject himself.

"Once this bill becomes law, I'll get out of here so fast that it will make your head swim," he said, rubbing his hands. "Ah, the life of leisure—Florida, fishing, swimming, afternoon naps."

Congress enacted the bill into law but Farthington remained at his desk.

"I understand Congress is going to liberalize the computation of annuities, so I might as well stick around another year," he explained. "It won't hurt me and will be well worth it."

The computation factors were liberalized. But—you guessed it—Farthington remained on the job.

Even the year when employees were given an 8 percent bonus on retiring, Farthington stayed on.

"With the new pay comparability pay law, our pay raises the next few years will be fantastic and will raise my annuity tremendously when I retire," he rationalized.

As he spoke, we noticed for the first time that his once jet-black hair was gray and his mustache was straggly.

And so it went year after year until last week, when we received a call from him.

"Can you come over and see me?" he asked in a quavering voice. We said we'd be right over, feeling rather guilty that we hadn't called on him in several years.

On arriving at his office, our first impression was that a stranger was seated at his desk. Certainly, this white-haired man with the palsied hands and wrinkled face was a far cry from our friend Farthington. But, alas, it was he.

"Help me, help me!" he cried.

"How?" we asked. "What is the matter?" "I turned 70 yesterday and they're forcing me to retire," he shouted wildly.

"But I don't want to go—I'm still in my prime and there's another pay raise coming up. Can't you use your influence to get me an exception from the 70-year mandatory retirement age?"

As we started to reply, two burly General Services Administration guards walked into the office unannounced. Approaching Farthington, one of them said, "All right, Pop, this is it. They need your office and you'll have to leave."

"I won't go!" Farthington shouted.

"Then you leave us no alternative," the other guard said, hoisting Farthington over his shoulder like a sack of flour and carrying him struggling from the room.

From down the hall, we heard Farthington's piteous wail: "Help me, I'm too young to retire. Help me, I'm too young . . ."

REPEAL URGED ON CENSUS PENALTIES

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. NELSEN. Mr. Speaker, I am joining a number of colleagues in sponsoring legislation to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population.

The measure would repeal the \$100 fine and the 60-day jail sentence which can be imposed on citizens who refuse to reveal highly personal information about themselves and their households on the 1970 census.

It would limit mandatory questions to six, leaving all others to be answered on a voluntary basis. The census, of course, is required by the Constitution every 10 years so that apportionment in the U.S. House of Representatives will be equitable. However, last year it developed that the Census Bureau is planning to send out an extremely lengthy questionnaire, requiring answers to some 120 questions involving 67 subjects. Many of us feel this information at the very least should be elicited voluntarily, without putting citizens under threat of harsh punishment.

At this time, I understand, the Census Bureau is proceeding with its plans to send the long form to every household in America. It does not take a genius to realize that the printing bill for these 62 million complicated forms will be big, to say nothing of the costs of tallying and analyzing all the long, involved results.

So, it seems sensible to assure that citizens need only respond with the main facts required. These facts would involve name, address, age, sex, head of household status, marital status, and persons in the home at time of census. Using a voluntary basis for the remainder, it is likely that the overwhelming majority of Americans would cooperate by supplying the extra details. In fact, such a procedure might very well result in a more accurate census than would be had otherwise.

DIRECT ELECTION OF THE PRESIDENT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BOLAND. Mr. Speaker, I testified yesterday before the Judiciary Committee in support of House Joint Resolution 12—a proposed constitutional amendment I have introduced to abolish the electoral college in favor of direct popular election of the President and Vice President.

With permission, Mr. Speaker, I place my testimony in the RECORD at this point:

DIRECT ELECTION OF THE PRESIDENT, STATEMENT IN SUPPORT OF HOUSE RESOLUTION 12

Mr. Chairman, I welcome this opportunity to present to you and the other members of this distinguished subcommittee my views on what is in the opinion of many of us the most important constitutional issue facing this country—reform of the system by which we elect the President. Presidential elections have become increasingly a game of political brinkmanship as we choose the person who may very well be the most important public official in the world. Few people have to be persuaded of this fact; almost everyone recognizes the problem, is deeply concerned, and wants to do something about it.

Thus, the real difficulty is not whether we should act, but what form this action should take. Our dilemma is hardly a new one; it is in fact, as old as the Constitution itself. The Founding Fathers at the Philadelphia Convention in 1787 pondered and debated the matter of electing the President at great length. The electoral college system which they finally settled upon probably did not fully satisfy anybody. Furthermore, indications are that dissatisfaction has been pretty general since that time; the more than 500 proposed amendments concerning the electoral system that have been introduced in Congress are strong testimony to this fact.

I suppose the immediate conclusion one might jump to is that if we have survived thus far with the present system, why is it necessary to change it now? My response is that we have been lucky, that we have received plenty of warnings, that we may not always continue to be lucky, and that there is no logic in relying on luck when we can turn to an alternative that is far more in keeping with our democratic tradition and would be virtually foolproof in assuring the American people that the person they want for President is the same as the one who would take the oath of office on January 20.

We have been lucky because the conditions for a constitutional crisis that are built into our electoral college system have never actually precipitated a crisis of really major proportions. Surely we have come close to it. In 1801 and in 1825 the House of Representatives was required to choose the President because no candidate had received a majority of the electoral vote. The wholly undemocratic and unacceptable provision giving the House the ultimate voice in the selection of the President when there is no electoral majority is still a part of the Constitution. This is not a proper function for the House, and these procedures become all the more grotesque when we realize that this contingent election employs the unit system that gives just one vote to each State, regardless of size.

