

By Mr. WATTS (for himself and Mr. PERKINS):

H. Res. 275. Resolution relating to the per annum gross rate of compensation of the Postmaster of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

23. By Mr. BRASCO: Concurrent resolution of the New York Legislature memorializing Congress to act expeditiously on proposed legislation to transfer title to the property known as the New York Naval Shipyard, in the Borough of Brooklyn, to the city of New York for redevelopment as an industrial park; to the Committee on Armed Services.

24. By the SPEAKER: Memorial of the Legislature of the State of South Dakota, relative to restrictions on payments made by the Agricultural Stabilization and Conservation Service and by the Commodity Credit Corporation; to the Committee on Agriculture.

25. Also, Memorial of the Legislature of the State of Nevada, relative to completion of the Dixie project in Nevada and Utah; to the Committee on Interior and Insular Affairs.

26. Also, Memorial of the Legislature of the State of Nevada, relative to the Tahoe regional planning compact; to the Committee on the Judiciary.

27. Also, Memorial of the House of Representatives of the State of Montana, relative to meat imports; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADAMS:

H.R. 7524. A bill for the relief of Adelaida G. Tutaan; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 7525. A bill for the relief of Antonio Saladino; to the Committee on the Judiciary.

H.R. 7526. A bill for the relief of Mrs. Antonio Saladino and children; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 7527. A bill for the relief of Filippo Di Leonardo; to the Committee on the Judiciary.

H.R. 7528. A bill for the relief of Giuseppe Lombardo; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 7529. A bill for the relief of Lizette Bhak; to the Committee on the Judiciary.

H.R. 7530. A bill for the relief of Fredi

Robert Drellich; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 7531. A bill for the relief of Edita Agbayan; to the Committee on the Judiciary.

H.R. 7532. A bill for the relief of Mario Scotto De Marco; to the Committee on the Judiciary.

H.R. 7533. A bill for the relief of Natividad Miravite Paraiso; to the Committee on the Judiciary.

H.R. 7534. A bill for the relief of Mercedes Zingapan; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 7535. A bill for the relief of Winston Phillips; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 7536. A bill for the relief of Augusto Buonapane; to the Committee on the Judiciary.

H.R. 7537. A bill for the relief of Pirjo Laine; to the Committee on the Judiciary.

H.R. 7538. A bill for the relief of Faro Purpura; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 7539. A bill for the relief of Mercedes Rojas-Hernandez; to the Committee on the Judiciary.

H.R. 7540. A bill for the relief of Mrs. Esther Sevilla de Soto and her children, Manuel Ricardo Sevilla and Silvia Esther Sevilla; to the Committee on the Judiciary.

H.R. 7541. A bill for the relief of William H. Tripp; to the Committee on the Judiciary.

By Mr. CORMAN (by request):

H.R. 7542. A bill for the relief of Jacques Urbach; to the Committee on the Judiciary.

By Mr. FARBERSTEIN:

H.R. 7543. A bill for the relief of Eugenia La Grutta; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 7544. A bill for the relief of Bak Hon Woo; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 7545. A bill for the relief of Maj. Warren D. Volmer, USAF; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7546. A bill for the relief of Salvatore Pernice; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 7547. A bill for the relief of Alexander Gerhard Ackermann; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 7548. A bill for the relief of Joseph Edouard; to the Committee on the Judiciary.

H.R. 7549. A bill for the relief of Renauld Florival; to the Committee on the Judiciary.

H.R. 7550. A bill for the relief of Julian Castano Garcia; to the Committee on the Judiciary.

H.R. 7551. A bill for the relief of Maurilio Millan; to the Committee on the Judiciary.

H.R. 7552. A bill for the relief of Simon Rodas; to the Committee on the Judiciary.

H.R. 7553. A bill for the relief of Charles Thompson; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 7554. A bill for the relief of Danica Timotijevic; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 7555. A bill for the relief of Michael Gregory Grammatopoulos; to the Committee on the Judiciary.

H.R. 7556. A bill for the relief of Mercedes Manuel; to the Committee on the Judiciary.

H.R. 7557. A bill for the relief of Diego Zanfel; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 7558. A bill for the relief of Van Chang; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 7559. A bill for the relief of Mr. Leonardo Spatero; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 7560. A bill for the relief of Olive Erminia Bancroft; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 7561. A bill for the relief of Umberto Verdicchio; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 7562. A bill for the relief of Giovanni Orecchia; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 7563. A bill for the relief of Mrs. Ivanka Micic; to the Committee on the Judiciary.

By Mr. SYMINGTON:

H.R. 7564. A bill for the relief of Patrick J. Gilligan; to the Committee on the Judiciary.

H.R. 7565. A bill for the relief of David D. Melegrito and his wife, Elma S. Melegrito; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 7566. A bill for the relief of Tse Chi Fong, also known as Chez Chu Fong; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 7567. A bill for the relief of Bert N. Adams and Emma Adams; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

62. By the SPEAKER: Petition of the City Council of the City of Lawndale, Calif., relative to assistance in abating pollution from offshore oil well leakage; to the Committee on Interior and Insular Affairs.

63. Also, petition of Charles Francis Vincent Rogers, Pecos, Tex., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

AMERICAN MEDICAL ASSOCIATION REPORT ON FEDERAL MEDICAL- HEALTH APPROPRIATIONS FOR FISCAL 1969

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. HALL. Mr. Speaker, the Washington office of the American Medical Association has published annually since 1952 a detailed report how Federal moneys are used for medical-health ac-

tivities. The following table demonstrates the substantial growth in Federal appropriations in the medical-health field:

Fiscal year:	
1953-54	\$1,775,882,197
1955-56	2,268,800,000
1957-58	2,541,483,506
1959-60	3,161,151,325
1961-62	4,437,746,072
1963-64	5,508,951,287
1965-66	6,581,372,121
1967-68	15,507,885,089
1969	16,771,182,095

In addition to the \$16,771,182,095 appropriation in fiscal 1969, the Federal Government will make payments of \$9,-

383,897,000 to individuals because of disability through programs in which it participates. This makes a total of over \$26 billion that the Federal Government contributes to medical-health activities for the current fiscal year.

This objective report has been and is available for Members of Congress upon request. It serves as a valuable reference tool in locating various Federal health programs.

Mr. Speaker, under unanimous consent, I insert "Federal Medical-Health Appropriations" into the RECORD, as follows:

FEDERAL MEDICAL-HEALTH APPROPRIATIONS FOR FISCAL 1969 (JULY 1, 1968 TO JUNE 30, 1969)

COMPARISON OF FISCAL 1969 AND 1968 MEDICAL-HEALTH BUDGETS OF FEDERAL DEPARTMENTS, AGENCIES, AND COMMISSIONS

	Fiscal 1969	Fiscal 1968		Fiscal 1969	Fiscal 1968
Department of Health, Education, and Welfare.....	\$11,836,405,460	\$10,890,271,880	Peace Corps.....	\$15,220,000	\$14,225,000
Department of Defense.....	1,744,026,000	1,646,069,000	District of Columbia.....	11,239,411	8,324,582
Veterans' Administration.....	1,542,962,000	1,479,342,000	Canal Zone Government.....	6,279,000	7,350,000
Department of the Interior.....	315,504,000	307,940,000	Department of Justice.....	4,705,000	3,830,000
Department of State.....	242,712,744	268,999,545	Post Office Department.....	2,678,600	2,335,600
Federal employees health insurance.....	242,712,744	233,647,500	Federal Trade Commission.....	1,020,000	816,860
Department of Agriculture.....	183,793,000	159,173,000	Civil Service Commission.....	643,000	676,900
Office of Economic Opportunity.....	175,200,000	108,500,000	Attending physician of Congress.....	71,780	145,100
Department of Commerce.....	125,028,100	108,166,500	Selective Service Advisory Committee.....	60,000	49,000
National Aeronautics and Space Administration.....	114,200,000	109,900,000	National Science Foundation.....	Unknown	43,810,000
Department of Transportation.....	97,680,000	52,644,631			
Atomic Energy Commission.....	92,495,000	90,801,000	Total.....	16,771,182,095	15,507,885,098
Department of Labor.....	17,034,000	17,577,000			

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE*

(This year: \$11,836,405,460; last year: \$10,890,271,880.)

Social Security Health Insurance Program: \$6,395,474,000.

Last year: \$5,381,149,000.

Public Law 89-97, the Social Security Amendments of 1965, established a health insurance program for the aged, consisting of a hospital insurance plan and a voluntary medical insurance plan.

The hospital insurance plan affords basic protection to persons age 65 and over against the costs of inpatient hospital services, post-hospital home health services, and post-hospital extended-care services. Bills for services rendered under the hospital insurance program are submitted by hospitals, extended-care facilities, and home health agencies. In most instances, these bills are processed by the Blue Cross Association and private insurance companies acting as intermediaries for the Social Security Administration. The individual beneficiary records of utilization of hospital services are maintained in the central office of the Social Security Administration. Payments under the hospital insurance plan are made from the Federal Hospital Insurance Trust Fund which is financed by tax contributions collected from employees, employers, and the self-employed. The scheduled combined rate of contributions from each employer and employee in calendar year 1969 is 0.6 percent applied to a maximum of \$7,800 in earnings. For those aged who are not insured under Social Security or railroad retirement, but who are entitled to hospital insurance benefits, the cost of hospital insurance payments is borne by the general funds of the Treasury. Benefit payments under the hospital insurance plan in fiscal year 1969 are estimated to be \$4,445,000,000.

Almost all persons age 65 and over are eligible to enroll in the supplementary medical insurance plan. The plan covers 80 percent of the cost of physician services and other medical services after the beneficiary meets an annual \$50 deductible. In fiscal year 1969, it is expected that approximately 18.8 million persons will be covered under part B. Enrollees in the plan pay a monthly premium of \$4 and the aggregate of these premiums is matched by the Federal Government by appropriations from the general

fund. Bills for services under the medical insurance plan are submitted by either the provider of service or the beneficiary to Blue Shield associations and insurance companies who have been designated to act as intermediaries for the Social Security Administration in specific geographical areas. Benefit payments under the medical insurance plan in fiscal year 1969 are estimated to be \$1,669,000,000.

Administrative costs for fiscal year 1969 (including those of the Department of HEW and the Treasury) are estimated to be \$281,474,000.

Public Health Service: \$2,842,892,500.

Last year: \$2,913,499,000.

The 1969 appropriation structure reflects the changes made as a result of the reorganization of the Public Health Service in April, 1968. In order to provide comparability, the 1968 amounts have been shown on the new basis also.

National Institutes of Health: \$1,395,902,500.

Last year: \$1,507,696,000.

National Cancer Institute: \$185,149,500.

Last year: \$183,356,000.

About 52% of this appropriation is earmarked for grants to nonfederal individual investigators and private institutions for research and training. Approximately 29% will be used to support contracts with pharmaceutical and chemical concerns, universities, and other nonprofit organizations in research on the treatment and prevention of cancer. The balance is for direct research operations, including salaries, supplies, and this Institute's share in the cost of operating NIH Clinical Center of Bethesda and related auxiliary services.

Health Manpower Education & Utilization: \$172,086,000.

Last year: \$155,242,395.

Of this appropriation \$93,446,000 is for institutional support through grant programs directed toward enhancing the educational experience of students entering the health professions, resulting ultimately in better health service to the nation. Schools use these funds to support and enlarge faculty staffs, expand library holdings, modify existing and add new curriculums, modernize teaching laboratories, and purchase educational aids and equipment. \$62,249,000 is for student assistance which is of two kinds: (1) graduate and specialized training in dental health, nursing, public health and the allied health professions; and (2) undergraduate training for students of medicine, dentistry, nursing and other health related professions. The remaining funds are for research grants in the areas of physician methods and techniques, continuing physician education, effective use of health manpower, and nursing care; for research training in nursing specialties and for direct operations to evaluate current programs, study and demonstrate new programs, and provide a national focus for health manpower activities.

National Heart Institute: \$166,927,500.

Last year: \$167,954,000.

Grants to non-federal individual investi-

gators and public and private institutions for research and training take about 77% of the appropriation. The balance is for direct research operations, including salaries, supplies, and this Institute's share in the cost of operating the NIH Clinical Center and related auxiliary services.

Institute of General Medical Sciences: \$163,513,500.

Last year: \$160,284,000.

Grants to public and private investigators for research and training total 95% of this appropriation. Research includes trauma, anesthesiology, diagnostic radiology, pharmacology and toxicology, automation of clinical laboratories, molecular biology, cell biology, genetics, biophysics, biochemistry, biomedical engineering and biomathematics. The balance is for collaborative studies in pharmacology and toxicology, engineering in biology and medicine, including automated laboratory medicine, genetic chemistry and for salaries and other expenses.

Institute of Arthritis & Metabolic Diseases: \$143,888,000.

Last year: \$143,954,000.

Grants to public and private investigators for research and training in topics included in the mission of the Institute total 82% of this appropriation. The balance is for direct clinical and basic research programs in such diseases as arthritis, cystic fibrosis, diabetes, gout, rheumatism and gastrointestinal disorders, and for contract programs on the artificial kidney and the distribution of endocrine and diabetes hormones for investigational purposes.

Institute of Neurological Diseases & Blindness: \$128,934,500.

Last year: \$126,674,000.

Grants to public and private investigators and institutions for research and training total 79% of this appropriation. Studies include cerebral palsy, muscular dystrophy, multiple sclerosis, viruses as a cause of chronic neurological diseases, Parkinson's disease, epilepsy, head injuries resulting from accidents, and conditions causing blindness and deafness. The remainder is for direct research operations and collaborative studies, including salaries, supplies and this Institute's share in the cost of operating the Clinic Center and related auxiliary services.

Institute of Allergy and Infectious Diseases: \$96,840,500.

Last year: \$94,242,000.

Grant support for research and training, in the health and health-related sciences, to public, private, and nonprofit organizations amounts to 64% of this appropriation. The research programs supported by this Institute are divided among three major problem areas: infectious diseases, allergic and immune disorders, and other disease-related problems. The Gorgas Memorial Institute will receive \$500,000 to be used for operations and maintenance of the Gorgas Memorial Laboratory. The remaining balances are for direct research operations, including a contract program for vaccine development and research in tissue transplantation, salaries, supplies, and this Institute's share in the cost

*The 1969 appropriation for DHEW does not reflect the organizational changes in April, 1968. However, this report shows the accounts within the new administrations, but they must be considered simply estimates and do not reflect the many minor organizational transfers that have taken place. Most of the transfers have occurred among programs that make up the Health Services and Mental Health Administration and the Consumer Protection and Environmental Health Services Administration. The new organizational relationships do not change the dollar amounts for the total health appropriations for the Department.

of operating the Clinical Center and related auxiliary services.

General Research and Services: \$84,809,500.
Last year: \$81,141,000.

These funds support the Division of Computer Research and Technology, the Division of Research Facilities and Resources, and Engineering Development, with practically all funds being expended for research grants and fellowships.

Construction of Health Educational Facilities: \$84,800,000.

Last year: \$203,000,000.

These funds provide for construction grants to increase opportunities for the training of health personnel as follows: \$60,000,000 for the construction and modernization of teaching facilities for the training of physicians, pharmacists, optometrists, podiatrists, veterinarians, or professional public health personnel; \$15,000,000 for the construction and modernization of teaching facilities for the training of dentists; \$8,000,000 for the construction of teaching facilities for nurses; and \$1,800,000 for the construction and modernization of teaching facilities for the allied health professions.

Institute of Child Health & Human Development: \$73,126,500.

Last year: \$68,621,000.

Approximately 76% of the funds will be used for grants to public and private investigators for research and training. Increasing amounts of direct operations funds are being directed into family planning and population research activities, and anticipated total of \$10.8 million this year, primarily by contract mechanisms. Among the intramural operations supported by the remaining funds are the Gerontology Research Center in Baltimore, research activities of the mental retardation program, perinatal biology and infant mortality program, reproduction and growth and development research. Other collaborative and epidemiological contract programs, review and approval of grants, and administrative expenses absorb the remainder of appropriated funds.

Institute of Dental Research: \$29,983,500.

Last year: \$30,307,000.

Grants to public and private investigators for research and training total about 76% of this appropriation. The remainder is for direct research at Bethesda, review and approval of grants, administrative expenses, and support of the Clinical Center.

National Library of Medicine: \$18,160,500.

Last year: \$19,912,000.

The National Library of Medicine provides bibliographic, reference, and interlibrary loan services and supports a national network of regional medical libraries. The Library itself serves as the regional medical library for the mid-Atlantic region, providing back-up support to small hospital libraries and direct services to area users. Under the Medical Library Assistance Act of 1965, the Library administers a comprehensive grants program which includes funds for construction of library facilities, training, special scientific projects, research, library resources, regional medical libraries, and publications support. The National Medical Audiovisual Center became a component of the National Library of Medicine last year. This Center is the central facility of the Public Health Service for producing and distributing motion pictures, videotapes, and other audiovisuals on health and health-related subjects. The Library is also engaged in developing a biomedical communications network based on advanced information communication and processing technology. The toxicology information component of the network will provide computerized reference and referral services on toxic effects of chemicals through a Toxicology Information Exchange.

Development will also continue on an exchange network linking a large number of major medical libraries. Specialized educational networks tailored to the needs of un-

dergraduate and graduate medical and health science programs, the continuing education of health professionals, and the delivery of basic health information to the general public are also being developed. The 1969 budget contains funds to support all of these programs of the Library. Funds are also included to develop and install an expanded MEDLARS, the computerized Medical Literature Analysis and Retrieval System. This will allow the Library to meet increasing demands for bibliographic services.

Environmental Health Sciences: \$17,820,000.

Last year: \$17,289,000.

The Division of Environmental Health Sciences was established as part of the National Institutes of Health on November 1, 1966. The mission of the Division in both intramural and extramural components is to provide a scientific base for those units of the PHS charged with the responsibility for establishing standards and enforcing regulations in the general area of environmental health. The encompassing goal is the development of a cohesive framework within which the various scientific disciplines and categorical needs concerned with environmental health can operate in a collaborative and interrelated manner to facilitate the achievement of maximum information for use in limiting deleterious effects of environmental hazards. The appropriation includes \$8,406,000 for research grants; \$4,092,000 for fellowships and research training grants; and \$5,322,000 for direct research.

Dental Health Activities: \$10,185,000.

Last year: \$9,420,605.

Of this appropriation \$3,200,000 is for grants to dental schools for programs to train students to use dental auxiliaries. Other programs include research grants to support studies in the prevention and control of oral diseases, more efficient methods for delivering dental services and the effective use of dental manpower; research fellowships which support candidates for advanced degrees to prepare them to conduct research; a dental continuing education grant program which provides for upgrading the skills of dentists and auxiliaries. Funds for direct operations provide programs to study the supply, utilization and distribution of dental manpower, to increase the productivity of dental practitioners and to assist dentists to keep abreast of the latest concepts and techniques in dentistry. 1968 funds were appropriated under "Health Manpower Education and Utilization".

Biologics Standards: \$8,499,000.

Last year: \$8,649,000.

Activities include administration of the Biologics Control Act, establishment of standards for the preparation of biologics; testing of vaccines and their preparation; and research related to the development, manufacture, testing, and use of vaccines and analogous products.

Grants for Construction of Health Research Facilities: \$8,400,000.

Last year: \$35,000,000.

These funds are available for planning and construction of research facilities. To be eligible for grants, the applicant must be a public or nonprofit institution determined by the Director, National Institutes of Health, after consultation with the National Advisory Council on Health Research Facilities, to be competent to engage in the type of research for which the facility is to be constructed.

Reimbursements—Health Manpower Education and Utilization: \$1,415,000.

Last year: \$1,403,000.

John E. Fogarty International Center for Advanced Study in the Health Sciences: \$600,000.

Last year: \$500,000.

The amount for fiscal 1969 provides for the initiation of new programs of the Center such as the Fogarty Scholars-in-Residence and Conference and Seminars Programs.

Reimbursements—Dental Health: \$564,000.

Last year: \$497,000.

Payment of Sales Insufficiencies: \$200,000.

Last year: \$250,000.

This provision assures lenders and the public that funds from the Treasury will be available to make payments when due to holders of Federal National Mortgage Association notes which are secured in turn by notes from health professions and nursing schools in the event that payments to holders of notes exceed the amounts received in repayments from schools.

Health Services and Mental Health Administration: \$1,203,743,000.

Last year: \$1,189,089,000.

National Institute of Mental Health: \$361,516,000.

Last year: \$358,895,000.

Mental Health: \$350,439,000.

Last year: \$346,909,000.

The basic mission of the National Institute of Mental Health is to improve the mental health of the people of the United States through the development of knowledge, manpower, and services to treat and rehabilitate the mentally ill, to prevent mental illness, and to promote and sustain mental health. This mission is carried out through (1) grants to individuals and public and private institutions to support research on the etiology, diagnosis, treatment, prevention, and control of mental illness, and to gain new knowledge of those factors which produce and sustain mental health (\$81,159,000); (2) support of basic and clinical research performed directly by Institute personnel (\$17,659,000) and through the research contract mechanism; (3) grants to individuals and public and private institutions to increase the number and improve the quality of personnel working in the areas of mental health and mental illness (\$119,687,000); (4) support of state and community programs designed to assure that the highest possible quality of modern treatment and care will be available and accessible to all people in the nation. This is accomplished through grants for the construction and staffing of community mental health centers which offer a comprehensive range of services to the community (\$79,300,000) and construction and initial staffing of facilities for the treatment of narcotic addiction (\$8,000,000); (5) support for the treatment and rehabilitation of narcotic addicts under programs authorized by the Narcotic Addict Rehabilitation Act of 1966 (\$14,026,000). Initial treatment is provided first in a clinical environment such as the Lexington Clinical Research Center and aftercare is provided in the addict's own community on an outpatient basis.