On three occasions in our history, in 1824, 1876, and 1888, the peculiarities of our election system have placed in the White House

a man who actually received fewer popular votes than his major opponent. It is difficult in a country that rightly claims world leadership in democratic government to justify or explain away the constitutional procedures that made possible these results and could easily do so again.

In three of the last six Presidential elections, in 1948, 1960, and again in 1968, the presence of strong third parties or slates of unpledged electors on the ballots of some States have threatened to frustrate the popular will. That we managed to get through these elections without serious trouble was more a matter of good fortune than good sense. The campaign of last year is still fresh enough in our memories for all of us to recall the veiled hints and suggestions of bargains and deals that might have been a part of the election if it had been thrown into the House for a decision. Our electoral system ought to be a shield against this sort of business rather than an invitation to it.

Add to these shortcomings the unit electoral vote of the States, the dangers inherent in the constitutional independence of the electors, and the other weaknesses of our electoral college system, and it is easy to see why it has few defenders.

What alternatives are there to the present electoral system? Three basically different proposals have been developed and examined in great detail as possible replacements. They are: the district plan under which Presidential electors would be chosen by Congressional districts with two Statewide at-large electoral votes going to the candidate who wins the popular vote in the State; the proportional distribution plan under which a State's electoral vote would be divided among the candidates in proportion to each candidate's share of the popular vote; and the direct election plan under which the winner of a majority or a substantial plurality of the popular vote would be elected President.

Under either the district or the proportional plan it would still be possible, as it is now, for a candidate to win the popular vote and still lose the electoral vote and therefore the Presidency. This is the fundamental weakness of both of these plans, although they have other serious shortcomings which make me wonder if either of them would represent very much of an improvement over the system now in use.

This is not true of the direct election plan, and for this reason I have introduced House Joint Resolution 12 to amend the Constitution to provide for the direct election of the President and the Vice President. I shall go into my reasons for supporting direct election in some detail in a few moments, but I should like right now, with the committee's indulgence, to outline briefly the principal provisions of my resolution.

This resolution does away with the electoral college, electoral votes, and, of course, the electors themselves and provides quite simply and straightforwardly that the people of the States and the District of Columbia shall vote directly for the President and the Vice President. The people would cast one ballot for the candidates of their choice, who would be required to join their names and run as a team so that there could be no confusion about who was running for President and who for Vice President. The State Legislatures would keep the powers they now have to prescribe the places and manner of holding the election, and all persons qualified to vote for Members of Congress would be entitled to vote for the President and his running mate. A State could, if it wished, relax its residence requirements for voting for President, and Congress could, if the necessity arose, approve legislation requiring uniform residence and age requirements for the Presidential vote.

Within 45 days following the general election, unless Congress by law sets a different

date, the official responsible for election returns in each State shall send certified lists to the President of the Senate of all persons who received votes as well as the number of votes cast for each. Early in January, sometime between the fourth and the tenth of the month, the President of the Senate, before a joint meeting of the House of Representatives and the Senate, shall open these election certificates and count the votes.

The pair of candidates with the greatest number of votes shall be declared, respectively, President-elect and Vice President-elect if they have received at least 40 percent of the total number of votes cast. In case no team of candidates wins a majority or the 40 percent plurality, Congress must provide by law for a runoff election between the two pairs of candidates who received the greatest number of votes.

The unanswerable and overwhelming argument in favor of direct election is that it is the only plan that would always guarantee that the choice of the people, as expressed in their votes, would be elected President. Every vote throughout the entire United States would carry exactly the same weight and have exactly the same value as every other vote. This to me is democracy in action.

There are other very practical and compelling reasons which make the direct vote alternative so attractive. Words and phrases like the big States, small States, and key States that are now so important at election time would no longer have any special significance. Carrying the States as such would have no particular value because it would be the separate vote of every individual that would count. For this same reason the parties would no longer feel required to rely so heavily on the big States for their candidates.

Opponents of direct election have argued that it could damage the two party system at the grass roots level. In my opinion it would have exactly the opposite effect, especially in those areas where the re-energization of a party is most needed—areas which have long been dominated by one party. Under the present unit electoral vote plan there is certainly little incentive for a weak party in a State to bestir itself. It can't carry the State anyway, so why do any work. But under direct election this would not be relevant. The strength of a party would be precisely recorded everywhere in the Nation, and votes within a State for a losing candidate would not be thrown away, as they now are.

Another argument we sometimes hear is that direct election would lead to a proliferation of political parties. As a strong believer in the two-party system I would be very much concerned about this possibility if I thought this argument to be valid. Frankly, I don't think it is. Members of the House and the Senate, Governors, and other State-wide officials have long been elected by direct vote without causing a multiplication of parties. The people are not particularly anxious to waste their votes on parties and candidates that have no chance of winning, and the 40 percent plurality requirement for election in H.J. Res. 12 makes it certain that the victor would have to be the representative of a major party. Of course, the strength of minor parties would be accurately reflected at the polls, but I think it should be and I don't see why anyone should object to this. Incidentally, along these lines, and for the same reasons, there would be less need than at present for the major parties to make excessive concessions to minority groups who may hold a balance of power in certain States.

One of the strongest features of direct election as proposed in my amendment is that it would do away with the need for the House of Representatives to choose the President as is now the case under the contingent election procedures. The choice of President

would always be where it should be—with the people in the general election and with the people in the unlikely event that a runoff election is needed.

Direct election is simple, uncomplicated, and easy to understand. The voters would know exactly for whom they are voting. The temptation toward fraud would be greatly reduced, perhaps completely eliminated, in the large States where tampering with a few votes can, under the present system, mean the delivery of a large block of electoral votes.

Adoption of direct election would in one clean sweep wipe out a system that is undemocratic, complicated, and potentially dangerous and replace it with a plan that would in every election give to every voter an equal voice in the selection of the person to fill the most important office in the Nation.

The need for action by Congress is urgent. It is my sincere hope that this committee will favorably report H.J. Res. 12 and that Congress will promptly approve it so that it can be sent to the States for their consideration. I think it is of utmost importance that a direct election plan be in operation in time for the election of 1972.

OIL SHALE LEGISLATION

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. TUNNEY. Mr. Speaker, I introduce, for appropriate reference, a bill to establish a Federal oil shale development program designed to set forth a policy and program for the development of the vast federally owned oil shale resources so as to assure the continued and timely availability of an adequate domestic supply of energy for American needs in the foreseeable future and to obtain for the people of the United States a maximum return from these oil shale and associated mineral resources consistent with the competitive development and marketing of such resources and maximum feasible preservation of environmental quality.

In recent years, public imagination has once again been excited by a description of the great energy resources found in the oil shale deposits in Colorado, Utah, and Wyoming. The Secretary of the Interior has reported that these oil shale resources occur in over 11 million acres and may total as much as 1.8 trillion barrels. This is more than 60 times the present U.S. crude reserves of crude petroleum as estimated by the American Petroleum Institute and represents the potential equivalent of enough oil to meet U.S. needs for hundreds of years.

As the Department of the Interior has further reported, approximately 72 percent of the 11 million acres overlying these oil shale deposits, which contains nearly 80 percent of the known oil shale resources in the area, is federally owned. It is hence clear that this is an enormously valuable resource with great potential for meeting the energy needs of the American people for years to come, and for generating revenues badly needed by the people of the United States to help solve pressing problems affecting the general welfare.

Indeed, some enthusiastic proponents of oil shale development have pictured the national debt dissolving in a flood of oil shale revenue. More recently, it was suggested during the 1968 presidential campaign that revenue from oil shale could be used to finance the necessary improvements in education.

The hard fact, however, is that the first commercial oil shale mine has yet to be dug, the first commercial retort has yet to be built, and recovery processes for associated minerals imbedded in oil shale have yet to be proved—all of which means that the people of the United States have yet to realize any substantial revenue from these important resources. Moreover, the recent experience of the Department of the Interior, which received only three bids for test oil shale leases which it offered, and which had to reject all three of them as too low, indicates that there is no immediate prospect that the public will derive substantial revenues from these resources in the short term future.

In my view, these facts and developments underscore the need for adoption now of a clearly defined, congressionally initiated policy, looking toward the orderly management and profitable development of federally owned oil shale and associated mineral resources for the benefit of all the people of the United States.

In the 90th Congress, proposals looking toward this end were introduced by Senator PROXMIRE (S. 2754) and Senator HANSEN (S. 4190). In addition, many members of this body introduced proposals similar to the Proxmire bill.

The proposal which I introduce today is based on a study of this previously proposed legislation, as well as the Department of the Interior's report on Prospects for Oil Shale Development, issued in May 1968, and a study of the Department's proposed test leases issued in September 1968.

Essentially, my proposal would state a clear congressional policy favoring development of the federally owned oil shale leases by private industry under a competitive leasing program subject to criteria designed to protect the public interest. In this respect, it differs from the Proxmire proposal, which provided for extensive Government research and development activities in planning, but left unresolved the question of how the oil shale resource should ultimately be exploited.

At the same time, my proposal differs from the Hansen proposal by recognizing that immediate production leasing of the oil shale resource is probably not feasible or desirable under present technological and competitive conditions. Accordingly, my proposal would provide for a moratorium on production leasing until July 1, 1973—with certain exceptions for test leases and research and development leases. In the meantime, the Department of the Interior is directed to undertake a research and development program focusing primarily on the development of such technology as the Secretary determines is most necessary to permit the

profitable exploitation of federally owned oil shale resources.

In addition, this proposal contains various criteria and features based on the May 1968 Interior Department report, and attempts in some respects to streamline the Proxmire proposal in light of the more recent Interior Department recommendations.

In the final analysis, the basic oil shale policy underlying my proposal is to let American private industry do the job under competitive conditions, and with safeguards to protect the public interest, after the Federal Government, as a prudent landowner, has taken the title clearance, research and development, and other steps necessary to insure that the value of its oil shale resources is known and maximized.

I do not pretend that this proposal is necessarily the final answer to all problems of oil shale development. Indeed, with respect to some problems—for example, of State-Federal revenue sharing, the impact of oil shale on the oil import quota system and vice versa, and the relationship of the depletion allowance to competitive oil shale development—this proposal merely directs studies looking toward further recommendations for informed legislation.

I do suggest, however, that it is long past time for Congress to make clear to the public and to those responsible for administering this vast and important federally owned resource what its policy is with respect to the development of Federal oil shale lands. I therefore hope that other Members of this body will see fit either to join in this proposal, or to sponsor alternative proposals of their own, and that hearings and discussion of this proposal will lead to the adoption of a definitive congressional oil shale development policy during this session.