In addition to the above, funds are utilized to support regional staff personnel providing consultative and technical assistance to state and community agencies, scientific and public information services including operation of the National Clearinghouse for Mental Health Information, and the program direction and management of Institute programs.

Saint Elizabeths Hospital: \$11,077,000.

Last year: \$11,986,000.

Saint Elizabeths Hospital provides treatment for several classes of mentally ill persons, including those residing in the District of Columbia, beneficiaries of the Veterans' Administration; beneficiaries of the PHS; mentally ill persons charged with or convicted of crimes in the U.S. courts (including the courts of the District of Columbia); certain American citizens and nationals found mentally ill in foreign countries, the Panama Canal Zone, and the Virgin Islands; members of the military services admitted to the hospital prior to July 16, 1946; and certain other categories of Federal beneficiaries. Total operational expenses in fiscal 1969 are estimated at \$39,143,000, of which approximately \$26,786,000 will be obtained as reimbursements from other agen-

cies (mainly the District of Columbia), \$11,077,000 from an indefinite Federal appropriation, and \$1,280,000 in transfers from other accounts. This hospital has an average daily patient load of 5,262.

Hospital and Medical Facilities Construction: \$271,168,000.

Last year: \$270,822,000.

This appropriation finances the Federal participation in the extended and expanded Hill-Burton program under Public Law 88-443.

Hill-Burton Program: \$267,200,000.

Last year: \$267,200,000.

Of these funds, \$171,770,000 is used to help finance the construction and modernization of hospitals and related health facilities. Through June 30, 1968, Federal funds had partially financed, for this phase of the program, 6,725 projects, which provide 333,776 inpatient beds and 2,737 other health units. The remaining \$95,430,000 provides \$66,800,000 for long-term care facilities; \$19,085,000 for diagnostic or treatment centers; and \$9,545,000 for rehabilitation facilities. As of June 30, 1968, a total of 2,824 projects had been approved—1,443 long-term care projects providing 80,021 beds; 927 diagnostic or treatment centers, and 454 rehabilitation facility projects. Under these programs, the funds are allocated among the states on the basis of population and per capita income. The Federal participation ranges from one-third to two-thirds of the total cost of the project.

Administrative Expenses: \$3,968,000.

Last year: \$3,622,000.

This appropriation is used for administration of the Hospital and Medical Facilities Construction Program. Salaries and expenses for headquarters and the nine regional offices are involved.

Comprehensive Health Planning and Services: \$167,104,000.

Last year: \$140,676,000.

This appropriation is made up of 98% grants and 2% direct operations. The grant programs consist of \$7,375,000 for grants to states for comprehensive state health planning; \$7,000,000 for areawide health planning grants; \$4,125,000 for project grants for training, studies, and demonstrations for comprehensive health planning; \$66,032,000 for formula grants to states for comprehensive public health services; and \$79,000,000 for project grants for health services development. The remainder, \$3,572,000 is for direct operations to provide for grant-in-aid review and approval activities, program direction, technical assistance, and evaluation activities.

Indian Health Activities and Facilities: \$109,866,000.

Last year: \$101,710,000.

The HSMHA is responsible for the health of American Indians and Alaskan natives (Eskimos, etc.). The total is broken down as follows: hospital care in Indian hospitals, \$49,557,000; contract medical care, \$17,764,000; field health service, \$22,244,000; program direction, \$1,795,000; \$350,000 for grants to assist the Menominee Indian people in the cost of joint school districts, public welfare benefits, and health and modern sanitation services as authorized by P.L. 90-425; and modernization of hospitals and construction of facilities, \$18,156,000. In addition, the Indian health activities of HSMHA will receive approximately \$1,598,000 as reimbursements from other government agencies and non-Federal sources.

Patient Care and Special Health Services: \$70,443,000.

Last year: \$65,074,000.

These funds are used for operational costs of the HSMHA's hospitals and clinics, including the provision of health services in caring for American seamen, Coast Guardsmen, members of the Environmental Science Services Administration, PHS commissioned officers and their dependents, Federal

employees injured at work, leprosy patients, and for training, health services research, clinical research, and the maintenance of hospitals and clinics. The appropriation also includes \$1,200,000 for payments to Hawaii for the care of patients suffering from leprosy. Not shown in the appropriation is approximately \$14,731,000 additional income, principally from other Federal agencies for reimbursable services.

Communicable Diseases: \$62,144,000.

Last year: \$72,109,000.

About 94% of this appropriation is used for direct activities of the HSMHA's National Communicable Disease Center, Atlanta, Georgia. The NCDC carries on studies in epidemiology, furnishes laboratory diagnostic services and sponsors special projects to assist states, \$17,959,000. There are also programs for: (1) tuberculosis research in areas of risk infections and preventive measures and for making technical assistance and training available to states and local health departments, \$3,616,000; (2) venereal disease detections, technical assistance to states, especially in high prevalence areas, and for research and evaluation activities, \$4,952,000; (3) epidemiological and ecological research on levels of pesticides in human population and the environment, reviewing all applications for registration of pesticides to determine potential health hazards and monitoring pesticide levels in general populations, \$7,087,000; (4) foreign quarantine activities, \$8,245,000 for medical inspection services at over 400 ports of entry into the U.S., operation of 35 stations on foreign soil for the examination of aliens seeking visas to enter the U.S. It is estimated that the foreign quarantine program will inspect approximately 159,000,000 persons entering this country and medically examine 309,000 visa applicants abroad during fiscal 1969; and (5) the eradication of the Aedes aegypti mosquito in 10 states, Puerto Rico, and the Virgin Islands, \$16,494,000.

In addition there are research grant programs totalling \$3,791,000.

Reimbursements anticipated from other divisions or agencies are estimated at \$9,300,000.

Regional Medical Programs: \$61,907,000.

Last year: \$58,814,000.

The 1969 appropriation provides funds for grants for planning and feasibility studies and for the operation of pilot projects to implement regional medical programs for combatting heart disease, cancer, and stroke. The program will emphasize regional planning and coordination of medical resources, continuing education for physicians and other medical personnel, and the rapid distribution of new knowledge and techniques.

Community Health Services: \$54,251,000.

Last year: \$58,309,000.

This appropriation encompasses programs directed at improving the organization and delivery of health services. The program is the focal point between the HSMHA, the Social Security Administration, and the Social and Rehabilitation Service for the professional health aspects of the Health Insurance for the Aged Program (title XVIII) and the Medical Assistance Program (title XIX).

The appropriation includes \$6,760,000 for research grants; \$7,200,000 for migrant health grants; \$1,100,000 for research training and fellowships; and \$21,241,000 for grants and contracts for research, development, demonstrations, and related training in the organization and delivery of health services. These grants will be administered by the newly established National Center for Health Services Research and Development. It also provides \$17,950,000 for direct operations to conduct specialized programs in medical care administration, community health, and research and development.

Scientific Activities Overseas: \$15,000,000.

Last year: \$15,000,000.

This appropriation provides for the purchase of U.S.-owned local currencies in foreign countries for the conduct of medical research activities in those countries under the provisions of the Agricultural Trade Development and Assistance Act of 1954, as amended, and of the International Health Research Act of 1960.

Retired Pay for PHS Commissioned Officers: \$13,041,000.

Last year: \$11,290,000.

As of June 30, 1968, there were 824 retired commissioned officers of the PHS receiving benefits under this program. By June 30, 1969, it is estimated that there will be 974 on the rolls. Included in the activity are funds for dependents' medical care in non-PHS facilities.

Office of the Surgeon General: \$9,073,000.

Last year: \$8,358,000.

These funds are used for administrative expenses of this office, including international health activities and evaluation of public health needs.

National Health Statistics: \$8,230,000.

Last year: \$8,317,000.

The program of the National Center for Health Statistics comprises the major activities of HSMHA in the measurement of the health status of the nation and in developing and applying optimum technical methods for the collection, processing and analysis of health statistics. Its program includes: (a) the collection, compilation, analysis, and dissemination of statistics on births, deaths, fetal deaths, marriages and divorces, and other health data related to these basic vital events; (b) continuing surveys and special health statistics studies on the amount, distribution, and effects of illness and disability in the U.S. and the services received for or because of such conditions; (c) studies of health survey methods with a view to their continued improvement; and (d) technical advice and assistance on the application of statistical methods in the health and medical fields.

PHS Buildings and Facilities: 0.

Last year: \$10,715,000.

Congress appropriated no funds for planning or construction but indicated in the reports that unobligated balances in the Buildings and Facilities account could be reprogrammed to provide for projects included in the 1969 budget request. The proposed reprogramming includes the following projects: \$5,310,000 for constructing and equipping the Appalachian Health Field Station at Morgantown, W. Va.; \$236,000 to purchase land for the National Communicable Disease Center animal facility; \$210,000 and \$170,000 for equipping the Northeast and Northwest Marine Health Sciences Laboratories; \$72,000 for planning an Outpatient Clinic in Cincinnati; \$484,000 for planning an NIH Virus Facility; and \$4,603,000 for various major repairs and improvements to PHS facilities.

Emergency Health Activities: 0.

Last year: \$9,000,000.

The emergency health activities conducted by HSMHA included the stockpiling and management of medical supplies and equipment in affiliation with community hospitals and the preparation and development of emergency health preparedness programs for states and communities to assure the continuity of essential health services in the event of disaster.

Consumer Protection and Environmental Health Services: \$243,247,000.

Last year: \$216,714,000.

Air Pollution: \$88,733,000.

Last year: \$64,185,000.

This appropriation provides \$7,431,000 for research grants; \$3,159,000 for fellowships and training grants; \$22,755,000 for control program grants; and \$1,000,000 for survey and demonstration grants. An additional \$17,270,000 is budgeted for research contracts related to fuels and motor vehicles. The

balance of \$37,118,000 is devoted to the conduct of research related to the effects, control, abatement, and prevention of air pollution; to consultative services to state and local health and air pollution control agencies; and to training courses for state, local and industry personnel.

Reimbursements of \$40,000 are anticipated for services to other agencies for conducting air pollution studies.

Food & Drug Administration, Salaries & Expenses: \$67,296,000.

Last year: \$66,000,000.

The above amounts have been appropriated to enforce the Federal Food, Drug, and Cosmetic Act and related laws. Combined, these statutes provide FDA, through the Secretary of HEW, with authority to help insure that (1) foods are safe, pure, and wholesome; (2) drugs are safe and effective; (3) cosmetics are harmless; (4) therapeutic devices are safe and effective; (5) certain hazardous products carry adequate warning; and (6) all of the foregoing are honestly and informatively labeled and packaged. To implement these laws, FDA inspects factories, warehouses, and distributors; samples and examines shipments moving in interstate commerce; and investigates illegal activities. FDA also clears all new drugs for safety and effectiveness before they are marketed; checks to see that prescription drugs are sold only upon the authorization of qualified physicians; sets safe levels or amounts (tolerances) for all food additives, pesticides, and artificial colors; combats medical, nutritional and therapeutic device quackery; works with industry to promote voluntary compliance with the law; and works with consumers to help them obtain maximum protection through the law. Also in fiscal year 1969, \$3,523,000 (obtained from fees for services paid by industry and not included in the above total) will be used to (1) certify the strength, purity and other requisites of antibiotic drugs and of insulin and its derivatives; (2) establish tolerances for residues of pesticide chemicals on raw agricultural products; and (3) establish tolerances for, and certify batches of, all colors used in or on foods, drugs, and cosmetics.

Urban and Industrial Health: \$42,995,000.

Last year: \$41,750,000.

This appropriation supports a national program for the prevention and control of environmental hazards and health problems associated with urban living, including those related to an industrialized society. The programs supported by this appropriation are: (1) solid wastes disposal, \$16,926,000; (2) occupational health, \$8,295,000; (3) injury control, \$5,106,000; (4) water supply and shellfish sanitation, \$3,694,000; (5) Arctic Health Research Laboratory, \$1,565,000; and (6) special health protection (urban health planning, environmental health and food protection) \$7,409,000. Methods used to accomplish these objectives are research, consultation, application of research findings, demonstrations, technical assistance, training, inspection, and grants. Approximately 50% of the appropriation is used to support grants.

Reimbursements anticipated from other divisions or agencies are estimated at \$1,406,000 in fiscal 1969.

Chronic Diseases: \$28,942,000.

Last year: \$27,942,000.

Of this appropriation, \$300,000 is supporting a research training grant program now in its fifth year. A research grant program of \$3,744,000 is included to study and develop new and improved methods for the prevention and control of the chronic diseases. The balance of \$24,898,000 is for direct programs of research, development, training and technical assistance. The programs financed are smoking and health, nutrition, diabetes and arthritis, kidney, heart, cancer, respiratory, and neurological and sensory diseases.

Reimbursements anticipated from other

divisions or agencies are estimated at \$2,000,000 in fiscal 1969.

Radiological Health: \$15,281,000.

Last year: \$15,687,000.

Of this appropriation \$2,296,000 is used for research grants and \$2,042,000 for research contracts. The balance of \$10,943,000 finances direct PHS research to determine the levels of radiation exposure of man from various sources and the precise biological effects, and the laboratory and surveillance activities to provide basic data. Technical assistance and training courses are also provided. In addition to the foregoing, the National Center for Radiological Health provides services to the Atomic Energy Commission and other governmental agencies to the extent of \$2,800,000 annually on a reimbursable basis.

FDA Buildings and Facilities: 0.

Last year: \$1,150,000.

The Buildings and Facilities appropriation for fiscal year 1969 includes no new budget authority.

Social and Rehabilitation Service Activities: \$3,579,465,500.

Last year: \$2,084,992,000.

Effective August 15, 1967, a new agency, the Social and Rehabilitation Service, was established to carry out the functions formerly assigned to (a) Welfare Administration (which included the Children's Bureau, Bureau of Family Services, Cuban Refugee Program, and other units); (b) the Vocational Rehabilitation Administration; (c) the Administration on Aging; and (d) the Mental Retardation Division of the Bureau of Health Services, PHS. Therefore, the group of activities which follows relates to all of the activities of the units now comprising the new Social and Rehabilitation Service. The data below are presented for the several appropriation items in which expenditures for health related activities are significant.

Grants to States for Public Assistance (Payments to Medical Vendors): \$2,118,300,000.

Last year: \$1,686,900,000.

Public Law 89-97, the Social Security Amendments of 1965, permits states to continue to make payments to medical vendors under the present categories of public assistance or under title XIX for all recipients of money payments and for the medically indigent. The law also permits federal financial participation in payments for aged persons in institutions for mental illness or tuberculosis. The estimate of expenditures from federal, state, and local funds for fiscal 1969 is \$5,081,500,000 for medical assistance programs under title XIX, and \$241,500,000 under the other programs. The estimated federal share, including administrative costs, of these programs amounts to \$2,118,300,000.

Children's Bureau: \$265,400,000.

Last year: \$235,600,000.

The Children's Bureau, Social and Rehabilitation Service, administers grants for maternal and child health and child welfare to states and to public and private nonprofit institutions and organizations. In 1969, \$265,400,000 is appropriated for this purpose, \$209,200,000 of which is for support of maternal and child health services authorized under the Child Health Act of 1967. The programs involved include formula grants for maternal and child health services and crippled children's services; special project grants for maternity and infant care, family planning, and comprehensive health care of children and youth; research in maternal and child health and crippled children's services; and training for health care of mothers and children. The elements of the increase over 1968 provide for initiation of a new program of family planning services, and for expansion of early casefinding, diagnosis and treatment of crippled children. The federal costs of administering these programs and for providing consultation and advice to state and local agencies is included as part of the total Social and Rehabilitation Service

operating expenses appropriation and is not separately identified.

Rehabilitation Services Administration: \$152,937,000.

Last year: \$125,838,000.

Rehabilitation Activities: \$108,697,000.

Last year: \$82,476,000.

Grants to states are provided for: (a) support of basic rehabilitation services, including medical examinations, surgical and therapeutic treatment, hospitalization, prostheses, occupational tools and aids, vending stands, rehabilitation facilities, vocational training, and funds for maintenance, \$345,900,000; (b) the innovation of rehabilitation services, \$3,200,000; (c) the expansion of vocational rehabilitation services, \$8,000,000; (d) project development, construction and initial staffing, \$1,890,000; and (e) facility improvement, \$10,000,000. Of the funds available under (a) above, approximately \$103,770,000 will be used for medical rehabilitation; about \$960,000 of the funds appropriated under (b) above will provide for innovating new methods or techniques for medical rehabilitation services; about \$2,400,000 of funds authorized under (c) above will be available for the expansion of medical and health related rehabilitation services. In addition, about \$567,000 of the funds available under (d) above will be used for project development, construction and initial staffing of rehabilitation facilities which incorporate medical and health related activities; and \$1,000,000 of the funds appropriated under (e) above will provide for improving the health related activities of rehabilitation facilities.

Rehabilitation Research, Demonstrations and Training: \$35,640,000.

Last year: \$34,800,000.

The appropriation for Rehabilitation Research and Training includes (a) support of research and demonstration projects which hold promise of making a contribution to the solutions of vocational problems common to all or several states, \$21,325,000; (b) for special centers for research and training in rehabilitation at universities for clinical research and teaching in the several disciplines of rehabilitation, \$10,275,000; (c) for domestic support for the International Rehabilitation Research and Training program, \$100,000; and (d) for the support of a national center to provide services needed to rehabilitate handicapped individuals who are both deaf and blind, to provide training of needed professional and allied personnel, and to conduct research in the problems of rehabilitating the deaf-blind, \$600,000. Nearly all the funds in (a) and (c) are authorized for medical-health related activities. Approximately \$8,150,000 of the funds under (b) provide support for the medical activities of the Special Centers Program; and about one-half of the funds under (d) will be used for medical-health related activities. The balance of funds under this appropriation are for the training of professional personnel in the field of rehabilitation of the physically or mentally handicapped. This latter activity is covered in the comments of the Rehabilitation Service Administration which administers the training program.

Training Activities: \$8,600,000.

Last year: \$8,562,000.

The training activities under the rehabilitation research and training appropriation provide for training of rehabilitation personnel, including physicians, therapists, psychologists, counselors, and medical and psychiatric social workers, \$31,700,000. About \$8,600,000 of the funds available are used for teaching grants and traineeships in medicine and related health fields.

Mental Retardation Activities: \$32,556,000.

Last year: \$27,098,000.

This appropriation provides \$126,000 in research grants to support appropriate research activities designed to discover new techniques and develop new knowledge, and

to gather information which will increase the efficiency of services for the mentally retarded. Grants are also awarded to states' residential institutions for in-service training and innovation projects which provide opportunities for improving the quality of care for the mentally retarded. These funds are used to assist states' residential institutions in improving service and treatment for the mentally retarded. The amount available in 1969 for this purpose is \$8,972,000.

The appropriation also provides \$6,000,000 in formula grants to states for supporting construction, acquisition, expansion, remodeling, replacement, and initial equipping of facilities receiving federal aid under this program. These facilities furnish a full range of inpatient and outpatient services for the diagnosis, training, treatment and care of the mentally retarded. \$8,358,000 is available in 1969 for the initial staffing of community service facilities. These funds are available to assist in the initial staffing of new community mental retardation facilities and new services in existing facilities.

The appropriation also provides \$9,100,000 for construction of university-affiliated facilities. This program provides assistance in the planning and construction of public or other non-profit clinical facilities for the mentally retarded which are associated with a college, university or an affiliated hospital. These facilities will provide physicians and other nonprofessional personnel with specialized training and will utilize a full range of inpatient and outpatient clinical services to demonstrate the advantages of specialized services for diagnosis and treatment, education, and care for the mentally retarded and those with associated handicaps, and to support related research activities.

Social & Rehabilitation Activities Overseas: \$5,000,000.

Last year: \$5,000,000.

This appropriation provides for the purchase from the Treasury, of U.S.-owned local currencies of foreign countries for the conduct of research and training in rehabilitation, aging, and other SRS activities in those countries under the provisions of the Agricultural Trade Development and Assistance Act of 1954 (P.L. 480), as amended, and the International Health Research Act of 1960 (P.L. 86-610). This program is administered by the Office of Research, Demonstrations and Training of the SRS.

Assistance to Refugees in the United States: \$4,853,000.

Last year: \$4,175,000.

Under authority contained in P.L. 87-510, medical care and hospital care for acute illnesses are provided needy Cuban refugees registered in the Refugee Emergency Center in Miami, Florida.

Assistance for Repatriated U.S. Nationals: \$419,500.

Last year: \$381,000.

The Secretary of HEW is authorized to provide temporary care, including hospitalization at St. Elizabeths Hospital, Washington, D.C., or at any other appropriate Federal or nonfederal hospital, for American nationals adjudged insane or otherwise found mentally ill in foreign countries. The amounts included above for this purpose are \$342,300 for 1968 and \$372,500 for 1969.

The Social Security Act authorizes temporary assistance to U.S. citizens and their dependents who return to this country because of destitution, illness, or international crises and who are without available resources. Estimated Federal funds expended for medical costs for this group, included in the above estimates, are \$38,700 for 1968 and \$47,000 for 1969.

Freedmen's Hospital: \$8,739,000.

Last year: \$6,700,000.

This institution, with an average patient load of 352 plus 33 newborns in 1968, is a medical teaching facility and a general hospital operated under the supervision of

Howard University. Its patients are chiefly from the District of Columbia and the adjoining areas. The hospital is utilized for training of medical students, interns and residents, many of whom are graduates of Howard University, and it has a nurses' training school. Total operation expenses in fiscal year 1969 are estimated at \$12,630,000, of which approximately \$4,000,000 will be obtained as reimbursements from payments received from patients, the District of Columbia, and counties surrounding Washington which utilize these facilities for welfare patients.

U.S. Office of Education: \$5,000,000.

Last year: \$5,000,000.

The Office of Education administers a program of federal aid to state Boards of Vocational Education for the purpose of expanding, improving, and operating both practical nurse education and training for other similar health occupations. During the current fiscal year, \$5,000,000 in federal money was allocated to the states for use on a matching basis. Expenditure of these funds is limited to costs of instruction, equipment and supplies, guidance services, supervision, studies, teacher education, program promotion, and selected administrative costs. In addition to the above amounts, unspecified amounts of money are available under other appropriations for vocational education (the George-Barden Act and P.L. 88-210, the Vocational Education Act of 1963). The latter are authorized for use in the broad range of vocational education programs and may be used for practical nurse education as well as training for other health occupations that are supportive to the medical, dental, and nursing professions.

Howard University: \$4,704,000.

Last year: \$4,331,000.

This University is jointly supported by Congressional appropriations and private funds and offers instruction in ten schools and colleges, including the colleges of medicine, dentistry, and pharmacy. The Federal contribution for direct current operations in these colleges is estimated to be \$4,704,000 for 1969. This represents approximately 26% of the University's appropriation for salaries and general expenses.

The entire student body of the University for 1968-1969 is expected to exceed 11,000. There are 410 students in the College of Medicine, 357 in the College of Dentistry, and 215 in the College of Pharmacy, for fall semester of 1968.

Federal Surplus Property Donation Program: \$130,460.

Last year: \$127,380.

The Department of HEW administers a program of disposal of federal surplus real and personal property for public health purposes, including research. Surplus personal property is donated through state agencies to tax-supported and private nonprofit medical institutions, hospitals, clinics, and health centers. Surplus personal property is donated at no cost to the recipient other than the handling costs involved. Surplus real property is conveyed at market value against which a public benefit allowance discount is applied, based on the benefits accrued or to be accrued to the nation from the use of the property. The amounts of such allowances range from 50% to 100% of fair market value, and are earned over the normal 30-year period of deed restrictions. Last year, personal property costing approximately \$24,703,000 at the time of acquisition, and real property costing approximately \$11,244,000 were transferred for health purposes. It is expected that the level of donations and transfers for fiscal 1969 will be approximately the same as for 1968.

Federal funds for the Federal surplus property program are only appropriated to defray the direct Federal administrative expenses of operations of the surplus property program. It is estimated that of the \$1,186,-

000 authorized for this use in 1969, approximately \$130,460 will be utilized for the distribution of surplus property for health-related purposes.

DEPARTMENT OF DEFENSE

(This year: \$1,744,026,000; last year: \$1,646,069,000.)

Figures for the Department of Defense are estimates. Appropriations are not broken down into detailed categories of activities.

The reader is cautioned against using the reported appropriation figures as a yardstick for comparing the activities of the three services. Differing assigned missions, organization, and bookkeeping systems make it impossible to obtain total figures for all medical services. For example, the amounts contained in this report for the Navy Medical Service cover only services and facilities under the direct control of the Bureau of Medicine and Surgery. The operational expenses of station hospitals and shipboard facilities are carried on the budget of the individual naval station or ship.

It must also be understood that funds appropriated for construction may not be totally obligated during the fiscal year.

Army Medical Department: \$821,200,000.

Last year: \$751,100,000.

The Army expects to operate 104 hospital and other medical facilities throughout the world, with an expected daily patient load of 24,651. To operate these hospitals, the Army had, as of June 30, 1968, 6,365 physicians, of whom approximately 125 were civilians; and 7,214 nurses, 2,343 of whom were civilians. To meet the expenses of its medical activities, the Army expects to expend in fiscal year 1969, \$938,500,000.

According to the Office of the Surgeon General, the following amounts, including reimbursements, rounded to the nearest 100 thousand dollars will be expended:

Hospitalization in Army hospitals	\$319,700,000
Dependents' medical care	168,000,000
Outpatient care in Army facilities	174,900,000
Training and other miscellaneous activities	107,400,000
Dental care in Army facilities	66,100,000
Research	63,400,000
Construction	39,000,000

Approximately \$117,300,000 of reimbursable activities are included in the figures listed above. For example, although \$168,000,000 is shown for the care of military dependents in civilian hospitals under the Civilian Health and Medical Care Program for the Uniformed Services, only \$77,100,000 is for the medical care of Army dependents. The remainder of \$90,400,000 is for civilian services provided to dependents of the other military services on a reimbursable basis. This reimbursable amount is included since the Department of the Army is the Executive Agent for the Champus Program.

Air Force Medical Service: \$522,397,000.

Last year: \$506,060,000.

The Department of the Air Force estimates that in fiscal year 1969 it will spend \$522,397,000 for the medical services it will provide on a worldwide basis to all tactical, strategic, air defense and other commands and separate activities. Service will include hospitalization, outpatient care, dental care, military public health, and occupational medicine, bio-environmental engineering, aerospace medicine, veterinary medicine, physiological training (including altitude chamber operations and pressure suit fittings), the operation of epidemiological flights, and aeromedical evacuation (including necessary casualty staging units) for all the services.

The Air Force will operate 193 hospitals and dispensaries with a total capacity of 10,717 operating beds. Anticipated workload during the fiscal period is 8,727 average daily occupied beds and a total of 18,399,000 outpatient clinic visits.

Approximately 12,284 officers and 29,869 enlisted personnel will be used to perform the total medical mission. Included in the officer strength will be 3,667 physicians and 4,050 registered nurses. The remaining officers include dentists, veterinarians, administrators, optometrists, pharmacists, etc.

The costs outlined below represent the estimated total cost of operating the Air Force medical service during fiscal year 1969, including military salaries and payments to other agencies for care provided to active duty and retired personnel of the Air Force.

Operation of hospitals, dispensaries, dental clinics, and other miscellaneous activities	\$461,820,000
Dependent medical care in civilian hospitals	38,649,000
Construction	11,302,000
Medical care in non-Air Force hospitals	3,954,000
Medical education and training	4,130,000
Medical administration	2,442,000
Medical research	100,000
Total	522,397,000

Navy Medical Service: \$400,195,000.

Last year: \$387,111,000.

In 1969, the Navy will operate the following facilities:

Medical centers ¹	3
Dental centers ¹	1
U.S. Naval hospitals ¹ —continental	30
U.S. Naval hospitals ¹ —extra continental	7
Medical research activities ¹	11
Preventive medicine units ¹	4
Disease vector control centers ¹	2
U.S. Naval dispensaries ¹	4
U.S. Naval dental clinics ¹	11
Hospital ships	2
Selected dispensaries (with beds)	76
Selected dispensaries (without beds)	117
Shipboard facilities	932

¹ Under command of the Surgeon General.

During fiscal 1969, the Navy estimates that it will operate, on a daily average, 19,259 beds. The daily average occupied beds at naval hospitals and medical centers is expected to be 14,298. The daily average of patients in other medical facilities is estimated as follows: other military or federal, 2,095; civilian hospitals, 2,074.

To carry out its operations, not including the costs applicable to the operation of medical facilities not under the command of the Surgeon General, the Navy estimates that its expenditures in 1969 will be \$400,195,000 broken down as follows:

Military pay	¹ \$142,027,000
Operation of BuMed activities	¹ 118,124,000
Medical care—non-Naval facilities	9,740,000
Medicare	63,867,000
Care of the dead	8,761,000
New construction	² 23,099,000
Alterations or renovations	1,148,000
Research	18,850,000
Other costs	14,579,000

¹ Variance in funds from previous year results from organization and funding realignments within the Navy.

² Includes funds for two naval hospitals and five other medical and/or support facilities.

Office of Civil Defense: \$412,000.

Last year: \$1,695,000.

In fiscal 1969, the Office of Civil Defense plans to utilize Federal funds in the approximate amounts of \$102,000 for its Medical Self-Help Training Program, under which training is designed to enable a person to meet emergency health needs if professional medical care is unavailable for prolonged

periods; and \$310,000 for Emergency Medical Research, which involves research in the fields of emergency health problems and postattack medical, health, and welfare operations.

Office of Deputy Assistant Secretary of Defense (Health & Medical): \$132,000.

Last year: \$103,000.

This office is responsible for the broad planning and coordination of the medical and health programs of the Defense Department, the integration of the activities of the three military medical services, and the development of the medical policies for the Defense Department. The office also operates certain aspects of the service recruitment programs for professional personnel, including the Berry Plan.

The above sum does not include salaries for the eight medical service officers and one enlisted man who are assigned to the office, whose pay is budgeted for by their respective military departments.

VETERANS' ADMINISTRATION

(This year: \$1,542,962,000; last year: \$1,479,342,000.)

Medical Care: \$1,466,453,000.

Last year: \$1,361,592,000.

This appropriation funds the operating costs of all medical care programs conducted by the VA other than agency level administration costs and research activities. It includes the costs of operating 166 hospitals, 63 nursing home units, 16 domiciliaries, 18 restoration centers, outpatient clinics located in each hospital, plus 39 clinics or sub-clinics not located in a hospital setting. It also includes the costs related to the inpatient care of veterans in non-VA hospitals and nursing care beds, domiciliary care provided eligible veterans in state veterans homes, and fees to physicians and dentists who are not VA employees for care and treatment provided under a home-town care program. It is estimated that a total of 855,200 beneficiaries will be provided inpatient care in fiscal year 1969. In addition, funds are provided for training of medical residents and other professional, paramedical and administrative personnel in health-science fields.

The appropriation does not limit the distribution of funds among the major activities financed thereunder. The costs reflected under the funded activities represent estimates of how the appropriation will be distributed in fiscal 1969.

Inpatient Care in VA Hospitals: \$1,178,952,000.

Last year: \$1,093,212,000.

VA's largest medical care expenditure covers inpatient care provided in 166 VA hospitals. In fiscal year 1969, it is estimated that a daily average of 107,305 hospital beds will be operated to care for an average daily patient load of 93,700—an occupancy rate of 87%—providing treatment for 767,000 beneficiaries. Costs include the salaries of physicians, dentists, and other personnel needed to operate the hospitals. Also included are the costs of operating 4,000 nursing care beds providing care for an average daily load of 3,815 in VA facilities with 6,700 beneficiaries treated.

Outpatient Care: \$188,321,000.

Last year: \$182,195,000.

The bulk of these costs is for care and treatment provided on an outpatient basis to eligible veterans by clinics located within and outside of a VA hospital setting. \$13,833,000 is planned for fees to physicians and dentists who are not VA employees for services provided under the home-town care program. Total outpatient medical visits are estimated to be 6,743,000 in 1969.

Domiciliary Care: \$49,600,000.

Last year: \$42,677,000.

Domiciliary and restoration care is provided in VA facilities for about 13,444 veterans who, while incapacitated for employ-

ment, are not in need of full-time hospital or nursing care. VA also makes payment to 34 state veterans' homes for both domiciliary and nursing care with an estimated daily load of 9,660. These payments are expected to amount to approximately \$13,773,000 in fiscal year 1969.

Contract Hospitalization and Nursing Home Care: \$33,120,000.

Last year: \$28,320,000.

These costs cover inpatient care provided eligible veterans in non-VA hospitals. It is estimated that an average of 1,750 patients will be cared for daily in non-VA hospitals, and an average of 3,300 patients will be provided nursing home care in community facilities, on a contractual basis in fiscal 1969. The patient load in other federal hospitals is estimated at 452 and in non-federal hospitals, at 1,298.

Miscellaneous Benefits and Services: \$16,460,000.

Last year: \$15,188,000.

Included in this heading are expenses not directly connected with medical care and treatment of patients, such as travel costs of beneficiaries, operation of personnel quarters, services provided other governmental units on a non-reimbursable basis, and maintenance and operation of cemeteries.

Construction of Hospitals and Domiciliaries: \$7,926,000.

Last year: \$52,600,000.

These funds are for the construction, replacement and relocation of hospitals and modernization, alterations, or additions for existing VA hospitals, domiciliaries, and other facilities.

Medical Research: \$48,018,000.

Last year: \$45,850,000.

These funds are for research, mostly in VA hospitals. The appropriation may be broken down as follows: general medical and surgical research, \$29,018,000; neuropsychiatric, \$6,000,000; atomic medical research, \$5,000,000; basic science, \$4,600,000; prosthetics testing, \$1,400,000; and other, \$2,000,000.

Medical Administration: \$11,667,000.

Last year: \$10,946,000.

This appropriation covers the expense of over-all administration and direction of medical care and research programs by Washington Central Office staff.

Construction of State Nursing Homes: \$4,000,000.

Last year: \$4,000,000.

The fourth appropriation of matching funds for the construction of state nursing homes for war veterans under P.L. 88-450, enacted on August 19, 1964, P.L. 90-432, dated July 26, 1968, extended the authority from 5 to 10 years.

Post Graduate and Inservice Training: \$2,148,000.

Last year: \$2,091,000.

These funds cover the costs, other than salaries, related to educational assignments for physicians, including residents, and other employees in VA hospitals and clinics. These activities are conducted both in and outside VA facilities. Included as costs are tuition charges, travel, lecturers' fees, and training materials and devices.

Medical Care—Philippine Veterans: \$1,776,000.

Last year: \$1,325,000.

This sum is used to reimburse the Philippine Government for the cost of hospitalization for eligible veterans of the Commonwealth Army and new Philippine Scouts. The program was expanded and extended for another five years through June 1973 by P.L. 89-612, approved on September 30, 1966.

Exchange of Medical Information: \$974,000.

Last year: \$938,000.

The second appropriation, authorized by P.L. 89-785, approved on November 7, 1966, provides for programs for exchange of the most advanced medical and other scientific information and techniques between the VA,

medical schools, research centers, and other appropriate members of the medical-scientific community, with particular emphasis at the non-affiliated VA hospitals.

DEPARTMENT OF THE INTERIOR

(This year: \$315,504,000, last year: \$307,940,000.)

Federal Water Pollution Control Administration: \$302,838,000.

Last year: \$295,800,000.

This group of activities includes those previously carried under the Department of Health, Education, and Welfare appropriations. Reorganization Plan No. 2 (February 28, 1966) transferred the Federal Water Pollution Control Administration to the Department of the Interior.

Construction Grants for Waste Treatment Works: \$214,000,000.

Last year: \$203,000,000.

The Federal Government makes grants for the construction of waste treatment plants. The annual authorization was increased by the Water Quality Act of 1965 (P.L. 89-234) and again by the Clean Water Restoration Act of 1966 (P.L. 89-753).

Water Supply and Water Pollution Control: \$88,838,000.

Last year: \$92,800,000.

Grants and contracts account for 56.2% of this appropriation request. These include: \$6,500,000 for research grants; \$4,000,000 for fellowships and training grants; \$6,000,000 for storm and combined sewers; \$5,200,000 for advanced waste treatment; \$10,000,000 for industrial waste treatment; \$1,250,000 for comprehensive basin planning; \$2,500,000 for demonstration grants; \$10,000,000 for control program grants to state and interstate agencies; and \$4,504,000 for research contracts. The balance of funds finances development of comprehensive river basin water pollution control programs; basic and applied research; establishment of water quality standards, including review of state-proposed standards and provision of consultation and guidelines to the states; enforcement of water pollution control legislation; collection and dissemination of basic data; field studies of water quality problems; and technical assistance to other agencies.

Bureau of Mines: \$11,028,000.

Last year: \$10,580,000.

With respect to health and safety, the Bureau has the responsibility of inspecting all coal mines, as well as metal and non-metallic mines, and of reporting on observed hazards with appropriate corrective recommendations. It also conducts investigations of all serious accidents, and makes recommendations to reduce working hazards, to safeguard the health of workers, and to promote efficiency in the mineral industries. The Bureau encourages accident prevention education through safety organizations, exhibits, safety film production, demonstrations, instructions in accident prevention, and first aid and mine rescue methods. These activities account for \$8,820,000 of the Bureau's appropriation.

The Bureau will also spend \$2,208,000 in health and safety research into improving electrical and diesel equipment to counteract health hazards of the mineral industries; establishing a more scientific basis for roof control, including prevention of "bumps" or rock bursts; studying high volume mine transportation systems to prevent hazardous practices; improving mine ventilation generally and aiding the mining industry in solving difficult ventilation problems; and preventing dust explosions and mine fires by applying new concepts on dust binding, rock dusting, and controlling float-dust transport.

Geological Survey: \$1,070,000.

Last year: \$992,000.

The primary objective of the Geological Survey is the assessment of the nation's mineral resources, including water. Research projects are in support of this objective and any relation to medical or health research is

incidental. However, the Survey does conduct some projects in the physical and biological sciences that are health related. Water resources research projects include determination of the occurrence and distribution in water of minor elements and radioactive materials and studies of the behavior of detergents, pesticides, and other pollutants, including radioactive wastes, where released into the soil-moisture environment of natural water systems. The Survey's geological research projects in health-related programs are chiefly for study of the geology and geochemistry of selected areas and substances (such as humates), and in connection with geobotanical exploration (study of trace elements in plants) techniques to study the geochemical variations in plants and soils to (1) correlate with areas of incidence of certain human diseases or with other health problems, and (2) determine the effects of the nutrition of plants and animals.

Bureau of Commercial Fisheries: \$568,000.

Last year: \$568,000.

This Bureau conducts research projects to determine the possible medical- and health-related implications of fish oils, botulism and processing techniques as applied to fishery products and nutritional studies. Included are the following studies: (1) oxidative deterioration of fish and fishery products, including related nutritional aspects; (2) fractional distillation of extracted fish oil for medical research purposes; (3) nutritional value of fish protein concentrate; (4) engineering studies to improve the processing methods of fish protein concentrates; (5) pesticide residues in fish and shellfish; (6) botulism studies; and (7) new processing techniques.

DEPARTMENT OF STATE

(This year \$242,712,744; last year: \$268,999,545.)

Agency for International Development: \$204,900,000.

Last year: \$223,232,000.

Priority bilateral technical activities of AID are to assist in expanding food production and in lowering birth rates in the developing nations. The Agency, through co-operatively financed programs, is helping more than forty countries at their request to develop voluntary family planning programs, to reduce nutritional deficiencies, to control and eradicate diseases, and to provide other activities that will improve health and living conditions. Other programs in health care are carried out by the State Department itself or through multilateral organizations such as the United Nations. The above figures, estimated for fiscal 1969, will be allocated as follows:

Population and Family Planning: \$48,500,000.

Last year: \$35,100,000.

Assistance is provided to develop voluntary family planning programs involving a range of activities from the demographic to clinical aspects.

U.S. Operations Mission, Vietnam: \$31,900,000.

Last year: \$45,500,000.

These funds represent costs of civilian medical care programs in hospitals and health centers and clinics in Vietnam. The AMA is assisting in the recruitment of private physicians and surgeons and the Armed Services are supplying well-qualified surgeons and medical supplies and the continual improvement of the hospitals and facilities. Medical and surgical teams from other countries are being given logistical support.

Malaria Eradication: \$20,386,000.

Last year: \$31,016,000.

This long-term program, which AID helps to support, has protected 870 million people worldwide.

Other Cooperative Health Programs: \$104,114,000.

Last year: \$111,616,000.

These funds support a wide range of con-

tinuing health and medical-related activities, including food fortification and additives programs aimed at reaching the pre-school child; the provision of adequate and safe drinking water and sewage disposal systems; campaigns to control measles and eradicate smallpox; the development of health manpower through training programs both locally, in the U.S., and third countries; the strengthening of health institutions and assistance to Ministries of Health in planning health programs. In addition, funds are used in carrying out applied research in health.

World Health Organization (WHO): \$18,075,620.

Last year: \$16,771,345.

The amounts shown above represent U.S. contributions (31.2%) to the WHO regular budgets for calendar years 1968 and 1967, respectively. WHO acts as a coordinating authority on international public health work; helps to build national health services; stimulates and works with governments on programs to eradicate epidemic and other widespread diseases; promotes activities in the improvement of nutrition, environmental sanitation, maternal and child care, and mental health; promotes and encourages research in the field of health; assists governments in setting up or reorganizing the structures of their health services; works for the standardization of diagnostic procedures; promotes the adoption of international standards with respect to food, biological and pharmaceutical products; furnishes advice and direct aid to governments in emergencies; and provides fellowships and training services for public health work.

United Nations Children's Fund (UNICEF): \$8,000,000.

Last year: \$7,700,000.

UNICEF assists governments in underdeveloped areas of the world in establishing and carrying out long-range health, nutrition and welfare programs for children and mothers. Assistance which UNICEF, with the technical guidance of the specialized agencies of the United Nations, makes available to governments includes six main categories: health services, family and child welfare services, disease control, nutrition, emergency aid, and vocational training. Shown above is the proportionate part of the U.S. contribution which is estimated will be used by UNICEF for program activities in the fields of health and nutrition, plus an appropriate share of UNICEF's expenditures for administration and freight.

Pan American Health Organization (PAHO): \$6,550,124.

Last year: \$5,887,700.

The amounts shown above represent U.S. contributions (66.0%) to the PAHO regular budgets for calendar years 1968 and 1967, respectively. PAHO's functions and objectives include a continuing attack on disease at its sources in order to reduce or eliminate danger of transmission of disease and disease vectors in the Americas; reduction or elimination of the necessity of costly quarantines; stimulation and support of national health authorities in their efforts to control disease, including assistance in connection with planning and operation of special health projects; and participation in and promotion of prompt reporting of existence of quarantinable disease.