LOWERING THE VOTING AGE TO 18

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, a great deal is being said at this time regarding the need for reform of our electoral system. A great many proposals, which approach the ultimate objective from numerous directions, have already been introduced in this 91st Congress.

I have spoken in support of a number of reform proposals over a long period of time. One of these, and one which I feel must be an integral part of any changes this Congress may make in our electoral processes, is the extension of the right to vote to 18-, 19-, and 20-year-old Americans.

We have no sound basis to decry voter apathy if we permit a restriction which breeds apathy to stand as a law of the land. And that is precisely what we do when we arouse in high school classrooms the interests of young Americans in our political system and its elective process and then tell these same young

citizens on graduation day: "You know what our political system is all about but you cannot vote until you are 21."

We immediately stifle their interest and desire to be active participants in our political system. We douse whatever spark of concern has been aroused in these young citizens by the classroom teachers who have worked for years to instill in young people all of the traits of good citizenship, including full participation in the elective process.

Mr. Speaker, I am reintroducing in this 91st Congress legislation to extend to 18-year-olds the right to vote. They are well prepared to exercise their vote wisely, and I hope that we can recognize their capability in this session.

REMEMBRANCE AND REVERENCE FOR THOSE WHO WERE BELOVED

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PODELL. Mr. Speaker, all over Europe, with few nations excepted, there are those cemeteries which mark the last resting places of the Jews who perished in Hitler's holocaust. One organization, the Geder Avot, works to preserve these sacred places, marking them as cemeteries and encouraging governments to prevent their desecration.

Chief Rabbi Moses J. Rubin has devoted his life to insuring that these desires are realized. With a small, dedicated staff, he works and travels throughout Europe, seeking to prevent desecration and the abuse of these cemeteries. Often, countries now denuded of Jews have allowed these areas to be put to the most mundane and commercial uses. Roads have gone through some of them. Others have been used as grazing areas. In some instances, the very locations have been razed and their original purpose forgotten. This is not to be suffered. Because of Hitler's terror, where there were once flourishing Jewish communities, there are now few, if any, Jews. It is therefore difficult to prevent unthinking or deliberately callous regimes from carrying forth this quiet obliteration of yesterday's horrors.

These monuments are not only worthy of being preserved and marked for what they are because of their religious and emotional significance to survivors. They are also worthy of preservation and marking because of the lessons their preservation means to the youth now growing up. It is fully important for them to know what happened, and to ask questions accordingly.

Pious Christians aid the Geder Avot in its work. But the work is great and the needs large as well. The entire Jewish world has joined in one way or another to aid Rabbi Rubin in his appointed task. Also, there are cemeteries going back as far as 1,000 years. Many house the remains of prominent Jewish personalities. Many of these cemeteries were deliberately razed or defaced because of the deliberate policy of the Nazi regime.

These policies were carried out by the special Nazi troops called "Friedhof battalions," with headquarters in Janov, near Lvov, Poland.

The rabbis of the Jewish world have appealed to the present German regime for aid in the repair and marking of these ravaged memorial places. There are approximately 2,000 of them in the affected countries which require attention.

On February 18, the Bonn government is calling a special conference of its Ministers to discuss and decide on this repeated and fair request. It is my hope that the West German Government will see fit to do the fair and worthwhile thing in this matter.

West Germany's economic situation is the envy of Europe and the wonder of the world. The Ruhr smokes night and day. Red ink is almost unknown in the West German corporate world. "Die firma" pays huge dividends again. The least that the Bonn government can do is to listen to the modest and reasonable request that touches the conscience of that nation. The cemeteries should be marked and preserved as hallowed places. To desecrate the dead is as horrid as to persecute the living. Let the Government of West Germany do justice to them.

My congratulations to Rabbi Rubin and the Geder Avot for their selfless work.

IN SUPPORT OF FREE RELIGIOUS EXPRESSION

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PATMAN. Mr. Speaker, I have long been convinced that the overwhelming majority of Americans are strongly opposed to restrictions upon our traditional right to invoke the Deity in public schools and in connection with other public activities. This conviction has been strengthened by an outpouring of concern from hundreds of my constituents who are amazed by the criticism which has been directed at the Apollo 8 crew for their inspiring Christmas message while orbiting the moon. I have recently received a petition signed by 136 members of the United Methodist Church in Atlanta, Tex., which, I feel, deserves the careful attention of my colleagues in the House. The petition reads in part:

We believe that the citizens of a nation which has enjoyed God's blessings and guidance since the time of its inception should not be intimidated nor coerced into denying their faith and belief in such Providence. We believe that such enforced silence would be a desecration of the doctrine of freedom.

We, therefore, would advise the National Aeronautics and Space Administration, our Representatives in Congress, and the membership of the Supreme Court, that we believe that neither the astronauts nor any other citizen of the United States should be denied the expression of their faith, when and as they see fit.

The excellent letter from Mrs. Tom J. Mays, who sent me the petition, elo-

quently expresses why the petition was sent:

We have become increasingly concerned over the efforts being made by groups of atheists in this country. We feel that remaining silent will only add weight to the effects they have already produced.

Mr. Speaker, I feel that this House, also, has for too long been silent on this issue. We should remember that the first amendment to our Constitution does not end after saying that—

Congress shall make no law respecting an establishment of religion—

But, rather it continues—

or prohibiting the free exercise thereof.