United Nations Development Program (UNDP): Figures not available.

Last year: \$5,200,000.

UNDP assists in the economic development of the less developed countries, including health projects for which WHO and PAHO act as implementing agencies. Shown above is the proportionate part of the U.S. contribution from fiscal 1968 funds which is estimated will be used by UNDP for health activities.

U.N. Relief and Works Agency for Palestine Refugees: Figures not available.

Last year: \$3,700,000.

UNRWA provides relief services for Palestine refugees, including food, health and welfare services. It also provides education and training for refugee children, to assist them in becoming self-sustaining and part of the regular economic life of the region. Shown above is the proportionate share of the U.S. contribution from fiscal year 1968 funds which is estimated will be used by UNRWA for health activities.

U.N. Technical & Operational Assistance to the Congo: Figures not available.

Last year: \$1,100,000.

The United Nations administers a special program of assistance to the Government of the Congo (Kinshasa) for the maintenance of essential public services such as health, education, communications and banking through the provision of technical advisors and operational personnel. Shown above is the proportionate part of the U.S. contribution from fiscal 1968 funds which is estimated will be used by the U.N. for health activities.

Special Contribution for U.N. Assistance to Vietnam: Figures not available.

Last year: \$1,000,000.

The amount shown above represents the U.S. contribution from fiscal 1968 funds to the World Health Organization for assistance in the establishment of a National Public Health Institute in Vietnam.

United Nations Population Program: Figures not available.

Last year: \$500,000.

The amount shown above represents the U.S. contribution to the United Nations Secretary General's Trust Fund for Population. The contribution will help finance costs of (1) population advisors to be stationed at regional offices to assist countries in identifying and preparing action project requests in the population and family planning field, and (2) a training program for U.N. field advisors in population and family planning to be administered by the Secretary General's staff in cooperation with the U.N. Institute for Training and Research (UNITAR).

International Agency for Research on Cancer: Figures not available.

Last year: \$150,000.

The amount shown above represents the U.S. contribution (11.1%) to the Agency for calendar year 1968. In 1965, the World Health Assembly established the International Agency for Research on Cancer to accelerate efforts to control cancer through international cooperation in cancer research. The Agency is located at Lyons, France.

Health Program for Overseas Employees: \$4,700,000.

Last year: \$1,900,800.

In fiscal year 1969, the Department of State will expend an estimated \$4,700,000 for its over-all health program for its employees. Included in this sum is the direct cost of providing examination and inoculation services and certain medical travel and hospitalization for the Department's 6,209 employees and their 9,313 dependents.

This sum also includes the over-all cost of administering a centralized program which serves 11,045 overseas employees and 19,116 dependents of forty other government agencies which also participate in the medical program, e.g.: The Agency for International Development, United States Information Agency, the Arms Control Disarmament Agency, and others. Each of these agencies pay directly the cost of medical travel and hospitalization for their respective overseas staff members and their dependents.

The above estimate does not include the direct salary and overseas allowance costs of doctors, nurses, technicians, and administrative support staff since these costs are paid from the general salary rather than the medical program allotment.

U.S. Refugee Programs: \$487,000.

Last year: \$558,500.

Under the provisions of the Migration and Refugee Assistance Act of 1962 (P.L.

87-510) the U.S. makes contracts with private agencies for various types of care for escapees or refugees. The program operates in Europe, the Middle East, South Asia, and the Far East, with medical care being provided through American voluntary welfare agencies. During the calendar year 1968, expenditures for medical care in Europe amounted to approximately \$23,000. These funds were used for medical care as part of the care and maintenance of refugees from the U.S.S.R. and Eastern Europe, and for medical examinations required for aliens to obtain visas for permanent settlement in other countries. For Chinese refugees in Hong Kong and Macao, the amount is approximately \$464,000. These funds include payment for the services of physicians and nurses, provision of medical supplies, rehabilitation of handicapped children and the blind, purchase of ambulances, and participation in the construction of hospitals and clinics in refugee communities. Assistance has also been given for the rehabilitation of TB convalescents.

FEDERAL EMPLOYEES HEALTH INSURANCE PROGRAMS

(This year: \$242,220,000; last year: \$233,647,500.)

Health Insurance for Federal Employees: \$231,743,000.

Last year: \$222,878,500.

Under the terms of Public Laws 86-382 and 89-504, the Federal agencies, as employers, are authorized to provide health insurance benefits for their employees who are active or who retired on or after the effective date of the laws, and for their dependents. The employee has the right to select one of the following types of insurance plans: service benefits such as offered by Blue Cross-Blue Shield; an indemnity program offered by commercial insurance companies; programs offered by employee organizations; or comprehensive health plans like HIP. Under the law, the Federal Government will contribute a specific amount, depending on the employee's marital status. 2,526,500 employees have elected to participate in the program. Over 5,290,500 of their dependents will also be covered.

For fiscal year 1969, total subscription charges under the program are expected to approximate \$780,389,000, with the Federal Government contributing approximately \$231,743,000. While the law authorized a high and low option under both the service and indemnity plans, it anticipated that there would be at least one low option to which the Government would contribute 50% of the cost. If the employee selected one of the other higher priced options, he would still receive the same dollar contribution but would have to pay the difference. 85% of the employees selected the high option. Approximately 57.8% are enrolled in the service benefit plan, 21.4% in the indemnity benefit plan, 14.4% in the employee organization plans, 4.8% in the group practice plans, and 1.6% in the individual practice plans.

Health Insurance for Retired Federal Employees: \$10,477,000.

Last year: \$10,769,000.

Under the terms of Public Law 86-724, Federal agencies, as employers, are authorized to provide health insurance benefits for certain qualified retired employees and their dependents or survivors who are not covered under the program authorized by Public Law 86-382 above. Under the law, the retired employee has the right to choose to participate in a single Government-wide plan which is underwritten by commercial insurance under a contract with the Government, or to receive protection under a qualified private plan of his own selection. Under the Government-wide plan, the retired employee may elect to subscribe for basic coverage only; for major medical coverage only, or for both. The Government's monthly contribution (\$3.50 for a single annuitant, \$7.00 for

an annuitant with a dependent) for any participant—in the Government-wide plan or in any private plan—is equivalent to approximately 70% of the premium (as a result of a reduction in premiums made possible by the Medicare coverage) for basic coverage or for major medical coverage in the Government-wide plan. Those selecting the Government plan have their contribution deducted from their annuity. Those choosing a private plan have their annuity increased by amount of the Federal contribution.

Retired employees numbering 182,000 (of which 71,565 had dependents) were covered under the program as of June 30, 1968. Of the employees covered, 83,500 chose the Government plan; 98,500 purchased their own programs (Blue Cross-Blue Shield enrolled 62,475; employee organizations, 25,025; insurance companies, 7,350; and others, 3,650). The cost of the Federal Government's contributions is estimated at \$10,477,000. It is not possible to estimate the total cost of the program because there is no way of ascertaining the cost of the insurance programs carried by annuitants who are purchasing their own insurance.

Since Public Law 86-724 provides coverage only for Federal employees who were retired at the time of its enactment, this program can be expected to become smaller with the passing of time.

DEPARTMENT OF AGRICULTURE

(This year: \$183,793,000; last year: \$159,173,000.)

Agricultural Research Service: \$82,838,000.

Last year: \$81,667,000.

The activities of this Service having medical and health-related significance are aimed towards learning how infectious diseases and harmful parasites of livestock and poultry are transmitted to man, the role of insects as vectors, and developing methods for their diagnosis, prevention, eradication, and control. Approximately 90 diseases of animals are transmissible to man, including brucellosis, leptospirosis, mycotic diseases, vesicular diseases, tuberculosis, swine erysipelas, worms and protozoa, leukosis, Newcastle, ornithosis, and salmonellosis.

Research is conducted to devise protective measures for decontamination and utilization of crops, animals, and soils affected by direct radiation or radioactive fallout to minimize their effects on the nation's supply of meat and other food products.

Research is also conducted on the use of pesticides to avoid the side hazards of pesticide residues in insects, crops, and livestock and on the effects of chemicals on crops, livestock and water. This research includes the following: toxicological and pathological effects of pesticides, feed additives, etc., on livestock as found in their feed and on crops; physical and chemical nature of plant viruses; effects of pesticides on the composition and nutritive value of the current food supply; biological and other methods of controlling stored-products insects, and development of nontoxic mothproofing treatments. Research is also conducted on new and improved growth promotants, as well as on farmstead water supply, waste disposal, health-related problems of tobacco, improving plant sources of protein, and deleterious molds and their control.

Human nutrition research is directed toward nutritive requirements of man; availability of nutrients in foods; metabolic response of man to various combinations of dietary proteins and fats; and discovering relationships between soils, plants, and animals to improve nutrition. Consumer and food economics research includes investigations of food consumption practices and the nutritive value of customary diets. Microbiological studies on textiles are also conducted.

Utilization research activities include development of methods for prevention of Salmonella contamination in milk; development of launderable shearlings for med-

ical use; investigation of allergens in edible proteins; development of methods of estimating thermal history of meat products; studies on the removal or inactivation of aflatoxin in food products; maintenance of a culture collection for identification of cultures from medical sources and for screening microorganisms for production of antibiotics and vitamins; development of improved emulsion for intravenous feeding; and development of specialized methodology for obtaining characteristics and composition of fats from various tissues. This work also has included screening plant extracts for biological activity, such as for treatment of heart disease and cancer. The commercial development of penicillin came from Department research in the microorganism field.

Marketing research is directed towards minimizing deterioration and spoilage of farm commodities in marketing channels in order to provide the consumer with a more wholesome product. Research is conducted on the effects of various disease organisms on poultry and the effects of light on the identification of poultry diseases in connection with poultry inspection activities.

To carry out the above programs, \$43,658,000 will be expended (\$39,928,000 for the conduct of research and \$3,730,000 for research facilities).

The Service also conducts preventive and community services, which include eradication of animal diseases, such as brucellosis and tuberculosis which are transmissible to man; prevention of the introduction of animal diseases from foreign countries which may affect man; the regulation of pesticides, which may be toxic to man; evaluation of pest control programs with special reference to environmental impact associated with control and eradication procedures; and monitoring pesticides in agriculture.

For the above program, \$39,180,000 will be expended in fiscal 1969.

Consumer and Marketing Service: \$92,908,000.

Last year: \$69,730,000.

The programs financed from these funds for 1968 consisted of meat inspection (\$48,423,000) and poultry inspection (\$2,307,000). For fiscal 1969, \$68,102,000 will be obligated for meat inspection; and \$24,806,000 for poultry inspection. These services are performed as a protection to the health of consumers. They assure a clean and wholesome supply of meat and poultry through minute inspection in slaughter and processing plants of meat animals and their products, and poultry and its products. Any such products found to be diseased or otherwise unfit from human consumption are removed from channels of trade and destroyed.

In addition to the appropriated funds shown above, fees paid by plants for overtime work and by other users of the service are estimated for 1969 at \$12,097,000 for meat inspection and \$2,643,000 for poultry inspection.

Cooperative State Research Service: \$8,047,000.

Last year: \$7,776,000.

The Cooperative State Research Service administers a Federal grant program in support of agricultural research at the State Agricultural Experiment Stations. A number of activities in this program have a direct effect upon or are related to human health. Estimated expenditures for this work are \$7,776,000 in 1968 and \$8,047,000 in 1969.

These research activities include (1) veterinary research to learn how infectious diseases and parasites are transmitted and to develop methods of diagnosis, prevention and control of diseases, (2) dietary requirements of humans and human nutrition problems, (3) preservation of foods, (4) studies on plant diseases, particularly viruses, that help to provide a better understanding of the biology of human pathogens, (5) studies on nutritional physiological processes in animals that may be related to human health problems, (6) toxicology effects of agricultural

chemicals, (7) pesticide residue research, (8) farm waste disposal and rural sanitation, (9) assaying microorganisms for production of antibiotics and vitamins, (10) fallout studies on forages and vegetables, and (11) air and water pollution.

OFFICE OF ECONOMIC OPPORTUNITY

(This year: \$175,200,000; last year: \$108,500,000.)

Community Action Programs: \$162,200,000.

Last year: \$95,100,000.

Community Action Programs include a variety of approaches for advancing the health of the poor through the broadscale participation of residents of poverty neighborhoods, concerned professionals and other community groups. These activities include Comprehensive Health Services Programs, family planning programs, Head Start health activities, narcotics programs, research and demonstration projects and other locally initiated health services.

Comprehensive Health Services: \$90,000,000.

Last year: \$33,200,000.

Neighborhood Health Centers and similar comprehensive services programs provide personal, high-quality, family-centered health care to residents of poverty neighborhoods. As of October 30, 1968, 47 centers had been funded; 38 were in partial or full operation. These programs are administered by such agencies as medical societies, medical schools, hospitals, nonprofit health organizations, and health departments. Neighborhood residents participate on the advisory boards and staffs of the centers.

Head Start Health Activities: \$35,000,000.

Last year: \$34,400,000.

Head Start provides medical and dental examinations, preventive services, treatment and follow-up for approximately 90% of the economically deprived children in the preschool age group it serves. About 700,000 children were served in 1968.

Emergency Food and Medical Services Programs: \$16,900,000.

Last year: \$10,400,000.

Initiated as a "National Emphasis" program in 1968 at the direction of Congress, this program provides on a temporary basis basic foodstuffs and medical services to counteract conditions of starvation or malnutrition among the poor. Projects in about 200 communities were initiated in the first six months of operation.

Family Planning Programs: \$13,000,000.

Last year: \$10,000,000.

The OEO legislation in 1967 gave family planning a higher priority by making it a new "National Emphasis" program. By the middle of 1968, OEO was assisting over 160 family planning projects, designed to serve over 200,000 women. Sponsored by such health-related bodies as planned parenthood groups, medical associations, and health departments, these projects provide family planning information and services to the poor, in cooperation with other local agencies and resources. The program also supports the training and employment of indigenous workers in these projects.

The special conditions governing this program insure that participation is completely voluntary, that a comprehensive choice of family planning methods is offered, that the highest medical standards are maintained, that the program conforms with state and local laws, and that project funds are exclusively used to serve low-income persons who are residents of the area served by the Community Action Agency.

Other Community Health Programs: \$5,600,000.

Last year: \$5,400,000.

Many local Community Action Agencies allocate some of the "versatile" funds to other health projects. These activities include screening and diagnostic activities, medical and dental care, health education and environmental health services.

Research and Demonstration Programs: \$1,700,000.

Last year: \$1,700,000.

Research and demonstration projects have been primarily concerned with developing new approaches to health services and new health careers for the poor. A major demonstration project was conducted to train the older poor as home health aides. Other projects are concerned with such problems as the treatment and rehabilitation of alcoholics, new methods of increasing the acceptability of family planning services, and the improvements of training techniques and career mobility of new workers in the health field.

Narcotics Program: 0.

Last year: 0.

OEO in fiscal year 1967 provided \$9,400,000 for development of eight new community-based programs for the rehabilitation of hard-core heroin addicts among the poor. When these funds, now extending into fiscal 1969, have been expended, it is anticipated that funding for these programs will be maintained by other Federal, state and local resources.

Job Corps Health Activities: \$11,900,000.

Last year: \$12,400,000.

Job Corpsmen and women receive diagnostic and treatment services. In addition, some have received training to work in hospitals and community health projects.

VISTA Health Activities: \$1,100,000.

Last year: \$1,000,000.

VISTA volunteers are given complete medical examinations and subsequently receive maintenance health care. A limited number of VISTA workers are assigned to health institutions.

DEPARTMENT OF COMMERCE

(This year: \$125,028,100; last year, \$105,166,500.)

(The actual total approved for EDA is \$50,337,000.)

Economic Development Administration: \$122,681,000.

Last year: \$102,919,000.

The Economic Development Administration is authorized to participate through loans and grants in the construction of hospitals and other medical facilities, water and sewer systems and waste treatment plants. Such facilities are eligible for assistance only if they directly contribute to the economic development of a distressed area. It is not possible to estimate the total amount which EDA will approve in fiscal 1969 for health-related projects. As of November 30, 1968, the following amounts had been approved: \$2,405,000 for hospitals and facilities; \$4,636,000 for water and sewer systems; and \$43,296,000 for waste treatment plants.

Also included in the total above are pending requests for the three categories. These requests have not been approved yet, and there will be more in fiscal 1969. The pending requests amount to: \$8,948,000 for hospitals and facilities; \$4,206,000 for water and sewer systems; and \$59,190,000 for waste treatment plants.

National Bureau of Standards: \$2,347,100.

Last year: \$2,247,500.

The National Bureau of Standards will spend a total of \$2,347,100 in fiscal year 1969 in performing tests and in development research on its own initiative and at the request of others. The Bureau will expend \$727,100 of its own money this year as follows: Air pollution research, \$273,000; audiometric calibrations research and instrument studies, \$33,000; radiation research, \$329,200; refrigeration studies, \$10,000; special building features studies, \$34,000; and visual environment studies, \$47,900. In addition, the Bureau will receive \$1,620,000 from other agencies, divided as follows: air pollution research, \$324,700; audiometric calibrations research and instrument studies, \$60,000; cancer research, \$18,200; dental materials research, \$289,000; neuropathology research,

\$70,700; pharmacological research, \$25,000; radiation research, \$326,200; radio biology, \$59,700; refrigeration studies, \$133,000; and water pollution research, \$313,500.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(This year: \$114,200,000; last year: \$109,900,000.)

The National Aeronautics and Space Administration provides civilian control of aeronautic and space activities other than the development of weapons systems. NASA carries on its medical- and health-related activities through an "in-house" program and through research grants and contracts. The above sum will be expended in the following activities:

Bioscience (space biology): \$38,400,000.

Last year: \$46,700,000.

Bioscience is concerned with the search for extraterrestrial life and the effects of the space environment on terrestrial organisms. Of the above sum, \$32,300,000 will be distributed through grants and contracts.

Aerospace Medicine: \$48,700,000.

Last year: \$37,200,000.

This field is concerned primarily with the training, safety, and health of crews before, during and following flight missions. Of the above sum, \$43,600,000 will be distributed through grants and contracts.

Human Factor Systems: \$26,600,000.

Last year: \$25,400,000.

This field is concerned with providing the research and technology to qualify and support man for advanced aeronautical and space missions, and determining optional procedures for man's utilization in space as an observer, as a mechanic, and as a decision maker. Of the above sum, \$17,800,000 will be distributed through grants and contracts.

Sustaining University Program—Research Grants: \$500,000.

Last year: \$600,000.

This program is concerned with improving the capabilities of the Nation's universities to conduct multidisciplinary research in space-related fields.

DEPARTMENT OF TRANSPORTATION

(This year: \$97,680,000; last year: \$52,644,631.)

National Highway Safety Bureau: \$91,500,000.

Last year: \$47,000,000.

With its mission of reducing accident deaths and injuries, the National Highway Safety Bureau has a major role in the Nation's health and medical program.

In addition to operating expenses, the Bureau allocates funds, grants-in-aid to state and local community highway safety programs, and contract research programs. For fiscal year 1969, the Bureau received appropriations totaling approximately \$91,000,000, of which \$65,000,000 was allocated to grants-in-aid to states, and \$17,000,000 for research and development (including contract projects). The program structure of the Bureau is as follows: (1) the improvement of the safety performance of motor vehicles and motor vehicle equipment. Activities include issuance and enforcement of motor vehicle performance standards. Research relating to medical disciplines conducted in support of this program area is devoted to crashworthiness of vehicle structures, occupant protection in vehicle interiors, restraint systems, exterior configuration and pedestrian injury avoidance, driver vision and alertness factors and driver and passenger anthropometrics including human tolerance factors and anthropometric measurements; (2) assistance to state and local governments in expanding and improving their highway safety programs. This part of the program includes Federal grants-in-aid and technical assistance to the states, coupled with research, development, demonstrations, and other activities. Pertinent medical-health research and demonstrations in this program

are primarily concerned with alcohol in relation to safety and emergency medical services; (3) used vehicle safety. In preparation for used vehicle safety standards yet to be issued, various research projects are underway, none of which are related to health or medicine; and (4) improvement of the process of highway accident investigation, vehicle damage and injury assessment, and information analysis. Health-medical research projects in this program area are medical-engineering field investigations, including accident pathology training.

Federal Aviation Administration: \$6,180,000.

Last year: \$5,644,631.

Funds included in the FAA appropriation this fiscal year for the aviation medical program are divided as follows: \$2,168,000 for salaries and administrative expenses at Washington, D.C. and Oklahoma City to cover operation of a medical certification program for civil airmen, development of airman medical standards, direction and operation of the agency medical research and education program, occupational health services and investigation of aircraft accidents; \$1,675,000 for salaries and administrative expenses in regional offices; and \$2,337,000 for the Civil Aeromedical Research Institute at Oklahoma City.

There are seventeen full-time medical officers in the field who conduct and supervise the examinations required of commercial and private airmen. In addition, there are approximately 6,250 private physicians who have been certified by the FAA as aviation medical examiners in the U.S. and overseas. A total of 445,000 examinations were performed last year and it is expected that this number will increase to 477,500 this year. Commercial and private airmen pay examining physicians directly for this service.

ATOMIC ENERGY COMMISSION

(This year: \$92,495,000; last year: \$90,801,000.)

The above sum will be spent by the Atomic Energy Commission's biology and research program in the following manner:

Somatic effects of radiation----- \$26,415,000

Radiation effects—general----- 16,275,000

Toxicity of radioelements----- 10,140,000

Environmental radiation studies----- 18,460,000

Atmospheric radioactivity and fallout----- 8,700,000

Terrestrial and fresh-water ecology----- 5,860,000

Marine sciences----- 3,900,000

Molecular and cellular level studies----- 16,400,000

Radiation genetics----- 7,400,000

Radiological and health physics and instrumentation----- 7,330,000

Radiological and health physics----- 4,250,000

Radiation instruments----- 3,080,000

Cancer research----- 5,900,000

Selected beneficial applications----- 3,500,000

Reactor Development Program----- 2,132,000

Civilian power, general research and development----- 605,000

Environmental research and development----- 587,000

Terrestrial electric power development----- 580,000

Gaseous effluent studies----- 305,000

Engineering safety features----- 55,000

Combating detrimental effects of radiation----- \$1,900,000

Nuclear energy civil effects----- 1,150,000

Isotopes development program----- 883,000

Circulatory support system----- 600,000

Atmospheric sulfur pollutants analysis----- 180,000

Measurement of sulfur dioxide in stack gases----- 103,000

Chemical toxicity----- 605,000

Radiation preservation of foods----- 420,000

DEPARTMENT OF LABOR

(This year: \$17,034,000; last year: \$17,577,000.)

Bureau of Employees' Compensation: \$14,086,000.

Last year: \$14,989,000.

It is estimated that more than 3,000,000 Federal workers are eligible under the Federal Employees' Compensation Act for medical and hospital care, rehabilitation services, disability and death payments, and funeral and burial expenses. For treatment of employees by private physicians and hospitalization in private facilities, the Department has set aside \$13,167,000 this fiscal year, and for similar services in Federal hospitals and clinics, \$919,000.

Bureau of Labor Standards: \$2,948,000.

Last year: \$2,588,000.

For promotion of industrial safety, the Bureau plans to obligate \$2,948,000. The Bureau develops standards for hazardous occupations, assists the states in accident prevention programs, and gives safety training to state and union personnel. In addition, it carries out a program of promoting and enforcing safety in the maritime industry under the Longshoremen's and Harbor Worker's Compensation Act.

PEACE CORPS

(This year: \$15,220,000; last year: \$14,255,000.)

The above sum will be obligated for two major medical activities: support of Peace Corps trainees and volunteers (\$5,975,000); and overseas medical and health programs carried out by Peace Corps volunteers (\$9,245,000). The figure for support of Peace Corps volunteers can be broken down into the following elements: cost of medical care for volunteers and trainees, \$2,861,000; salaries and all related costs of Peace Corps physicians who care for volunteers overseas, \$2,457,000; and costs of Office of Medical Programs in Washington, \$657,000.

DISTRICT OF COLUMBIA

(This year: \$11,239,411; last year: \$8,324,582.)

For fiscal 1969, the Congress has voted a budget for the District of Columbia's Department of Public Health in the amount of \$73,943,491. These funds will be used for the operation of seven major activities of the Department as follows: preventive services; mental health and retardation (which include over \$26,139,657 for Saint Elizabeths Hospital, only a portion of which is reflected in this part of the report); medical care; hospitals; environmental health; administration; and program planning and research. Since the Congress contributes 15.2% of the District's budget, \$11,239,411 can be considered as the Federal contribution for health and medical activities in the District of Columbia.

CANAL ZONE GOVERNMENT

(This year: \$6,279,000; last year, \$7,350,000.)

Estimated expenditures for fiscal year 1969 for operation of Canal Zone Government hospitals, clinics, and public health activities are \$12,929,000. Expenditures for the operation of hospitals and clinics are estimated

to be \$11,007,000, and revenue is estimated at \$6,505,000. Four hospitals are operated by the Health Bureau of the Canal Zone Government with 888 beds available daily, as follows: Gorgas Hospital (365); Coco Solo Hospital (150); Corozal Hospital (253); and Palo Seco Hospital (120). In addition, there are two dental clinics, one district medical clinic, and six community health centers. Expenditures for public health activities, which include the Division of Veterinary Medicine and the Division of Preventive Medicine and Quarantine, and general governmental expenses applicable to the Health Bureau, are estimated at \$1,922,000, with revenue estimated at \$145,000. All reimbursements are returned to the U.S. Treasury, together with payments by the Panama Canal Company for the remaining cost of the Canal Zone Government.

DEPARTMENT OF JUSTICE

(This year: \$4,705,000; last year: \$3,830,000.)

The Bureau of Prisons estimates that it will spend the above sum for comprehensive health services for approximately 20,000 inmates in 26 Federal penal and correctional institutions. The bulk (about \$4,000,000) is salaries for commissioned officers and civil service personnel of the PHS assigned to the Bureau of Prisons. Approximately \$350,000 is earmarked for fees to 350 consultants in various medical specialties. The above amount also represents \$1,000,000 for implementation of the recently enacted Narcotic Addict Rehabilitation Act.

POST OFFICE DEPARTMENT

(This year: \$2,678,600; last year \$2,335,600.)

Health Units in Post Offices: \$2,525,600.

Last year: \$2,192,600.

These 65 units are operated only in the large post offices and are used for treating on-the-job illnesses and injuries requiring emergency attention; pre-employment and other examinations; referral of employees to private physicians and dentists; and preventive programs relating to health. The appropriation also includes funds for eight additional units.

Medical Fraud Investigations: \$153,000.

Last year: \$143,000.

The postal fraud statutes impose on the Postmaster General the duty of preventing the use of the mails in the perpetration of schemes to defraud the public. Treatments

are offered by mail for every conceivable disease, including cancer, diabetes, heart disease, and arthritis. Medical fraud investigations are conducted primarily by a special group of postal inspectors who work directly from Post Office Department headquarters in Washington.

FEDERAL TRADE COMMISSION

(This year: \$1,020,000; last year: \$916,860.)

The Federal Trade Commission is charged by Congress with preventing the use of deceptive practices, including false advertising in the sale of foods, drugs, cosmetics, devices, and other products. Approximately 6% of the Commission's total budget (\$17,000,000) will be used for enforcement, including research and testing in the field of foods, drugs, cosmetics, and devices.

CIVIL SERVICE COMMISSION

(This year: \$648,700; last year: \$676,900.)

The Commission's total budget for fiscal year 1969 is \$43,460,000, out of which about 1.5% goes to the medical function for salaries of six medical officers in Washington and nine medical officers in the regional offices. The Medical Division's duties include establishing and reviewing physical standards for positions in the competitive Federal civil service; arranging and evaluating physical examinations for the disability claims under the Civil Service Retirement Act; helping to formulate educational and experience requirements for physician and paramedical positions in the competitive Federal service; and conducting the health program for Commission employees.

OFFICE OF THE ATTENDING PHYSICIAN OF CONGRESS

(This year: \$71,780; last year: \$145,100.)

The Attending Physician of Congress provides outpatient care for members of the House and Senate and their staffs. Funds voted by Congress are for medical supplies, equipment, and contingent expenses (\$56,000) and for a technical assistant to the Attending Physician (\$15,780).

NATIONAL ADVISORY COMMITTEE TO THE SELECTIVE SERVICE SYSTEM

(This year: \$60,000 (this appropriation is only for the National Advisory Committee's use; it does not include any monies for the Health Resources Advisory Committee); last year: \$49,000.)

On June 24, 1968, the President combined the membership of the Health Resources Ad-

visory Committee to the Office of Emergency Planning, Executive Office of the President, and the membership of the National Advisory Committee to the Selective Service System. This merger took place on December 15, 1968, with James C. Cain, M.D. as Chairman.

Under the Selective Service Act, the Committee has the responsibility of advising the Selective Service System on the deferment of physicians in such essential capacities as residents, teachers, laboratory and clinical researchers, as well as those in the civilian practice of medicine who are essential to their communities. In fiscal 1969, Congress provided an appropriation of \$60,000 to maintain a skeleton staff and for expenses for the Committee's operations, plus minimal expenses of state committees.

The state and territorial committees request deferment of physicians and allied personnel whom they consider to be essential. In appeal cases the Committee always seeks the state committee's opinion. On the other hand, the state committees may request and obtain deferments on their own.

The National Committee has continued in its efforts to have as many cases as possible settled at the local level. On March 14, 1967, the National Committee revised the January, 1966 guidelines to assist the state committees in adjudicating these cases.

As of August 31, 1968, 56 osteopaths and 1,070 physicians were called for induction.

NATIONAL SCIENCE FOUNDATION

(This year: Unknown; last year: \$43,810,000.)

The Foundation's over-all appropriation for fiscal year 1969 is \$400,000,000, but at this writing it had not been allocated. In past years, approximately 10% of the over-all appropriation has been earmarked for grants for research in the biological and medical sciences. In addition, approximately \$1,000,000 is made available for construction and renovation of graduate-level biological research laboratories, and slightly over \$1,000,000 is used to support specialized biological facilities, including biological equipment. The Foundation provides support for basic scientific research, for scientific training and education through fellowships and programs to improve science teaching and for programs to improve the exchange of scientific information.

PAYMENTS TO INDIVIDUALS BECAUSE OF DISABILITY THROUGH PROGRAMS IN WHICH THE U.S. GOVERNMENT PARTICIPATES (FISCAL YEAR ENDING JUNE 30, 1969)

(Figures below represent only payments to the beneficiaries; no administrative costs are included. Further, there are some Federal retiree plans which are not listed in this report. No adjustment is made for payments to 1 individual through more than 1 program)

Program	Estimated beneficiaries	Approximate annual payments	Program	Estimated beneficiaries	Approximate annual payments
Veterans' benefits (average number): ¹			Disability annuity payments to civil service retirees ¹⁰	187,000	\$435,000,000
A. Service-connected disability	2,020,055	\$2,090,633,000	Social security—OASDI disability: ¹¹		
B. Non-service-connected disability	1,145,712	\$1,287,814,000	A. Disabled workers	1,358,000	1,979,000,000
Military retirement (average number): ¹			B. Childhood disability benefits	269,000	194,000,000
A. Permanent disability	111,629	364,900,000	C. Dependents of disabled workers ¹²	1,091,000	534,000,000
B. Temporary disability	14,411	40,200,000	Railroad retirement: ¹³		
Federal employees compensation ¹	25,000	47,551,000	A. Permanent disability for regular job	44,000	80,000,000
Public assistance: ¹⁴			B. Permanent disability for all employment	64,000	110,000,000
A. Needy permanently and totally disabled	719,200	1,136,200,000	C. Temporary disability ¹⁵	86,000	44,000,000
B. Dependent children aid (incapacitated father segment)	982,000	\$924,924,000	D. Childhood disability benefits ¹⁷	7,700	7,000,000
C. Blind	82,950	\$113,675,000	Total	8,182,657	9,388,897,000

¹ These programs are fully financed by the United States.

² Includes 413,954 service-connected veterans rated not less than 50 percent disabled and entitled to receive additional compensation for approximately 831,890 dependents. Does not include \$2,011,000 annual payment for 740 retired officers.

³ Includes 535,000 non-service-connected veterans entitled to additional pension for approximately 611,000 dependents.

⁴ This figure excludes death cases reported prior to 1963.

⁵ Federal contributions to assistance under these programs in 1969 are estimated as: Disability, 59.1 percent; dependent children, 54.3 percent; and blind, 57.2 percent.

⁶ Average monthly number of recipients, excluding those on whose behalf only a vendor medical payment was made during a month.

⁷ \$672,600,000 of this total is provided from Federal funds. In addition, the administrative cost and the cost of social services (excluding that related solely to vendor medical payments) is about \$128,400,000, of which \$72,800,000 is Federal.

⁸ Provides payments to children and other recipients in an estimated 175,000 families with incapacitated fathers. \$324,900,000 of the payments to recipients and medical vendors is Federal. In addition, the cost of social services and of State and local administration (excluding that related solely to vendor medical payments) is about \$85,800,000, of which \$55,800,000 is Federal.

⁹ The Federal contribution to this program is \$65,100,000. In addition, the cost of social services

and of State and local administration (excluding that related solely to vendor medical payments) is about \$14,600,000, of which the Federal share is \$8,000,000.

¹⁰ This program is financed 50 percent by the United States and 50 percent by employees.

¹¹ These programs financed by the social security tax.

¹² Excludes 13,000 disabled children and \$3,000,000 in benefits which are included under "Social security childhood disability benefits."

¹³ A, B, and D financed 50 percent by employer and 50 percent by employee; C financed entirely by employers.

¹⁴ During fiscal 1969, an estimated 44,000 persons will receive disability payments originally awarded for conditions preventing their participation in regular employment, and 64,000 will receive benefits for disabilities preventing their participation in any employment. On June 30, 1969, the numbers will be 40,000 and 58,000 respectively.

¹⁵ Provided under the Railroad Unemployment Insurance Act.

¹⁶ This figure represents the estimated total number of individuals who will receive temporary disability benefits during the entire fiscal year 1969. It is estimated that those receiving benefits in June 1969 will total 20,000.

¹⁷ Eligibility based on disability incurred before age 18. Paid to or on behalf of children age 18 and older of deceased employees only.

LITHUANIAN INDEPENDENCE

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. SANDMAN. Mr. Speaker, on February 16, Americans of all nationalities joined with the American Lithuanians in celebrating the 51st anniversary of their proclamation of independence. However, in Lithuania itself, the celebration is not so joyous. Although February 16, 1918, marks the date of the Lithuanian proclamation of independence, these courageous people are again living under the suppression of the Russians.

The free world must not rest until the Soviets withdraw their army, police, and ruling apparatus from Lithuania, so the people of Lithuania may freely elect a government of their own choosing.

On this historic occasion, the most fitting commemoration we can offer to the brave citizens of Lithuania, the heroes who have died in the quest of Lithuanian liberty, and the countless relatives and friends of Lithuania in the United States, is the reaffirmation that the cause of Lithuanian freedom has not been forgotten and the struggle for it will continue until won.

It is my privilege to share with my distinguished colleagues the resolution unanimously adopted at a meeting of American Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969, at St. George's Lithuanian Hall, Newark, N.J., in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918:

RESOLUTION

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or descent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further.

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhoses, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the Press.

ANARCHY BY DESIGN

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. WYMAN. Mr. Speaker, a letter appearing recently in Foster's Daily Democrat of Dover, N.H., from Edward Lewis, of Durham, is interesting in light of recent disturbing developments within this country. At some point in each individual case, conduct contributing to violence and anarchy ceases to be excusable from any point of view and becomes subversive of government itself. Those dealing with such actors owe it to society as well as to their own responsibilities to recognize this point and to act accordingly.

The letter follows:

ANARCHY BY DESIGN

TO THE EDITOR:

Appearing in a recent issue of The Fact Finder, are the Communist "Rules for Revolution." They are reported to have been found among documents seized by the Allied Forces in Dusseldorf, Germany, in May, 1919.

A copy of these rules was secured by the office of the Florida State's Attorney from a known member of the Communist Party who acknowledged these objectives to be "still a part of the Communist program for overthrowing our Government." The document reads as follows:

RULES FOR REVOLUTION

"A. Corrupt the young, get them away from religion. Get them interested in sex. Make them superficial; destroy their ruggedness.

"B. Get control of all means of publicity and thereby:

1) Get people's minds off their government by focusing their attention on athletics, sexy books and plays and other trivialities.

2) Divide the people into hostile groups by constantly harping on controversial matters of no importance.

3) Destroy the people's faith in their natural leaders by holding the latter up to contempt, ridicule and obloquy.

4) Always preach true democracy but seize power as fast and as ruthlessly as possible.

5) By encouraging government extravagance, destroy its credit, produce fear of inflation with rising prices and general discontent.

6) Foment unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.

7) By specious argument, cause the breakdown of the old moral virtues: honesty, sobriety, continence, faith in the pledged word, ruggedness.

"C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

Let the reader judge for himself whether or not these "rules for Revolution" set forth the objectives which have been, and are being, pursued by communists and other subversive elements in the United States.

EDWARD A. LEWIS.

FEDERAL JUDGES

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SCOTT. Mr. Speaker, I have introduced a proposed amendment to the Constitution, House Joint Resolution 471, requiring that Justices of the Supreme Court and judges of other Federal courts be renominated and reconfirmed every 10 years.

This proposal differs from earlier resolutions limiting the tenure of Supreme Court Justices. The amendment expressly provides that the President must renominate an incumbent if he wants to keep him in office. The other body will then carry out its traditional duty of confirmation. It is essential that we maintain our constitutional system of checks and balances and the Senate should not be placed in the position of reconfirming a Federal judge contrary to the President's desire.

This resolution also goes beyond other proposals in extending the tenure limitation to all judges of constitutional courts. In recent years, attention has been focused upon the removal of judges who have become senile or are simply incompetent. A mandatory retirement age coupled with various administrative procedures has often been mentioned.

It would seem that a review of these appointments every 10 years by the President and the other body would be the most direct means of eliminating this concern. While age may well be a factor in the fitness of a judge to continue to serve, in my opinion it should not be used arbitrarily to terminate the career of a capable and dedicated judge.

Many Americans, including numerous lawyers, have expressed concern over the complete lack of control over both the Supreme Court and inferior courts by the people of the country or their elected representatives. I share this concern and believe the Court has contributed significantly to the atmosphere of permissiveness so widespread today. I also believe that the Court's actions have hindered law enforcement unnecessarily and failed to show regard for the rights of the innocent victims of crime and society in general. The Court has lost its perspective and has failed our society. Regardless of how we individually view the Court, it should be responsive to the will of the people and concerned with their general welfare. No one in public office should be sacred. The only purpose of a government should be to serve the people and they should be able to change any segment of it if it fails to serve them. If the courts and the judges are doing their duties as public servants, they have nothing to fear in having their stewardship reviewed ever 10 years.

It may be argued that life tenure is essential to an impartial and independent judiciary and that a limitation on tenure will subject the bench to partisan political influence. Yet, who can say that our Supreme Court is not influenced by political considerations I do not believe this body needs to be reminded of instances of Justices entering the political realm. Not only can a man retain his prejudices and political philosophy when he has received a lifetime appointment, but he can arbitrarily use them to the detriment of society without any fear of reprisal.

A reasonable limitation on the tenure of judges who have been carefully chosen and who are honest men regardless of political philosophy will not reduce their effectiveness on the bench. Ten-year tenures renewable at the will of the President with the advise and consent of the Senate, in my opinion, will allow the courts to be independent without being arbitrary. I urge my colleagues, especially those on the judiciary committee, to consider this bill and determine whether it will benefit the people of this court.

Since the bill is a short one, I insert it in full at this point in the RECORD:

H.J. RES. 471

Joint Resolution proposing an amendment to the Constitution relating to the continuance in office of judges of the Supreme Court and of inferior courts

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"SECTION 1. Notwithstanding section 1 of article III of this Constitution, unless the President nominates and the Senate consents to the continuance in office of a judge of the Supreme Court or of an inferior court ordained and established by Congress, that judge may not hold office for more than ten years after—

"(1) he took office,

"(2) the Senate last consented to his continuance in office, or

"(3) the ratification of this article, whichever last occurs.

"Sec. 2. Section 1 of this article shall not apply to a judge who has retired from active judicial service."

THE DUTIES OF STUDENTS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, disruptive tactics on college campuses all across the country seem to have become the rule rather than the exception. Rev. Theodore M. Hesburgh, president of the University of Notre Dame, recently addressed a letter to all Notre Dame faculty members, students, and parents in which he denounced such tactics for what they are and announced in no uncertain terms just what Notre Dame will do in the fu-

ture to handle force. The following lead editorial from the Chicago Tribune of Wednesday, February 19, 1969, was devoted solely to excerpts from his letter:

THE DUTIES OF STUDENTS

Anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given 15 minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law.

After notification of suspension, or trespass in the case of noncommunity members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this university community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

If someone invades your home, do you dialog with him or call the law? Without the law, the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. The argument goes—or has gone—invoke the law and you lose the university community. My only response is that without the law you may well lose the university—and beyond that—the larger society that supports it and that is most deeply wounded when law is no longer respected, bringing an end of everyone's most cherished rights.

I have studied at some length the new politics of confrontation. The rhythm is simple: 1] find a cause, any cause, silly or not; 2] in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; 3] once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provoke it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands. One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialog when they are going for the jugular vein?"

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only al-

ternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings.

We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law or we allow the university to die beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this university to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament, so be it.

May I now say in all sincerity that I never want to see any student expelled from this community because, in many ways, this is always an educative failure. Even so, I must likewise be committed to the survival of the university community as one of man's best hopes in these troubled times.

We cannot allow a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right or proper. We only insist on the rights of all, minority and majority, the climate of civility and rationality, and a preponderant moral abhorrence of violence or inhuman forms of persuasion that violate our style of life and the nature of the university.

A TRIBUTE TO THE LATE JUDGE DESMOND GRAHAM

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. COLMER. Mr. Speaker, on October 17 last, a noble man, a great jurist, an able member of the legal bar, a warm personal friend and constituent, Judge Desmond M. Graham, died at his home in Gulfport, Miss.

Judge Graham lived a long and fruitful life. When he left this mortal scene, he had lived to the ripe age of 95 years, a much longer span than the average mortal is permitted to live. During that period his activities included teaching school, a private practitioner, and a circuit judge.

Shortly after his graduation from Millsaps College in Jackson and admittance to the bar, he moved to Gulfport where he formed a law partnership with the Honorable J. L. Taylor, also at one time a Mississippi judge. Later he was associated with the late George P. Money, a son of a former U.S. Senator, Hon. H. D. Money, and the Honorable Lee Guice, a most able attorney who is presently still practicing law at Biloxi, Miss.