Could it not be said that the Congress, by failing to approve a constitutional amendment to permit free religious expression in public schools and in other public facilities, is, by its inaction, prohibiting the free exercise of religion?

CONGRESS SHOULD TAKE ACTION ON OIL POLLUTION DANGERS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. VANIK. Mr. Speaker, for the last 9 days, 21,000 gallons of raw oil have been daily pouring out of a fissure on the ocean floor created by oil drilling operations. The oil slick, which is continuing to grow, now covers 800 square miles of ocean—an area 11 times as large as the District of Columbia and nearly as large as Rhode Island. The oil has created such a fire danger that the harbor of Santa Barbara has been closed. In addition, Capt. Cliff Matthews, of the California Department of Fish and Game, has said:

This is building up to be the biggest disaster to ever hit California's bird life. Even if the oil leak were plugged right way, it will take up to two months to clean up the beaches.

Despite the enormity of this natural resources disaster caused by oil drilling, the Department of Interior has allowed drilling in the area to be resumed after a stoppage of only 1 day.

Oil company executives have said that the disaster could have been prevented, perhaps, by the use of stronger and longer drill casings.

The Department of the Interior is beginning to study the requirement of stronger drilling materials and operating regulations.

I believe that the Congress should move to make an independent investigation of the adequacy of present drilling methods. If necessary, engineering standards should be legislated for drilling operations, not only in off-shore tidelands leased from the Federal Government, but in State-owned tidelands, and for drilling operations in all the inland navigable waters of the United States.

I am particularly concerned about uncontrolled drilling operations in the Great Lakes. The water quality of the Great Lakes and the ecology of the entire region are already so deteriorated that a

massive oil slick would be a complete disaster. The effect of such an oil slick on the water intake of major cities such as Chicago, Detroit, Cleveland, and Buffalo, would pose a disaster of major proportions.

Action must be taken now before we are faced with the reality of such a disaster. I hope that the relevant congressional committees will not rely on Interior but initiate action on their own.

VIC PRINGLE PIONEER OF POULTRY PROGRESS

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MARSH. Mr. Speaker, among the privileges of representing the Seventh Congressional District of Virginia is that of being able to boast that the district includes one of the major centers of progressive poultry production in the United States—the Shenandoah Valley.

There are many producers and processors in this region, sending to market in many States high-quality poultry. There are, of course, many brands, and one which has gained great respect in the marketplace is the Rockingham brand. This is the mark of Rockingham Poultry Marketing Cooperative, Inc., based at Broadway, Va., with plants in other communities, and much of the progress of this producer-owned processing and marketing complex over a period of years is to be credited to an enterprising executive staff headed, as general manager, by Vic Pringle, who retired at the close of 1968 after four decades, at least, in the poultry industry.

Vic Pringle was proud to be a Virginia poultryman, but his service to the industry was national and international. His work in developing overseas markets is known and respected by colleagues who were competitors except when the interests of American poultry in general were at stake. His retirement is a loss to the industry, particularly because of the repeated proofs he gave that "free enterprise" still could be effective in agriculture.

On his retirement, I believe these comments, which I made on introducing Vic Pringle to a congressional subcommittee some time ago, will have the assent of other Members of this House representing poultry-producing States who came to know Vic Pringle as a knowledgeable advocate of poultrymen everywhere:

STATEMENT OF HON. JOHN O. MARSH, JR.

It is a pleasure to appear before this very fine subcommittee for the purpose of introducing the next witness, Mr. Vic Pringle, of the Rockingham Poultry Marketing Cooperative, located at Broadway, Va., in the Seventh Congressional District of Virginia, about 70 miles due west of the Nation's Capital.

I think some background on this witness will be helpful to the subcommittee, because of the impact that I am certain he can offer from his background and expertise in reference to this legislation.

The valley of Virginia is one of the largest poultry-producing regions in the world. And although, perhaps, not the largest, it is con-

sidered, certainly, the cradle of the modern poultry industry in America.

Mr. Vic Pringle is the general manager of Rockingham Poultry Marketing Cooperative which has produced a symbol of American poultry that you are so familiar with on the shelves of the food cabinets and the markets of the world—the jaunty trademark that you see in freezer chests and on the export packages that are sold all over the world.

He operates four plants: two in Virginia, one in West Virginia, and one in North Carolina. He enjoys a national reputation that is based on some 40 years' experience in the poultry industry, and the growth of his company reflects his leadership ability and management ability of the market, and this has caused him, literally, in this field, to enjoy a national reputation.

Most important to the subcommittee, he has a background of experience in three phases of poultry: first, in the production of the bird, the growing process; second, modern processing, and in this he has been a pioneer; and third, and very importantly—often overlooked in this field—is marketing and packaging.

He was one of the architects of the American business policy which introduced large mass production of poultry into the European Common Market. He has firsthand knowledge of some of the inspection standards and restrictions that are raised as to American poultry in various parts of the world. He has penetrated and developed markets in Latin America and, indeed, in Asia.

It is a pleasure to present this very distinguished Virginian, a constituent of mine, who has meant a great deal to the industry.

VISTA PROGRESS REPORT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OTTINGER. Mr. Speaker, recently we witnessed the fourth anniversary of Volunteers in Service to America. Since the first volunteers entered training in January 1965, more than 13,000 more have followed them.