Likewise, Judge Graham served as district attorney of the Second Judicial District and was elected circuit judge of the same district in 1917, a position which he held with dignity and ability. In 1925 he resigned from the bench and for several years practiced law as a private practitioner with one of the outstanding law firms on the Mississippi gulf coast, Ford, White, Graham & Gautier.

Thereafter, Judge Graham was appointed by the late Judge Sidney Mize

as U.S. Commissioner for a period of 12 years. Ever mindful of his civic responsibilities and dedicated to our system, he served for 6 years as president of the Gulfport city school system. In his capacity as an activist in the matter of civil affairs and out of a love for his fellow man, he was active in sponsoring and promoting the King's Daughters Hospital in Gulfport. In the interest of his State, he published an article on the early State constitutions which was delivered before the Mississippi State Bar Association, and subsequently, placed in the CONGRESSIONAL RECORD where it received wider distribution.

Judge Graham was truly one of God's noblemen. He lived by the side of the road and was a friend of man. He was one of the most genteel men whom it has ever been my privilege to know. He was as gentle and refined in his dealings with the members of the bar and his fellow man as a refined and cultured lady. His life enriched those with whom he came in contact.

This truly great man is survived by Desmond M., Jr., with whom he practiced law the later years of his active life, Mrs. Zaidee Graham Bellion, and Glen E. Graham, his sons and daughter, not to mention thousands of people who had the privilege of knowing and honoring him.

VOICE OF DEMOCRACY CONTEST WINNER

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MARTIN. Mr. Speaker, I deem it an honor to be able to put in the RECORD the winning speech in the Voice of Democracy Contest sponsored by the VFW and its ladies auxiliary from the State of Nebraska.

The young man who was awarded first place in this competition is Mr. Richard K. Books, who lives at 405 West First Street, North Platte, Nebr. I commend his speech to the Members for their serious reading.

This is a great tribute to our young people who have the insight to realize the fortune which all of us in this country have in living in a great Republic.

I submit Mr. Books' speech, as follows:

(By Richard Books)

"Democracy is based upon the conviction that there are extraordinary possibilities in ordinary people." Those words, by Harry Emerson Fosdick, a contemporary American writer, outline the basic concept of any free society, but especially America.

In no other society than the American Republic does the citizen have the ultimate choice as well as the ultimate responsibility. For instance, the American people are given the right to vote, but at the same time, they must accept the responsibilities that go along with self-government.

Hand in hand with this principle is another one—that along with each liberty there goes an obligation, with each right a responsibility, and with each freedom a challenge to uphold that freedom so that it will not die. Recently in one of our larger cities, Vice-President Humphrey was harassed by some

opponents to the point that he was unable to continue. Addressing them he said, "You say you believe in free speech. To truly believe in the freedom of speech, you must believe in it not only for yourself, but for others." In other words, we must protect the freedoms of America, not only for the politician, but the demonstrator, not only for the official, but the common citizen as well.

The American democracy is based upon the ideal that the ordinary citizen is intelligent enough, alert enough, and ambitious enough to govern himself.

The first challenge of freedom is that of educating ourselves. Because our form of government is based upon the acceptance of responsibility by its citizens, we must educate ourselves in order that we can make a coherent decision instead of blindly following the pathway of others and going along with the crowd.

The second challenge of a free society is that its citizens be constantly alert to the policies and operations of their government. We, as American citizens, must make sure that the principles of a representative democracy are not distorted, and that America stands for Americans. Without this vigilance, our free government will collapse. In the words of James Madison, "Apathy is the pathway to oblivion."

The third, and final, challenge of freedom is that we be ambitious in taking part in our government. Quite often we have a tendency to let someone else take on our burden since "one vote won't make a difference anyway." But one vote *does* make a difference. John Quincy Adams, our sixth President, was elected by Henry Clay's tie-breaking one vote, and Andrew Johnson, our seventeenth President, was saved from impeachment by a single vote cast in his favor. Since the beginning of time, the role of one person has made the difference.

We have seen that if we wish to retain and build upon the American democracy, we must bring out extraordinary possibilities in ordinary people. We must bring out the qualities of, first, intelligence, second alertness, and third, ambition. If we bring out intelligence, alertness, and ambition in the ordinary American citizen, we will have attained our highest goal; we will have met freedom's challenge.

CLEVELAND'S RAPID TRANSIT AIRPORT RAIL LINE BEGINS FULL OPERATIONS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PICKLE. Mr. Speaker, in other parts of the country there have been many tests and experiments concerning improved methods of ground transportation to major airports.

One such program led to the sweeping and successful new system in Cleveland, connecting the downtown area with Hopkins International Airport, 11 miles away.

I have often said that a similar project should be given serious consideration in connection with Washington's Dulles International Airport, and I am hopeful that the developing success of the Cleveland project might lead to this.

At this point, Mr. Speaker, I would like to insert in the RECORD an article which appeared in the February 1969, edition of the Airport Services Management magazine:

PEOPLE MOVING: CLEVELAND'S RAPID TRANSIT AIRPORT RAIL LINE BEGINS FULL OPERATIONS

Early reports on operations of the much heralded Cleveland Airport Rapid Transit line indicate that the new system is drawing enough passengers to worry taxi drivers. Especially popular with businessmen, who find they can leave their offices with hand luggage and be at the terminal counter in 30 minutes, the new system is being watched for continued patronage by many large city airport men.

Although airlines will not comment on the number of their passengers who are using the system, it is known that there are frequent complaints because there are more passengers than baggage handlers available. Some patronage is also being enjoyed from airport employees who find the rail line a convenient way to get to their jobs on the airport.

TRAVELS 11 MILES IN 20 MINUTES

Using special new stainless steel cars called "Airporters," the run from Hopkins International Airport to Union Terminal in downtown Cleveland has a scheduled time of 20 minutes for the eleven miles. This includes stops at eight intermediate stations.

The first cars in the nation designed specifically for an airport-to-downtown route, the new Airporters were built by Pullman-Standard for the Cleveland Transit System (CTS). They incorporate several unique features: For example, the 70-foot-long Airporters are 21'6" longer than the existing 48'6" CTS cars. Consequently, twenty cars are able to do the work of thirty older cars and do it without any reduction in seating capacity. Conventional CTS cars seat 52 passengers while the new cars accommodate 80 passengers each. The reduction in cars per train will also reduce maintenance below that normally expected with new equipment.

MAINTENANCE SAVINGS

CTS anticipates long-term savings in maintenance because the cars are sheathed in stainless steel. Supplied by Cleveland-based Republic Steel Corporation, stainless was selected for the roof and sides of the cars, interior trim, seat back and hand rails, sub-flooring underframes and cross-members because of its corrosion resistance, ease of maintenance, and high strength-to-weight ratio that permits lighter-weight cars which cost less to operate.

Other benefits provided by the new cars include faster acceleration and high top speed that reduce running time, with attendant savings in crew cost. The new jumbo Airporters are powered by four G.E. 100-horsepower motors as compared with 55-horsepower motors on the older cars. Top speed is 60 mph and average speed is 34 mph.

Cleveland is the first U.S. city to request and qualify for Federal funds for an airport-to-downtown rapid-rail system, and it has now joined two other cities—Brussels and Tokyo—as the only cities in the world having such facilities. An added advantage to Cleveland's airport extension project, financed by a ¾ Department of Housing and Urban Development grant matched by a ¼ City-County funds, is that it connects with other CTS city-county rail commuter stations.

THE 51ST ANNIVERSARY OF ESTONIAN INDEPENDENCE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PATTEN. Mr. Speaker, February 24, 1969, should be one of pride in Estonia

for it marks the 51st anniversary of independence for that nation. This celebration has been marred since 1940, however, when troops of the Soviet Union began their occupation of Estonia. They have yet to leave.

As a nation founded on the struggle for independence, America, perhaps more than any other nation, knows full well the importance of this fight. To speak out on issues, to worship as you please, to better yourself economically and educationally, to travel where you want, to shop with a choice of goods and prices—these are the rewards of independence.

As a nation founded on the struggle for independence, America has taken in those who have been denied their freedom. After the occupation of Estonia and her neighbors, many of her citizens came to America to find the freedom they had lost. We have been the beneficiary of their exodus. The gain of these industrious, skilled, and enthusiastic freedom fighters has not only added to the material wealth of our Nation, but it has made us aware once again of our heritage—a heritage of freedom we had begun to take for granted.

As a nation founded on the struggle for independence, America cannot remain content while others still must fight to reach this goal. It is right that our fellow Americans of Estonian descent should want to see their homeland free of aggression. On the occasion of this 51st anniversary let us once again pledge ourselves to aid all who likewise would be free.

FREEDOM'S CHALLENGE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BARING. Mr. Speaker, some 400,000 school students in the United States have just completed writing speeches on the theme, "Freedom's Challenge." This nationwide effort of free thought was prompted by the annual Veterans of Foreign Wars of the United States and the Ladies Auxiliary "Voice of Democracy Contest." The winner in each State will come to Washington for the final judging of the best speech and I will be honored to have Mr. Frank Patten, of Reno, here in March as the winning contestant from Nevada.

Mr. Patten's speech in Nevada was the one chosen that best explained what is "Freedom's Challenge"; those rights which must be earned and used.

With your permission, Mr. Speaker, I include Frank Patten's speech in the RECORD:

FREEDOM'S CHALLENGE

If we are fortunate enough to be born in a democracy such as ours, we receive the wonderful gift of freedom. A gift that allows us to think what we want to think; to say what we want to say; and do what we want to do. But these rights must be earned and used—this is freedom's challenge.

We are given the right to say what we want, but freedom challenges us to think. In a country where freedom does not exist, the people do not receive the opportunity to think. Freedom encourages thought. We are

challenged to expand the scope of thought and the mind; to think of new ideas; and to improve the world of literature, music, art, and other humanities.

We are given the right to dissent, but freedom challenges us to improve democracy. The greatest aspect of freedom is that it lends itself to change. Freedom depends on self-correction and expansion.

We are given the right to travel and learn, but freedom challenges us to explore new worlds. Freedom allows us to learn anything, but it challenges us to put this knowledge to practical use. Freedom allows us to travel anywhere, but it challenges us to use these experiences to improve relations between peoples and countries.

We are given the right to live as we want, but freedom challenges us to improve the lives of our people. In the communist countries, the emphasis is not placed on comfort but on cold efficiency. People who still live in bombed-out apartments in East Berlin can testify to this. Freedom challenges us to improve our lives and make them more comfortable and fulfilling.

We are given the right to vote for our leaders, but freedom challenges us to take part in government. One of the greatest problems facing our freedom today is public apathy. Americans are given a chance to take part in government, but most Americans could care less. Freedom and self-government depend on citizens who are willing to take an active part. Freedom challenges us to work within our democracy.

We receive the right to be equal, but freedom challenges us to make all men equal. Freedom is color-blind, multi-lingual, ageless and a mixture of many races. It is easy to say we are all equal, but its better to add as George Orwell did "Some are more equal than others". Freedom challenges us to remove the boundaries of race, creed, and color.

We receive the right to live freely, but freedom challenges us to preserve and fight for our freedom. The basic concept of communism is world revolution and the death of freedom. Some people say its all right to turn our back on the slaughter of freedom in some far-off country. Some people think that the preachers of bigotry, racism, and prejudice are nothing to worry about. Some people think freedom is dead. But we are challenged to fight for our freedom and the freedom of other people. Freedom challenges us to dispose of extremism. Freedom challenges every single one of us to take it into our hearts to love, protect, and support our country. Too bad our flag doesn't "turn-on" as many people as drugs do. Too bad so many people think that if we leave the communists alone they'll leave our freedom alone; they should talk to the man-on-the-street in Prague, East Berlin, Warsaw, Guatemala City, Luang Prabang, Seoul, or Saigon. Too bad so many people think extremism can be tolerated; Martin Luther King didn't. Too bad so many people think we can let crime and guns run rampant; ask Ethel Kennedy about that.

Our freedom is a God-given gift. It allows us to live our lives as we please. But if we do not meet and accept freedom's challenge, we may lose our precious gift of freedom.

THE 51ST ANNIVERSARY OF ESTONIAN INDEPENDENCE DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. DERWINSKI. Mr. Speaker, today, February 24, marks the 51st Anniversary of Estonian Independence Day. Unfortu-

nately, the brave people of Estonia are now among the captive peoples of communism and this great day in their history cannot be celebrated in their homeland because of the tyranny of their Red rulers.

The Estonians proclaimed their independence in 1918 after the tsarist government fell and enjoyed a period of freedom and progress until 1940, when their country fell to the Russian Communist forces.

We must not only commemorate historic national days such as Estonian Independence Day, Mr. Speaker, but we must also take practical steps to indicate our interest in the restoration of freedom to the captive peoples of communism. One such practical move would be the establishment of a Special House Committee on Captive Nations, an action which I have repeatedly urged the House to take.

Mr. Speaker, we must rededicate ourselves on this great historic day for the Estonians to continue efforts to see that freedom is restored to these proud people and all the other captives of communism.

BEEKEEPING AND AGRICULTURE

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. JOHNSON of California. Mr. Speaker, Mr. Ward Stranger, extension apiarist, University of California, has recently issued a release covering important points for beekeeping and agriculture. I would like to share this interesting and important information with you at this time:

BEEKEEPING AND AGRICULTURE

Honey bees are necessary for the commercial production of \$300 million worth of food crops for man and animals. More than 400,000 colonies of bees (hives) are required annually for pollination of crops such as: fruit and nuts, forage seed crops, vegetable crops, and vegetable seed crops.

Honey bees are exposed to a great variety of pesticides more frequently than any other agricultural plant or animal. They are unique in that their foraging area cannot be controlled by man. Bees forage freely, and they are exposed to pesticides up to three miles from the hive.

Approximately 19% (76,000 colonies) of California's bees used for pollination were killed by pesticides in 1967. This is more than twice the kill reported in 1963. In addition, hives of bees are damaged to such an extent that they are no longer productive or effective pollinators; this type of economic loss probably greatly exceeds the loss from colonies that are killed outright.

The Departments of Entomology and the Agricultural Extension Service propose an emergency research and extension program related to the effects of pesticides on the survival of honey bees and their effectiveness as pollinators. The proposed research includes programs in pollination ecology, bee biology and activities, genetics of resistance of bees to pesticides, nutrition, and "feedlots", bee sanctuaries, pesticide residue analyses, and economics of the beekeeping industry.

THE PROBLEM: PESTICIDE EFFECTS ON THE CALIFORNIA BEEKEEPING INDUSTRY

The single most important factor in the loss of bees for pollination is the loss caused

by pesticides. The supply of bees is becoming critically limited for pollination. In recent years, the growers have not been able to obtain sufficient bees to pollinate almonds. This crop is especially vulnerable when honey bees are lost or damaged by pesticides the previous season. It is difficult to impossible for the beekeeper to build up colony populations by almond blossom time when they have been excessively reduced in the late summer and fall months of the previous season. It is estimated that the damage to surviving colonies probably far exceeds the economic value of colonies that are killed. Therefore, the shortage produced by pesticide damage is felt most in almonds. Projected acreage for almonds in California indicates that there will be a need for 300,000 to 400,000 hives for almonds alone by 1970.

Losses to pesticide damage have resulted in movement of bee hives to other parts of the state, as well as out of the state. This has reduced the supply of bees for pollination.

New beekeepers are discouraged from entering a business with a high rate of loss of the producing unit, the honey bee colony.

While it is clear that these pesticide problems are serious and new ones are being created by changing agricultural conditions in California, it is equally apparent that no single approach or procedure for protecting honey bees is sufficient. An intense research effort should be made. The problem is beyond the present financial capacities of the University of California Departments of Entomology and the Agricultural Extension Service. Additional staff and facilities are needed to do this work.

The research committee offers to submit an annual progress report to the industry and at the end of the three-year period, the research accomplished will be reviewed.

MAJOR AREAS OF RESEARCH

I. Pollination ecology

Because of their food foraging activities, honey bees are exposed to pesticides applied to many crops in addition to those crops which require bees for pollination. How can we reduce this type of exposure when it is not feasible to fence bees into a crop. We can attempt to manipulate the ecology (foraging activities and food preferences) of the pollinators so that they will behave as if they are "fenced in", that is, force them to specialize on the crops we wish to pollinate.

The most promising ways to accomplish this specialization are: 1) obtain new knowledge of the function of odors in foraging and use this knowledge to direct the activities of bees; 2) select genetic strains of honey bees exhibiting food preferences; 3) use specialized pollinating insects other than honey bees for specific crops.

The foraging population of a colony is a composite of committed foragers who have learned the location of particular crops and of uncommitted recruits. Committed foragers stimulate recruits to search for specific crops. The odor of the crop plays an important part in the message received and utilized by the bees being recruited. Research is needed to determine the possibilities of utilizing odors to direct bees to desired crops or repel them from areas or during periods of high pesticide hazard. The development of these or other possible means of manipulating foraging activities would provide extremely valuable tools for reducing potential detrimental effects of pesticides on honey bees.

The United States Department of Agriculture has recently established the feasibility of selecting and breeding for a food preference in honey bees. Further research needs to be conducted on the nature of food preferences in the honey bee. As a by-product of this study, certain strains exhibiting food preferences would be selected for a breeding program, and the resulting inbred and hybrid strains would be evaluated.

There are many pollinating insects other than the honey bee which are highly specialized for food gathering and pollination of specific plants. These usually exhibit structural and ecological specializations to their food plants; therefore, although they must be protected from pesticides, these specialized pollinators usually are not exposed to pesticides applied to other crops. Some of these also have characteristics which will allow them to be managed and manipulated on a commercial scale (e.g. alfalfa leaf-cutting bees, alkali bees, and bumble bees). Research is needed to determine which pollinators exhibit preferences for certain crops, to evaluate their pollination efficiency, and to develop techniques for their commercial management.

An alternative to the protection of honey bees from pesticides would be to consider the pollinating unit as expendable. This would involve studies on the development and management of expendable units and comparisons on the pollination efficiency of such units with standard hives of bees. The ultimate feasibility of this practice would depend on the ability of beekeepers to produce large quantities of package bees and queens in sanctuaries or feedlots.

II. Effect of pesticides on the biology and activity of honey bees

Applied research on the relative toxicity of pesticides has been conducted at the University of California, Riverside, for 15 years. Applied field research on protection of honey bees from pesticides should be expanded and accelerated to test the backlog of pesticides and pesticide combinations currently used commercially. The new ultra low volume (ULV) and low volume (LV) spray techniques developed in recent years have not been field tested sufficiently for their possible different effects on bees. Research on these spray techniques should be increased since they have been shown to cause higher and longer residual kills of bees than conventional sprays.

Research is needed to develop techniques for rapid evaluation of colonies.

Studies of normal bee foraging patterns on various crops will be accelerated to provide a basis for assessing the abnormal activity patterns of bee foragers following a pesticide application. By determining the temporal patterns of visitation, pesticide applications can be applied at the time that would be least hazardous to bees.

Research is proposed on the effects of pesticides on the foraging activities of colonies. The reduction in foraging activity could be caused by repellent action of the pesticide and/or changes in the physiology of the nectar or pollen-producing plants, thus reducing the attraction of the plants. Repeated applications of pesticides within the foraging range of hives may lead to chronic physiological injury to bees in which bee mortality may not be significant. For example, extremely subtle effects, such as 20% reduction in the longevity of foraging bees, will be serious to pollination potential and honey production, yet pesticides may be overlooked as the cause. The objective of the proposed research is to develop techniques whereby the quantities of toxicant introduced into field colonies can be accurately determined and the effects on foraging activity evaluated.

In addition the effect of pesticide residues in honey comb in bee colonies should be investigated. Many organic pesticides are soluble to various degrees in beeswax. There is a possibility that pesticides gradually accumulate in honey comb primarily as a result of absorption from stored pollen and from contamination by drift of pesticides under field conditions. Small doses may cause chronic poisoning of bees. Under stress conditions—during winter months, under prolonged periods of bad weather, etc.—sublethal pesticide poisoning may be a significant factor. The objective of this research would be to

determine possible effects of pesticides as a contaminant in honey comb colonies.

Feeding behavior of bees on pesticide contaminated foods is suggested as another line of research. Pesticide contamination in nectar can reach a concentration which causes bees to cease feeding. The sensitivity of different lines of bees probably varies considerably and may be subject to regulation by controlled breeding. The acceptance or rejection of contaminated food also is a fundamental aspect of any pesticide study in which bees may be feeding on regulated doses of pesticides. The objective of this research would be to determine the levels of acceptance or rejection of bees under various conditions for pesticides that are administered in a variety of food media.

III. Genetics of resistance of bees to pesticides

It has been demonstrated that honey bees vary greatly in characters of economic importance, including the relative amounts of pollen gathered and stored in the hive and in resistance to poisons. Current experiments by the United States Department of Agriculture strongly indicate that bees can be selected and bred to prefer pollen from a particular kind of plant, thus increasing their utility for pollinating specific crops.

It is believed bees can also be bred for increased resistance to insecticides. Drones are genetically gametes of their mother and can be reared in large numbers. By treating drones with the insecticides most commonly used (perhaps by classes of insecticides) and using the surviving drones as sires, intensive selection can be accomplished. Virgin queens can be similarly treated. By repeated mating of surviving drones to surviving queens, insecticide resistance should be increased.

IV. Nutrition and feed lots

Despite intensive research efforts to develop measures to prevent bee poisoning, it seems certain that very substantial losses will continue to occur in the future. The pesticide problem could be minimized considerably by the development of an economical, dependable, food source, containing all necessary bee nutrients, that could be fed to bees in a feed lot management system. More continuity of food supply would give the bee industry the kind of stability now present in the livestock and poultry industries.

A feed lot management system for the large scale production of bees would (a) help compensate for bees that are killed by insecticides, (b) provide bees to start "expendable hives" to be used where pesticide risks are high, and (c) provide greater bee populations in each hive to enhance the ability of colonies to tolerate pesticide losses.

V. Bee sanctuaries

Using areas where good native honey and pollen plants are found as places where bees can be pastured when pesticide hazards are greatest in agricultural areas has been done in states north of California.

The hazards of pesticides extend over a short period of the season. Providing sanctuaries would establish a location to move the bees away from pesticide hazards. These areas could be used to build up colonies damaged by pesticides.

An ecological study needs to be conducted preparatory to setting aside areas as sanctuaries. The ecological study would include surveying the areas for honey plants already present and preparing maps to show the distribution of these plants in each area. Based on this information, the advisability of planting honey plants could be determined, as well as the number of colonies of bees which could be supported in specific areas.

It is our suggestion that the development of such areas be investigated in California in cooperation with forestry and wildlife authorities.

VI. Pesticide residue analyses

There is little or no information on the metabolic and nonmetabolic fate of pesticides once they reach the hive. It is in the hive where the bees convert or manufacture their collected products from the environment and produce honey, bee bread, and beeswax. These products are then stored. In this factory or manufacturing process, there exists many different types of biological and chemical activity capable of degrading such chemicals as pesticides to even more toxic substances. It is a well-known fact that many of the organophosphorus pesticides can be converted to chemicals many times more toxic than the parent pesticide once they are subjected to metabolic and nonmetabolic processes. In honey alone, there exists an oxidizing agent in great abundance which because of its antibacterial principle is commonly called "inhibin." The antibacterial activity of this material is directly associated to the hydrogen peroxide accumulation in the honey which is brought about by the action of glucose oxidase. The amount of hydrogen peroxide present in honey will depend not only on the rate of production of peroxide, which is a function of enzyme activity, but in addition will be affected by the rate of destruction of peroxide by components present. In some honey over 300 micrograms hydrogen peroxide accumulates per gram of honey in one hour under assay conditions.

It is oxidizing agents such as this which could possibly convert some of the phosphorothioate and phosphorodithioate pesticides to their respective phosphate derivatives which in turn are more toxic than their parent compounds.

Because of this factor, as well as many others, present in bees and bee products which contribute to metabolic and nonmetabolic degradation of organophosphate pesticides, it is the primary aims of this project to 1) try to discover if organophosphate pesticides are degraded, to what they are degraded, and to what extent they are degraded in bee products, 2) to see where these pesticides and their respective metabolic and nonmetabolic products accumulate in the bee colony and to study their persistence in their respective medium, 3) to see if the main cause of degradation is attributed to metabolic or nonmetabolic action in the bee colony, and 4) correlate presence of pesticide or pesticide product with toxicity and hive mortality.

VII. Economics of beekeeping

During the last two years, some beekeepers have begun to feed bees supplemental foods to overcome pesticide damage. Such feeding has resulted in increased populations in colonies of bees damaged by pesticides in the late summer or fall thus the bees go into the winter cluster with higher populations and in better condition. We expect that these colonies will prove to be stronger and more efficient pollinator units. The preliminary work has been done in the last two years by University of California research and Agricultural Extension personnel. More work needs to be done to determine more precisely the amounts to be fed, times to feed, and the economic feasibility.

Some crops are extremely productive for bee food, yet involve serious pesticide risk. The economic feasibility of beekeepers moving in and out of such an area needs to be studied. For example, cotton is considered one of the ten leading sources of honey. On the other hand, cotton is an area of high pesticide hazard.

To accurately appraise the extent of loss to the beekeeping industry in California through pesticide damage, an extensive economic study should be conducted. From such an economic study, we would expect to obtain indications of changes in management practices that would protect the honey bees and also reduce costs to the beekeeper. This,

in turn, would reduce costs for pollination services to the grower. It is estimated that the damage to surviving colonies probably far exceeds the economic value of colonies that are killed. There are no concrete figures or economic facts to judge the extent of the replacement and the repair costs due to damaged colonies nor the extent of the loss to the agricultural industry served by the bees.

Honey bees aid in production.—To emphasize the importance of honey bees to agricultural production, the following three pages are reproduced from One Sheet Answer 188 entitled "Honey Bees—Agriculture's Tool" by Ward Stanger.

HONEY BEES AID IN PRODUCTION

Honey bees are used to pollinate crops in California worth \$300 million. California ranks first in the United States in the production of 44 crops. Honey bees are the agricultural tool needed to produce 10 of these crops:

California's share of U.S. production ¹	
Crop:	Percent
Almonds	99.9
Ladino clover seed	100.0
Plums	93.1
Prunes	99.0
Honeydew melons	72.8
Cantaloupes	50.4
Alfalfa seed	41.2
Cherries, sweet	34.6
Beeswax	9.4
Honey	8.6

¹ From State Department of Agriculture Crop and Livestock Reporting Service.

² Honey Market News, USDA.

California produces 50 to 100 percent of the vegetable seed crops of the nation. These crops need honey bees for pollination.

California's share of U.S. production	
Vegetable seed crop:	Percent
Chinese cabbage	100
Cauliflower	100
Celery	100
Pepper	100
Cucumber	90
Muskmelon	90
Carrot	66
Onion	50
Watermelon	50

California produces most of the flower seeds of the nation, and 65.1% of America's boysenberry and youngberry crop (usually these crops are larger when honey bees are used).

THE BEEKEEPING INDUSTRY IN CALIFORNIA

California leads all other states in the three enterprises of the beekeeping industry: queen and packaged bee production, pollination service, and honey and beeswax production.

Queens and packaged bees are produced primarily in the Sacramento River Valley. Each year about 400,000 queens are shipped to beekeepers in Canada and the northern U.S. west of the Mississippi River. It is estimated that 300 tons of packaged honey bees are shipped each year. Queens and packaged bees are a million dollar industry.

Half the colonies of honey bees in California are rented for pollination of crops. These 300,000 colonies are a critical agricultural tool in pollination. Table at bottom of page lists crops that depend on honey bees. None of these will produce a profitable crop without honey bees. Approximately \$3,000,000 are paid for rental of colonies for pollination.

In 1966, 21,242,000 pounds of honey were produced in California—8.6% of the nation's crop. California leads the nation in beeswax production—9.4% of the national crop.³

California's beekeeping industry produced an estimated income of \$9,000,000 in 1966.

³ Honey Market News, USDA.

Approximately \$15,000,000 are invested in beekeeping in California.

Crops pollinated by honey bees

CROPS DEPENDENT¹

Fruit and nut crops: Almond, apples—some varieties, apricots—Riland and Perfection, avocados—all varieties, cherries, sweet and sour, chestnut, lychee fruit, peaches—J. H. Hale, Tal-berta, June Elberta, Candoka, and Alamar, pears—most varieties (Bartlett in unfavorable weather years), plums—European and Japanese, prune, tangelo, tangerine—Clementine.

CROPS INCREASED²

Apples—all varieties, bushberries, macadamia nut, olives—some varieties, pear, persimmon.

CROPS DEPENDENT¹

Forage seed crops: Alfalfa, alsike, berseem, birdsfoot trefoil, sanfoin, ladino clover, crown vetch, vetch (purple, common, hairy).

CROPS INCREASED²

Crimson clover.

CROPS DEPENDENT¹

Vegetable seed crops: Asparagus, broccoli, brussels sprouts, cabbage, carrot, cauliflower, celery, Chinese cabbage, cucumber, kohlrabi, leek, melons, onion, parsley, parsnip, pumpkin radish, rutabaga, squash, turnip, watermelon.

CROPS INCREASED²

Eggplant, pepper.

CROPS DEPENDENT¹

Vegetable crops: Melons—Cantaloupe, honeydew, persian, watermelon, pumpkin, squash, cucumber.

CROPS INCREASED²

Oil seed crops: safflower, rape.

THE CHALLENGE OF FREEDOM

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HATHAWAY. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest.

The winner this year from the State of Maine is Miss Evelyn Miller, of Lewiston. Miss Miller will compete next week with the winners from the other States.

I am proud to present Miss Miller's winning speech to my colleagues.

The speech follows:

THE CHALLENGE OF FREEDOM

(By Evelyn Miller)

I am as old as ancient Greece, yet, I am not withered, but stately, like a graceful ship. I came to this land with the very first boatload of settlers, but was kept hidden in garrets and cellars, taken out only weekly to watch the men train on the village green. Since 1776, however, I have been allowed to roam this country, giving my gifts of free speech, free press, free religion, and civil liberty to all those I meet, and I meet all.

What do I look like? I am big and all embracing. My eyes are shrewd, they see all, yet they are kind. My voice is deep, like the tolling of an old iron bell.

I am a difficult woman, sometimes a burden, for it is up to you, the people of America, to care for me, and to protect me, for if you neglect me, I may leave.

¹ These are unable to produce a commercial crop without cross-pollination.

² These generally produce a larger crop when honey bee pollinated.

You have kept me well in the past, but there have been times when I considered going. In the years after the founding of our country, my heart cried out for my black brothers and sisters who were bent under the lash of oppression and slavery. But I am patient, so I stayed and saw one of my greatest champions free these tortured souls.

Yes, I stayed to whisper to soldiers dressed in blue—to whisper words that made them fight more bravely and harder. They fought for me, and they won that war for me.

Again I was wounded, by the sight of small children working in sweat shops and mothers struggling to find some food with which to feed those children; but as I hoped, prayed, and expected, those children were put back in school and bread was given them and their mothers. Again I was not betrayed.

Even in these recent times, I have thrown my hands up in despair and cried out in anguish—

At the sight of lynched bodies lying in a ditch, the sight of bombed churches, the sight of rats running over small children sleeping in unheated slums.

And when I smell the odour of the newly turned earth of the graves of some of our greatest men, shot down without mercy, blood drips from my heart.

Tears have flowed from my eyes from the tear gas and mace sprayed into them.

Yes, you have misused me, you have wounded me and pushed me out, ignoring my cries for compassion. But you have done this in the past and always, just in time, you have rushed to me and bound up my wounds and nourished me until I am healthy, healthy enough to again distribute my precious gifts.

In light of this, I shall give you one more chance.

People of America—look around you and see the swords that pierce me and draw them out; see the fire that consumes my soul and extinguish it—soothe my pain, I implore you—before I seek help elsewhere, or die.

People of America—I challenge you.

KANSAS STATE TO STUDY PETRO-PROTEINS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MIZE. Mr. Speaker, those who have committed themselves to the goal of eliminating hunger and malnutrition in the world community have two areas of primary concern: adequate food production and efficient food distribution. Failure to accomplish one or the other of these objectives has resulted in widely scattered pockets of extreme want since time immemorial.

Today, man has the opportunity to successfully eradicate hunger, for his technology in this area is limited only by his commitment to the cause. With dedicated effort, scientists and managers can meet the demands of perhaps 7 billion persons by the turn of the century—only 31 years hence.

Now we know that hunger is not confined to the developing nations. Studies conducted within the past 2 years have convinced even the most skeptical that nutritional deficiencies seriously deplete human resources in our own country.

The administration is committed to an attack on this problem, and I am confident the Congress will cooperate fully with the President in this effort.

Mr. Speaker, behind the official concern, behind the success of food for peace abroad, behind America's unparalleled agricultural potential works an unexcelled team of scientists and research personnel.

Their base of operations lies within the academic community, to a large extent. Our hopes for victory over hunger rest largely upon their continued high level performance.

An imaginative study of petro-protein is being considered by Kansas State University, long a leader in food technology. The February 11 issue of the *Southwestern Miller* highlighted this project, and because of widespread congressional interest, I include the article in the *RECORD* at this point:

PETRO-PROTEINS IN KANSAS

From Kansas State University has come an announcement that provides further dramatic evidence of the need for recognition by wheat and wheat products executives of rapid changes in technology that could exert a lasting effect on their industry. The university, long considered the premier academic center in instruction and research in the entire breadstuffs field, has disclosed that it hopes to initiate a research project to find ways of producing food and feed proteins from petroleum. The study will concentrate on developing a method by which the state's crude oil and natural gas resources, which are comparable with the wheat and wheat processing industries as economic contributors, could be utilized to help solve world food problems. One researcher is quoted as stating that the microbial production of single cell proteins from hydrocarbons of oil and natural gas affords Kansas the chance to create a new industry.

The initiation at Kansas State University of such a project reflects welcome awareness by the university staff of advances being made around the world in production of so-called petro-proteins. At the same time, the project must stand as a startling reminder that wheat protein is not sacrosanct as a source of food protein.

As matters now stand, the project is largely in the conceptual stage, awaiting approval and funding by the state legislature. Initiation of the project arose from a resolution that was introduced, but not passed, in the Kansas House of Representatives last year. If approved, the project will be carried out by the university's Department of Chemical Engineering, but the Food and Feed Grains Institute will be called upon for collaboration in determining acceptability of petro-protein as food or feed supplement.

Certainly, particular significance should be attributed to the proposed project's location on the campus of Kansas State. Imposing credentials for potential accomplishment are readily apparent. With a century of agricultural research experience, with vast food and feed expertise developed in connection with serving the nation's wheat growing heartland for many decades, with the excellent record of experience in foreign technical assistance programs and with the unique institute of Food and Feed Grains resident on campus, resources of considerable authority are available. Brought to bear on petro-protein, particularly as regards marketing and practical application, these resources should readily contribute to the characterization of Kansas State as world headquarters for food and feed knowledge. Corroboration of the idea was inherent in comments made by the university president, Dr. James A. McCain, at the Senator Frank Carlson Symposium on World Population and Food Supply held at the university in December. He said, "The spectre of famine on a global scale is man's most serious problem today. Perhaps

no other university is more deeply committed to helping solve the world food problem than Kansas State."

Beyond the proposed project itself, the main inference that may be drawn is that, once again, affirmation is provided of the highly competitive arena in which wheat must be viewed. Coincidentally, Dr. John A. Shellenberger, distinguished professor in the Department of Grain Science and Industry at the university, recently commented on the possible substitution of other foods or synthetics for wheat. "Changes are inevitable and are occurring constantly," Dr. Shellenberger wrote, adding that "I do hope that the entire wheat industry will start looking ahead."

The urgency for the wheat industry to "look ahead," as expressed by Dr. Shellenberger, this publication on numerous occasions and by others, is heightened by the announcement from Kansas State University. In this context, "looking ahead" means an acceleration of research designed not only to strengthen the position of wheat foods as the most economical source of protein but also to search out new utilization horizons.

WILLIAM PASSMORE, OF EAST CHICAGO, IND., HANDICAPPED AMERICAN FOR THE YEAR 1968

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MADDEN. Mr. Speaker, the Calumet region of Indiana is indeed proud of the recognition our Nation is extending to Mr. William Passmore, of East Chicago, who has been selected as the "Handicapped American of the Year for 1968."

Mr. Passmore lost both his legs in an unfortunate accident during his high school days and has been confined to a wheelchair during his adult life. When he was 16 years old he was hospitalized for 11 months. Three years later he returned to have his legs amputated. Mayor John Nicosia, of East Chicago, recognizing his constant work for other handicapped citizens, appointed him as coordinator for the East Chicago Social and Economic Opportunities Committee. He has aided, and placed more than 100 handicapped and disadvantaged youth in suitable jobs in private industry and other areas.

Mr. Speaker, with my remarks I include a letter which I have received from Mr. Harold Russell, Chairman of the President's Committee on Employment of the Handicapped, wherein he states that Mr. William Passmore, of East Chicago, will be presented the President's Trophy at a ceremony in Washington on May 1. I include further a news release of Sunday, February 23, announcing his recognition as a recipient of the President's Trophy.

THE PRESIDENT'S COMMITTEE ON
EMPLOYMENT OF THE HANDICAPPED,
Washington, D.C., February 20, 1969.

HON. RAY J. MADDEN,
House of Representatives,
Washington, D.C.

DEAR MR. MADDEN: It is with great pleasure that the President's Committee salutes Indiana, the home State of Mr. William Passmore, of East Chicago, who has been selected as the Handicapped American of the Year for 1968.

Mr. Passmore is a double amputee. Though confined to a wheelchair, he has fought back against seemingly impossible odds to make a record for himself as a community leader and an inspiration to the handicapped.

Through his position as Work Coordinator for the East Chicago Mayor's Committee on Social and Economic Opportunity, Mr. Passmore has opened many doors to employment for the handicapped and the disadvantaged so that these people may achieve economic independence and roles in community life.

All of Indiana may take great pride in Mr. Passmore's achievements because he is living proof that handicapped persons can earn their way and contribute to community life.

The President's Trophy, awarded annually by the President's Committee to the individual chosen the Handicapped American of the Year, will be presented to Mr. Passmore at the Committee's Annual Meeting, Thursday morning, May 1 in the Washington Hilton Hotel in Washington, D.C.

Sincerely,

HAROLD RUSSELL,
Chairman.

INDIANA AMPUTEE TO RECEIVE PRESIDENT'S TROPHY

A double amputee who has led the fight for jobs and equality for the disabled and disadvantaged of East Chicago, Indiana for the past 18 years, has been named "Handicapped American of 1968" by the President's Committee on Employment of the Handicapped.

William Passmore, 39, chosen from among nominations from all parts of the country will receive the award—known as the President's Trophy—at the Annual Meeting of the President's Committee at the Washington Hilton Hotel on May 1.

President Nixon is expected to present the award—the Nation's highest tribute to the courage and determination of the physically and mentally handicapped.

For the past two years, Passmore has been Work Coordinator for the East Chicago Mayor's Committee on Social and Economic Opportunity. He counsels, trains and places disadvantaged youth in the Neighborhood Youth Corps, and has recently helped over 100 of these young men and women to find permanent jobs in private industry.

A football accident in 1945 cost Passmore his legs and left him confined to a wheelchair. Knowing the loneliness of a hospital, he began, shortly after his own release, to visit patients at the East Chicago community hospital every Sunday afternoon. He continues this practice and in 1967 received the hospital's "Visitor of the Year" tribute.

He finished high school with the aid of tutors in 1951 and started work as a night dispatcher for the Red Top Cab Company. For 11 years, he worked the midnight shift and spent his days in volunteer work with the handicapped and disadvantaged.

His knowledge of the community encouraged him to start a weekly column for the Chicago Defender newspaper. For 18 years, his column "East Chicago on the Go" has been the voice of that community.

In addition to his full-time job and volunteer activities, Passmore is a part-time student at the local campus of the Indiana University where he is majoring in sociology and criminology.

His interest in criminology stems from his experiences in the rehabilitation and job programs at Indiana State Prison in Michigan City. He helped to set up "Convicts Anonymous," a group therapy organization within the prison, and is active in helping ex-convicts find jobs through "Convicts Unlimited."

In recognition of his strong ties with the community, the police last year sought his advice on how to handle what could have been a serious disturbance among East Chicago youth.

Some of Passmore's activities are: The National Association for the Advancement of Colored People; the Northern Indiana Political Action Group; St. Mark's AME Zion Church; the East Chicago Junior Chamber of Commerce; and the Anselm Forum—an interracial, interreligious, and multiethnic group working towards better human relations in the community.

Last year's President's Trophy winner was Max Rheinberger, Jr., a businessman from Duluth, Minnesota.

The President's Trophy is a sterling silver plaque mounted on a mahogany base. Made and donated by the students at the Institute for the Crippled and Disabled in New York City, it bears the facsimile signature of the President of the United States.

THE CATESBY ETCHINGS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, the Virginia Museum in Richmond, Va., was the scene of a special program on Friday, February 21, featuring a film presentation of an excellent Colonial Williamsburg film, "The Colonial Naturalist," the life of Mark Catesby, and introducing a private collection of 50 original, hand-colored etchings by the 18th-century naturalist, which will be exhibited at the museum through March 9.

The Catesby etchings are owned by Dr. and Mrs. George B. Green, of Arlington, in my congressional district. They have been Virginia residents since 1954 when they returned to the United States following 3 years in Paris, where Dr. Green was attached to the American Embassy. Dr. Green, a retired Air Force medical officer, is employed by the Food and Drug Administration, and Mrs. Green is active in a number of civic and cultural organizations in northern Virginia.

Mr. Speaker, Dr. and Mrs. Green, by making available for public display such a remarkable collection, are contributing to better understanding of the important work begun by Mark Catesby in Virginia over 250 years ago. I would like to take this opportunity to congratulate them and to commend the exhibit to all who may have the opportunity to view it during its all-too-brief display in Richmond.

I insert at this point in the RECORD the full text of an article from the February 9 Richmond Times-Dispatch describing the Catesby collection, as well as a notation in the Virginia Museum members' bulletin for February 1969, about the display of the collection and the special program and reception on February 21, 1969:

[From the Richmond (Va.) Times-Dispatch, Feb. 9, 1969]

GATESBY ETCHINGS TO BE SHOWN HERE

A private collection of original, hand-colored etchings by the 18th century naturalist, Mark Catesby, will be exhibited at the Virginia Museum beginning Friday, and running through March 9.

The 50 etchings are from the collection of Mr. and Mrs. George B. Green of Arlington,

ton, who over the years have become experts on Catesby's life and his art.

The exhibition, entitled "Mark Catesby: Colonial Naturalist," will be on view in the Museum's Theater Gallery.

The prints are from the three editions of Catesby's "The Natural History of Carolina, Florida and the Bahama Islands: Containing Figures of Birds, Beasts, Fishes, Serpents, Insects and Plants . . ."