During its 4-year history, VISTA has encountered the inevitable growing pains of a new and unique program. Yet, in this time, it has progressed, grown and matured both in terms of numbers as well as of direction. I am encouraged by the important contributions being made by VISTA volunteers and by the willingness of these dedicated men and women to serve their fellow man.

In December, the Acting Director of VISTA, my good friend Padraic Kennedy, made a progress report to VISTA volunteers and staff. I am sure this report will be of interest to our colleagues and I am pleased to insert it, herewith, for inclusion in the RECORD:

OFFICE OF ECONOMIC OPPORTUNITY,

Washington, D.C., December 16, 1968.

Memorandum for the VISTA volunteers and staff from Padraic Kennedy, Director

A few weeks from now VISTA will celebrate its fourth anniversary. As some will remember, the very first Volunteers entered training on January 4, 1965. More than 13,000 others have followed since that time. VISTA has both grown and changed in the last four years. That is why, as the year draws to a close, I thought it would be a good time to take a moment to review both VISTA's accomplishments and the unfinished tasks still on our agenda.

BETTER PROJECTS

The recently completed analysis of VISTA projects conducted by the Evaluation Division provided the first objective view of VISTA's strengths and weaknesses.

The average score of projects evaluated, for example, was too low. The evaluation reports revealed problems that were common to most projects—the kind of problems that can only be corrected through systematic, agency-wide action. These actions are already under way.

The evaluations pointed out that some VISTA projects were just "deadwood", neither viable in design nor adequate in potential. Regional Administrators have already moved to correct those situations. The weak projects have either been closed down or are being totally redeveloped. Cutting out the "deadwood" will have significant implications. The median evaluation score for all VISTA projects will have been increased by more than 20% when we complete the current close-out and redevelopment process.

Closing projects down, however, is not the only action required. Projects closed out must be replaced by new ones that are significantly better and that offer more effective outlets for the skills and energies of Volunteers. Actually, one of the developments in VISTA that pleases and excites me most is that the new projects are increasingly imaginative and creative.

I'm talking about such recent efforts as the projects sponsored by the New York University and George Washington University Law Schools through which 55 VISTA lawyers give valuable legal assistance to groups of the poor and earn a Masters Degree in Law for their VISTA service; the coalition efforts being run by the Stanford School of Business Administration and East Palo Alto's Black Community Relations Association; the Nashville "Education in Action" program run by a consortium of the five colleges there, in which 25 VISTA Volunteers are helping the universities build a bridge to the poor in order to engage thousands of students in direct and personal community service; the VISTA projects being developed by John Gardner's Urban Coalition to mobilize local businessmen, lawyers, doctors, accountants and other professionals into a part-time technical assistance corps to serve the poor; the new Navajo project; the Health Advocates program in which thirty VISTA Volunteers are working to improve the distribution of emergency food in low income areas of the South and Southwest; and the economic development programs being planned in concert with the National Urban League. Most of these programs exemplify the thrust of VISTA's new philosophy of project development: greater concentration of Volunteers for greater impact; the "team concept" of combining professionally skilled and indigenous Volunteers; the provision of dedicated and full-time supervision; and project goals that are more specific.

BETTER VOLUNTEER SUPERVISION

The evaluation process also confirmed our impression that supervision was VISTA's weakest link. We have now taken fairly sweeping steps to eliminate that problem. Indeed, since the completion of the evaluation process there has been a 180° change in VISTA's approach to the whole issue of supervision. Last year we spent millions of dollars on Volunteers but very little on providing effective supervision for them. This year, recognizing that the kind of local leadership a Volunteer gets is vital to his effectiveness, we will significantly increase our commitment to provide effective leadership for VISTA Volunteers. We are not only investing more in supervision now, we are also concentrating on the selection, training and in-service training of the Volunteers' supervisors. The first training class for supervisors

will begin around January 1. Before the end of the fiscal year, I expect that all of our supervisors will have received this training.

BETTER VOLUNTEER TRAINING

The evaluation reports indicated that pre-service training was rated as inadequate by too many Volunteers and sponsors, and that the amount of in-service training provided was often insufficient as well. The Training Division and Regional Administrators, however, have taken action to change that situation. VISTA's new training model relies much more heavily upon on-the-job training. Indeed, Volunteers are now being trained not only in the region for the region—but in the community for the community and often on the job for the job. The result is more realistic and more relevant training.

We have also established a new training plan that will involve our VISTA Regional Training Centers more fully in field operations. The training staff will now be responsible for conducting regular in-service training programs for Volunteers. This should not only result in greater support for the Volunteers, but also provide valuable feedback that will help increase the effectiveness of pre-service VISTA training.

BETTER VOLUNTEERS

One of the most significant changes that has taken place in the past year in VISTA is improved quality of the Volunteers. We are no longer accepting 18 and 19-year-olds—except in very rare cases where superior individual competence or skill are indicated.

We are no longer recruiting among college freshmen and sophomores.

We have launched an all-out effort to attract more college seniors.

And most important of all we are now concentrating on the recruitment of Volunteers with specific professional skills.

These efforts are already paying off.

For instance, VISTA Volunteers are now somewhat older. A year and a half ago 20% of the Volunteers were 18 and 19-year-olds. Today that figure has been cut to 5%—and it's still going down. Only 4% of the August, September and October classes were 18 and 19-year-olds—compared to 15% during the same months of the last year.

One year ago the number of professionally skilled Volunteers in VISTA's ranks was insignificant. This too is changing. Nearly 200 lawyers entered VISTA training in August alone. Today more than 10% of the Volunteers in VISTA have specific professional skills. They include lawyers, business school graduates, architects, community planners, and people trained in the health professions. The January and February classes will have at least the same concentration. And the June class will be composed of 20% trainees with professional skills.

Professionally skilled Volunteers are not, of course, the only answer. Community Volunteers drawn from poverty neighborhoods will play an extremely important part in the future success of the VISTA program. I am impressed with the several programs involving community Volunteers which have been launched in recent months. The Community Volunteer Selection Branch, with its simplified application form and new procedures for selecting Volunteers directly from poverty communities will make it much easier to initiate similar programs in the future.

MORE EFFECTIVE RECRUITING

The improvement in the overall quality of the Volunteers serving in VISTA did not come about accidentally or without effort. It is the direct result of the hard work of VISTA's recruiters, who have created the greatly increased pool of qualified applicants. It may also reflect the fact that former Volunteers are turning out to be VISTA's best recruiters. When we polled former Volunteers and asked: "Knowing what they now know would you join VISTA?" 94% answered "Yes."

The change in the public's response to VISTA in just four years is significant. It was not so long ago that VISTA was considered a "Junior Peace Corps" and dismissed as the "stepchild of the OEO". All that has changed. A recent Gallup Poll indicated that 90% of all college students could now successfully identify VISTA, and 53% were actively interested in joining. Analysis of the polls conducted by both Gallup and Harris on university campuses reveals that VISTA is now running neck and neck with the Peace Corps. Whereas in the past VISTA had a hard time competing with the Peace Corps, the number of students interested in joining VISTA is now *exactly* equal to the number who express interest in joining the Peace Corps.

This surge of interest in VISTA is clearly reflected in the spurt of applications. In the first quarter of this year, VISTA received 100% more applications from direct recruiting efforts than in the same quarter of the previous year. This increase becomes even more impressive when one considers that it comes right on the heels of the record accomplishments of fiscal 1968. In that year 54% more people applied to VISTA than during the previous year. And in the last quarter of the year VISTA's recruiters scored a 139% increase over the same months the year before.

VISTA Recruiters repeatedly pointed out last year that it was self-defeating to recruit people if their applications were processed only after long delays. Too often candidates applied and then had to twiddle their thumbs for months before getting a reply. That situation, however, has now been changed. We have speeded up the entire Applicant Processing system. In October we regionalized much of applicant processing. The result should be increased efficiency and improved services to applicants.

MORE EFFECTIVE PLANNING

We have also undergone a major revolution in the planning area. Last year the regions were not informed of their June training in-put and final year-end goals until late spring. In August of this year, however, each Regional Administrator received a complete National Plan. This Plan spelled out in precise detail the region's year-end goal; the training in-put for each month; the starting date for every training program through the entire fiscal year; the number of Volunteers who would attend each training program; the projected number of scheduled field terminations for each month of the year; the number of expected early terminations, reenrollments and reenlistments for each month; and the expected field, training and total strength for each month of the year.

Furthermore, in November, Regional Administrators were given their VISTA Summer Associates quota, as well as detailed guidelines on how to implement the program. The significance of this action is that this year Regional Administrators will have eight months to plan effective programs.

The impact of this planning breakthrough is twofold.

Internally, it means that we have gotten the nitty-gritty issues out of the way early. Regional Administrators will have time to plan ahead effectively and we will all be free to concentrate on the truly important issues facing VISTA in the months ahead.

Externally, its impact is equally significant. For several years VISTA's growth potential has been artificially restrained by severe budget limitations. Those limitations were made, I believe, not so much because of basic questions about the value of the VISTA idea but because we were not yet able to provide data on our program accomplishments that was meaningful to those who held the purse strings. This problem no longer exists. For fiscal year 1970 VISTA was the only program

within the OEO to receive a larger budget allocation than was initially requested.

Furthermore, we enjoy strong bi-partisan support in Congress. And President-elect Richard Nixon not only commended VISTA during the recent campaign, he has repeatedly emphasized his intention to expand the potential of voluntarism in this country.

REMAINING ISSUES

None of the above is meant to suggest that VISTA does not still have problems or that there is not a great deal of work to be done.

We need to increase recruiting efficiency so we can be even more demanding in the kind of Volunteers we select for VISTA service.

We need to develop a first rate system for the selection and training of community volunteers.

We have come up with a solution to the old supervision problem. But that solution still needs to be implemented at the field level.

We have conceived and developed the "team concept"—skilled and community volunteers working together under carefully selected and trained supervisors. But the plan must be put into effect all across the nation.

We have phased out many of what are by today's standards our weakest projects. The higher standards of tomorrow will require us to be equally rigorous in evaluating and cutting out "deadwood" in the months ahead.

We have developed a number of imaginative and creative programs in the field; and even more exciting ones are in the planning stage in every region. But an enormous amount remains to be done before we can honestly say that every VISTA project is conceptually sound, offering Volunteers the best possible opportunity to make a significant contribution to the poor and the nation.

A great deal remains to be done. But VISTA is definitely moving in the right direction. I think we can consider the past year as one of significant progress and that we can look to VISTA's future with confidence.

U.S. COURT ORDERS UNIVERSITY TO HEAR CONVICTED FELON

HON. JOE D. WAGGONER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WAGGONER. Mr. Speaker, if there is anyone left in the United States who has even the faintest question in his mind why the university campus is the gathering ground of the young Communist left, a story in today's Washington Post should blow away the clouds in their minds.

The President of Auburn University, one of the Nation's finest universities, has been forbidden to deny school facilities and funds from convicted felon William Sloane Coffin, who poses in his off-hours as a minister of God at Yale University.

Auburn President Philpott tried to forestall a campus disorder by canceling an invitation to Coffin, darling of the new left, to speak at the university, but a U.S. District Court judge has struck down the denial. This outrageous Federal intervention is described in the following news item from the Post:

U.S. COURT VOIDS BAN ON COFFIN
(By J. M. McFadden)

MONTGOMERY, ALA., February 5.—A Federal judge overruled Auburn University's president here today and ordered that the Rev.

William Sloane Coffin, Yale chaplain, be permitted to speak at the Alabama school Friday.

Auburn President Harry Philpott said he would appeal to the Fifth Circuit Court of Appeals in New Orleans and would ask a stay of the court order.

Calling Dr. Philpott's campus speaker rules "blatant political censorship," U.S. District Judge Frank M. Johnson Jr. ordered Auburn to provide Coffin facilities and payment from school funds.

RULES "UNCONSTITUTIONAL"

The ruling said Philpott's oral rules controlling speaker invitations are unconstitutional and called them a violation of the First Amendment.

The Yale chaplain was convicted with Dr. Benjamin Spock last year of urging students to resist the Vietnam draft. He is free on appeal.

Last month, Philpott vetoed Coffin's appearance at Auburn and the sponsoring student-faculty group sued in Federal court.

REACTION TO COURT ORDER

Reaction in Alabama to the court's ruling was swift. Gov. Albert Brewer called the order "an insult . . . to the people of Alabama.

"This decree not only undermines the capable administration of Auburn University," he said, "but even goes so far as to direct" the University to pay a "convicted felon who has sought to influence young people to betray their country."

The court order said the State cannot "regulate the content of the ideas students may hear.

"To do so is illegal and thus unconstitutional censorship in its rawest form."

PHILPOTT'S RULES

While upholding Philpott's ultimate power to determine whether a speaker is invited to the campus, Johnson said, "This determination may not be made for the wrong reasons or for no reason at all."

Philpott ruled that students could not invite (1) a speaker who could reasonably be expected to advocate breaking a law; (2) a speaker who had been previously convicted of a felony; and (3) a speaker of the type represented by Coffin because he said it would be tantamount to University sanction of what the speaker advocated.

Payment for the Coffin appearance would come from a \$10,000 fund acquired from student fees allocated for guest speakers.

LITHUANIAN INDEPENDENCE DAY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, on February 16, 1918, Lithuanian patriots declared the independence of the Lithuanian State. During this coming week it is very fitting that the Congress of the United States commemorate this event by reminding the world that Lithuania and its people are determined to continue the fight for reestablishment of their own self-government.

During the 23 years that the Lithuanian people enjoyed self-determination as a free nation, few countries have ever demonstrated its capacity and ability for self-government as well as Lithuania did.

During that short span of independence Lithuania's civic leaders brought about much-needed land reforms. They created and expanded industry, established an adequate transportation system, and enacted social and educational

policy that could still serve as an example to other nations of the world.

This great progress was brought to a sudden halt when Lithuania became, once again, the victim of a nation who succeeded in enslaving its people.

Ever since the 12th century, Lithuania's history has been enblazoned with heroic battles for liberty. Even under the yoke of Russian domination, which lasted 120 years, the Lithuanian people never ceased to struggle and agitate in revolt after revolt, trying to be free.

This year I am once again taking a firm stand to assure the people of Lithuania, and all the Baltic States, that the Congress will seek to cause world opinion to restore their inalienable rights.

On the first day of the 91st Congress I introduced a resolution calling for the establishment of a Committee on the Captive Nations to study the facts concerning conditions existing in Lithuania and other captive nations.

It would be the express purpose of the Captive Nations Committee to find means by which the United States can assist the people of the captive nations to retain their national and individual freedom.

Mr. Speaker, I shall not cease in my personal efforts to engender the restoration of the rights possessed by the free nations of the world to all those inhabitants of nations who are subjected to domination and exploitation.

The people of Lithuanian descent in America who have valiantly fought to espouse the cause of freedom and liberty for their people at home are in the best position to judge the merits of freedom against oppression.

We must help them be heard throughout the world community by keeping our Nation as a source of hope to those people who have been placed in the shadows of unwanted Communist domination.

To spread joy, we must spread the word of freedom. To unshackle the bonds of tyranny, we must rededicate ourselves to the cause of freedom for all men.

Soviet domination cannot endure when the spirit of freedom exists as an indestructible flame in the hearts of the Lithuanian people. The desire of all men to choose their own destinies can never be extinguished.

Therefore, Mr. Speaker, let us mark this 51st anniversary of Lithuania's independence by encouraging the continuing struggle for self-determination in all countries of the world and by saluting all the patriots of freedom who fight to bring nations in bondage out of the darkness into the light.

CONGRESSMAN CELLER'S STATEMENT ON THE MIDDLE EAST

HON. JOHN BRADEMAs

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BRADEMAs. Mr. Speaker, on January 3, 1969, our distinguished colleague from New York, the Honorable EMANUEL CELLER, made a statement in the House with reference to the present dangerous situation in the Middle East. I take this opportunity to associate myself with this statement.