The first edition, when it appeared in 1731, represented the first comprehensive works on the natural history of North America. Names that Catesby placed on 75 different previously unknown species of both flora and fauna remain to the present day.

A self-taught artist, the English horticulturist made his first trip to North America in 1712, when he visited his sister in Williamsburg. During his stay in colonial America, he was encouraged in his studies of nature by two far-sighted Virginians, Col. William Byrd and John Custis.

When he returned to England, his drawings, writings and specimens attracted sponsors for the future publication of his work. With the support of these sponsors, he returned to Carolina, Florida and the Bahama Islands in 1724 to complete his studies and drawings from nature.

"Catesby," according to the Greens, "learned to draw what he could not adequately describe with words. He found that bird 'feathering' was more accurately portrayed with the etcher's tool . . . Prohibitive costs dictated that he etch his own plates, rather than hire engravers."

"Over 55 years of painstaking labor went into Catesby's great life's work. He strived to depict the true colors of nature in all the seasonal changes . . . When he discovered that fish changed color if removed from water, he painted them swimming."

"He personally etched the 220 copper plates bound in the two-volume, folio size work, and either hand-colored or personally supervised the coloring of each of the nearly 34,000 separate impressions that . . . were used in the 1731 edition."

After Catesby died in 1749, his good friend George Edwards took over and completed the second edition, in 1754, and a third edition appeared in 1771. Coloring in the later editions, Mr. and Mrs. Green have noted, often was executed by colorists, including children, who were unfamiliar with the actual subjects.

"In the opinions of the collectors," the Greens have written, "Catesby's work has never been sufficiently or properly recognized for its great artistic contribution, as well as scientific and literary importance in Americana."

"This, and the known scarcity of Catesby's work, has deepened (our) determination to honor Catesby by making his work known, and to preserve the limited number of examples that remain, through our own collecting and through encouraging museums and libraries to collect, preserve and, where possible, exhibit these fascinating examples of a remarkable self-taught artist."

[From the Virginia Museum Members' Bulletin, February 1969]

FLORA AND FAUNA

Not until the eighteenth century was a comprehensive and serious study made of the flora and fauna of North America. The self-taught English artist who documented the birds, bees, insects, flowers, animals, reptiles and fishes of the colonies was Mark Catesby, who first came to Virginia in 1714. Encouraged by Colonel William Byrd, this pioneering naturalist gathered specimens (assigning names still in use today), taught himself to draw, learned to etch and personally hand colored 34,000 plates. The first edition of his book was limited to about 150 sets, each containing 220 etchings, and is thought to be the

earliest hand-colored plate book on this subject. Two later editions were published after Catesby's death in 1749.

The amount of hand work involved in such an undertaking necessarily limited the number of copies at the outset, and the ravages of time have, of course, increased the rarity of the plates, making them a fascinating object of search for the serious collector. Dr. and Mrs. George Benjamin Green of Arlington have, over the years, managed to assemble an impressive number of Catesby's plates.

Fifty plates from the Greens' collection, including *The Purple Martin* and *The Land Crab*; will be on view in the Theatre Gallery from February 14 through March 9 in an exhibition entitled *Mark Catesby: Colonial Naturalist*.

SPECIAL RECEPTION

Sustaining, Supporting and Contributing Members of the Museum (as designated on page 6) will be invited to attend a reception on February 21 from 5 to 7 P.M. honoring Dr. and Mrs. George Benjamin Green. The Greens are the owners of the prints in *Mark Catesby: Colonial Naturalist*.

After a showing in the Museum Theatre of *The Colonial Naturalist*, a 55-minute color film on Catesby's life produced by Colonial Williamsburg, guests will adjourn to the Members' Suite to meet Dr. and Mrs. Green and to enjoy refreshments.

FREEDOM'S CHALLENGE

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. McCLURE. Mr. Speaker, the winner of the Idaho Voice of Democracy contest, sponsored by the Veterans of Foreign Wars, is Mr. Vernon Anderson, of Weiser, Idaho. Because I found his address to be thought provoking, I herewith submit the address for inclusion in the CONGRESSIONAL RECORD, as follows:

FREEDOM'S CHALLENGE

(By Vernon Anderson)

According to Webster's dictionary, freedom is—"not being subject to another power or authority." The true spirit of American freedom is this and more. It is doing unto others as you would have others do unto you. It is placing God and country before self. Freedom is more than just fancy words. It is fighting for the right against impossible odds, as our forefathers did on the fields of Lexington and Concord. Every generation must meet freedom's challenge in order to preserve our heritage. Freedom's challenge was met at Gettysburg, and again during the dark hours of World War I, World War II, and the Korean War. Our forefathers have sacrificed their all in order to preserve our heritage. A heritage that allows every man the opportunity to progress to his utmost, to gain a personal fulfillment and happiness out of life. We likewise have a moral obligation to preserve, protect, and honor our heritage. And by *we*, I mean every patriotic American, no matter what his race, color, or creed may be. Not every American will be called on to serve in the armed forces; however, there are many other ways in which we can meet freedom's challenge. The best place to start is with ourselves. Gain an education and then apply it to the advancement of humanity. Use your education constructively to become a useful member of society and to take an active role in our democratic government.

When we see the "Stars and Stripes," and hear the "Star Spangled Banner" being played we cannot help feeling a deep rever-

ence and pride of America. Hold your head high and share your patriotism with your family, friends, and neighbors. There are countless ways in which to display your patriotism, to meet freedom's challenge. It is the duty of every American to recognize, accept and meet freedom's challenge at every opportunity. By strengthening the individuals we will have united the families, and by uniting the families, the nation will continue to be united.

As Thomas Jefferson stated, "The God who gave us life, gave us liberty at the same time." It is our obligation to protect that liberty. Freedom's challenge is a personal challenge—one which we must all meet separately as individual citizens and unitedly as Americans.

REQUIREMENTS FOR ADVANCEMENT IN THE VIENNA POLICE DEPARTMENT

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SCOTT. Mr. Speaker, while we may disagree as to the best way to control crime, I believe the entire membership recognizes that criminal activity is one of the foremost problems confronting the country. Therefore, I thought you might be interested in the action taken by the town of Vienna, Va. This town, located near Washington, is upgrading the standards of its police force by providing incentives for officers to attend college in the evenings. In fact, the town requires that each officer attend college in his off-duty hours in order to be considered for promotions. I commend the town officers for their foresight in upgrading the professional standards of their police force and insert at this point in the RECORD a copy of a memorandum from Chief of Police Vernon L. Jones showing requirements to advance within the department:

TOWN OF VIENNA, VA.,

March 4, 1968.

To: Town Manager.
From: Chief of Police.
Re: Educational requirements.

For the past several years there has been been an upsurge in police salaries throughout the Metropolitan Area. Police departments have been demanding recognition as professionals. The majority of these demands have been voiced through salary increases with little emphasis on professional qualifications. Our department like all others, would like to be recognized as a professional unit.

The Town has been very generous in increasing the pay scale which has enabled us to compete favorably with other jurisdictions. However, until now I do not feel our standards for promotion within our department have been high enough to qualify us as professionals. We have a very fair tuition reimbursement policy within our Town and I feel that with the opportunities available for self improvement through college courses all of our men should take advantage of these opportunities.

It is recommended that as of this date the following requirements for promotion be adopted.

1. Sergeant—To be eligible for promotion to Sergeant or other specialized grades, a Patrolman must have:

1. Three (3) years continuous service with the department.

2. A minimum of 30 semester hours credit.

2. Lieutenant—To be eligible for promotion to Lieutenant, a Sergeant or other qualified specialist must have:

1. At least three (3) years continuous service as a Sergeant.

2. A minimum of 45 semester hours.

3. Captain—To be eligible for promotion to Captain a Lieutenant must have:

1. At least three (3) years service as a Lieutenant.

2. A minimum of 60 semester hours.

It is further recommended that our present supervisors be granted time to meet the above requirements. For example, in order to retain their present rank, our Sergeants and Lieutenants must meet the above educational qualifications on or before July 1, 1972.

I feel that by adopting the above policy our men will be further encouraged to take advantage of existing opportunities and as a result will improve the professional image of our department.

It is further recommended that applicants with a minimum of two (2) years college be appointed as patrolman, Grade 17 Step C. Applicants with degrees in police science or related fields would be appointed as patrolman, Grade 17 Step D. Our present men upon completion of 48 semester hours be awarded a meritorious increase of one step. Upon completion of 96 hours a two step increase will be awarded.

By initiating these requirements at this time, Vienna will be taking a big step toward professionalization. If we are going to annually request professional salary increases we should at least attempt to qualify as professionals.

VERNON L. JONES.

ROBINSON, ILL.

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SHIPLEY. Mr. Speaker, I am very proud that Robinson, Ill., has been selected as one of the 10 most beautiful cities of its size in the Nation.

Mrs. Maxine Zwermann, chairman of the Chamber of Commerce Beautification Committee of Robinson, as well as the Robinson High School dance band are presently in town to attend the award ceremonies.

Under leave to extend my remarks, I would like to submit for inclusion in the CONGRESSIONAL RECORD an article which appeared in the Robinson Argus on this award:

[From the Robinson (Ill.) Argus, February 6, 1969]

ROBINSON, ILL.

Robinson has been selected as one of the ten cleanest and most beautiful cities of its size in the United States.

Chamber of Commerce Beautification Chairman Maxine Zwermann has received notification of the honor from the Director of the National Clean Up-Paint Up-Fix Up Bureau in Washington, R. H. Hackendahl.

Robinson's clean up and beautification program is among the ten best in the nation of under 25,000 population. Only 30 awards are given annually, with 20 of them going to larger city categories.

Robinson will be honored at the National Congress of Beautification, to be held in Washington, D.C., February 23-25. An engraved trophy will be presented to representatives of the city on February 25.

As a trophy winner, Robinson, will be in competition for the National Award of Excellence, the Trigg Trophy, which is the highest honor any city can receive for clean up beautification and civic improvement.

Mrs. Zwermann's committee this year presented two sections covering the beautification work here, one containing 99 typewritten pages, and one containing two books, weighing 92 pounds.

Covered in the program here for the past four years have been community-wide beautification, property improvements, youth activities, and miscellaneous activities.

Robinson previously has won three Distinguished Achievement Awards, under the chairmanship of Mrs. Zwermann and her predecessor, Jim Woodworth.

RAY MARTIN ON COAL MINE SAFETY

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HECHLER of West Virginia. Mr. Speaker, in the CONGRESSIONAL RECORD of February 5, 1969, pages 2887 through 2913, was printed an excellent series of articles on coal mine health and safety written by Ray Martin, city editor of the Morgantown, W. Va., Dominion-News. Since the reprinting of these articles, Mr. Martin has written a number of subsequent articles which deserve the attention of all those interested in improving conditions in the coal mines.

These articles cover the period from February 6 through February 22, 1969: [From the Morgantown (W. Va.) Dominion-News, Feb. 6, 1969]

UMWA RAPS HECHLER, NADER—PRAISES RANDOLPH

(By Ray Martin)

The United Mine Workers of America has launched a sweeping attack against critics of the union in the field of miners' health and safety. Named specifically in the latest issue of the UMW Journal were Rep. Ken Hechler, D-W. Va., and Ralph Nader.

The Feb. 1 issue of the UMW Journal had praise for both Gov. Arch A. Moore Jr. and Sen. Jennings Randolph, D-W. Va., in regard to their actions on mine safety and health legislation.

In a message addressed to UMW members, Justin McCarthy, Journal editor, says, "There are some arrogant troublemakers scurrying about—or sending messages to the coal fields these days trying, for devious motives of their own, to convince the members of the United Mine Workers of America that your union is not doing its job in behalf of safety and health for coal miners."

"The French have a name for such persons. They are called agents provocateurs. Agents provocateurs are secret agents hired to incite others to actions that will make them liable to punishment."

"The American labor movement has a shorter and more concise term for such troublemakers. We call them finks. A fink is a spy, a strikebreaker, an informer and a stool pigeon among other things."

"In our book persons who accuse the United Mine Workers of America and its dedicated International President W. A. Boyle of not doing their jobs in behalf of the health and safety of coal miners are finks."

"Don't listen to them! Don't support them!"

"This greater union of coal miners under

the inspired leadership of President Boyle is now engaged in an all-out fight in the Congress of the United States and in the legislatures of the several coal mining states to win better health and safety conditions for all coal miners in the United States."

"This issue of the Journal is full, from this page on back, of information for our members about what your union is doing and has done on such matters as coal mine safety, 'black lung'—coal workers' pneumoconiosis, workmen's compensation legislation, dust control and other matters of vital concern to all of us."

"Read it carefully. Save it. Tuck it in your pocket and use it for reference."

"Don't ever forget that this union is your union and it is the only organization in America that always has fought down through the years since our establishment on Jan. 25, 1890, 79 years ago, for the best interests of American coal miners."

"Don't allow cheap politicians and other 'instant' experts to try to split you away from the leadership of the United Mine Workers of America. The coal operators have tried this in the past to their regret."

"President Boyle and his associate officers need your support in this renewed but never-ending fight to bring better health and safety to all coal miners. So rally to the cause of your union and tell the finks to go peddle their anti-union propaganda elsewhere," the Journal editor concluded in the Page One article.

The 24-page issue of the Journal now in the process of distribution by mail carries the texts of the UMW's "dust bill" introduced in the U.S. Senate by Sen. Jennings Randolph and a "black lung" bill filed in the West Virginia State Senate by the Senate president.

It quotes Senator Randolph as saying on the floor of the Senate: "It has always been my experience in working with UMW officials in this legislative area to know that they, like all of us, must keep in mind the coal miners' payrolls as well as their health and safety."

The UMW Journal reports the presence of a delegation of union leaders at the inauguration of Governor Moore and cites Vice President George J. Titler as "a man who played a large part in Moore's election."

An editorial written by Rex Lauck, assistant editor, takes Representative Hechler and Mr. Nader to task and describes them as "instant experts."

Mr. Lauck's editorial compares Mr. Nader with the late Sen. Joseph R. McCarthy of Wisconsin.

The editorial discusses the number of lines Congressman Hechler's biography consumes in the Congressional Directory—41. It notes that the late Sen. Robert Kennedy used 28 lines and Rep. Harley O. Staggers of West Virginia uses 13 lines.

"We did not take time to check the complete Congressional Directory, but we do believe Hechler's biography is among the longest in it, probably exceeded only by a lengthy recital of the record of Rep. Joel T. Broyhill (R., Va.)," the editorial states.

Representative Hechler read Mr. Nader's message to the miners' rally.

[From the Morgantown (W. Va.) Dominion-News, Feb. 7, 1969]

BLACK LUNG DISEASE BILL FATED TO LONG LIST OF DELAYS

(By Ray Martin)

CHARLESTON.—There are occupational hazards and occupational diseases. Usually they affect only the individual worker subjected to them. As in the case with all laws, or rules of thumb, there are exceptions which cross lines and affect others.

Former State Sen. Paul Kaufman was retained by the West Virginia Black Lung Association to prepare legislation on the sub-

ject for submission to the State Legislature and act as the group's lobbyist in shepherding it through the channels of legislators.

During the course of the miners mass rally in the Charleston Civic Center on Jan. 26, Kaufman announced that the bill would be introduced during the week by Sen. William T. Brotherton, Jr., Charleston Democrat, chairman of the Senate Judiciary Committee. Sen. Robert K. Holiday, D-Oak Hill, was to be the bill's co-sponsor.

A companion measure was to be introduced in the House of Delegates by Del. Robert Nelson, D-Cabell.

At the time Kaufman made his announcement at the Charleston rally, the legislators had had the 30-page bill for a week.

Daily during the week of Jan. 26, miners eagerly awaited the introduction of their bill. It didn't happen.

Woodrow Mullins of Gallagher, spokesman for the Black Lung Association, said members of his group met with Senator Brotherton on Friday, Jan. 31, and were assured that the bill would be introduced Monday, Feb. 3.

Isn't it?

Rumors started to fly around Capitol corridors that Senator Holiday was withdrawing as a sponsor of the bill.

No trace of the bill could be found at the Capitol on Monday.

Dr. I. E. Buff, Charleston heart specialist and head of the Physicians Committee for Miners' Health and Safety, expressed fear that "the bill might be lost or delayed until Feb. 14."

Hearings on black lung bills already introduced are scheduled Feb. 11 before the Judiciary Committees of House and Senate meeting in joint session.

There were persistent reports that the Senate Judiciary Committee chairman wasn't responding to inquiries about the status of the black lung proposals from his former Senate colleague.

Dr. Buff called for the prompt introduction of the Black Lung Association's proposal and requested the Judiciary Committee's vote on the bill be made public.

"It is unfair to penalize the entire membership of the State Legislature if the committee delays action until Feb. 13, which means that the measure must go through the Rules Committee," Dr. Buff said.

He said killing of the bill on Feb. 14 would be "a St. Valentine's Day massacre as far as the coal miners of West Virginia are concerned."

The Charleston doctor said Senator Brotherton gave him no "satisfaction" when he was asked about the delay in introduction of the black lung compensation measure.

Early Tuesday morning the bill suddenly had a number—Senate Bill 216.

Word started to spread through the corridors of the Capitol and around Charleston law offices that the Senate measure and Delegate Nelson's bill would be introduced at Tuesday's sessions.

The clerks of both House and Senate said the measure wasn't on the list to be read at the session and referred to committee.

Some members of the Senate expressed the belief that an age-old legislative trick was being brought into play. The bill is numbered and then gets mislaid or lost between the clerk's office and the floor of the Senate.

A half-hour before the Senate convened on Tuesday, senators inquiring about the bill were told that it would be brought out on Wednesday.

Members of the Capitol press corps joined the hunt for the "missing bill" and it was found in time for introduction at the Tuesday session of the Senate.

The Nelson bill was introduced in the House Thursday. It is HB 814.

Senator Brotherton was not available for comment concerning delay in the introduction of the Black Lung Association bill.

Senator Holiday, however, said the delay was caused by the length of the bill and the time required for clerks to type it on the line-numbered forms used in the legislature.

He expressed the belief that the draft copy of the bill probably "contained certain minor errors" and he thought that the explanation of the bill's purpose had to be "rewritten."

The Black Lung Association bill is the sixth one aimed at providing Workmen's Compensation Act benefits for coal miners afflicted with pneumoconiosis (Black lung) introduced in the current session of the legislature.

[From the Morgantown (W. Va.) Dominion-News, Feb. 7, 1969]

COAL MINERS HEAD LIST OF INJURED WORKERS

Ninety per cent of West Virginia's workmen who are injured and who are awarded compensation payments under the state's Workmen's Compensation Act are coal miners.

This was the contention of Dr. Murray Hunter, of the United Mine Workers Clinic at Fairmont, last night as he participated in a dialogue with two doctors at the College of Law at West Virginia University. Other participants were Dr. H. A. Wells of Johnstown, Pa., a member of the Physicians' Committee for Miners' Health and Safety, and Dr. Leroy Lapp, instructor in WVU's Department of Medicine and a member of the cardio-pulmonary section of Project ALFORD, a U.S. Public Health Service project headquartered at WVU.

The position of Dr. Charles E. Andrews, WVU provost for health services, was stated in a paper read by William Tantlinger, a law student. Dr. Andrews had been scheduled to appear at the program arranged by a group of students headed by Davitt McAteer.

"When you talk about compensation in West Virginia," Dr. Hunter said, "for all practical purposes you are talking about coal miners."

The UMW doctor estimated that bills now pending in the State Legislature relative to "black lung" would increase compensation costs by \$48 million annually. This, he said, includes only the amount of money needed to bring existing payment schedules in line with the current cost of living.

Dr. Hunter would not hazard a guess as to the cost of including "black lung" as a compensable disease.

He warned against the use of terms in legislation which are not generally acceptable to the medical profession. He said that lawyers could challenge the law if the terms were not found in some reputable medical source. He did not, however, suggest a term for pneumoconiosis or black lung which would meet the legal test.

Dr. Hunter praised Dr. Wells for helping to popularize the term "black lung" and said this has helped the general public understand the coal miners' problem.

The UMW physician said the nation now recognizes air pollution is "bad" and "it can't be seen anywhere except in Los Angeles. Why do they question the pollution of coal mines with coal dust—which can be seen?"

Dr. Wells told the students assembled to discuss the pending black lung bills "unfortunately most big medical problems have only political solutions."

He said there were 52,000 disabled coal miners in West Virginia and asserted the figures used by Dr. Andrews in his presentation didn't agree with the several sources he had cited.

Dr. Wells said he wasn't interested in compensation as such but his emphasis was on early detection of black lung and its prevention.

Dr. Hunter disagreed on the compensation phase of Dr. Wells' position. Dr. Hunter said this was vital to the worker and was the only

palpable way available to help clean up the mines.

"We are still a cash society," Dr. Hunter declared.

Dr. Lapp described three different types of respiratory ailments and the problems which face physicians in their diagnosis. He noted that British records of investigation of black lung do, however, serve as basis on which to make judgments in the U.S. The British began their research in 1942.

There was general agreement among the discussants that cigarette smoking would be raised as an issue in Tuesday's hearing at the State Legislature on the pending bills.

Dr. Wells asserted that release of a federal study on the relationship of smoking to coal miners' diseases would shed light on the problem. Dr. Wells disagrees that smoking is a major factor in black lung.

George Fleming, a miner at Pursglove told the audience that masks issued to miners "are worthless after just a few minutes."

"There are quite a few things down there (in the mine) besides cigarettes," Mr. Fleming said emphatically.

Dr. Wells then read a letter from another miner showing that it was impossible for a miner to smoke the number of cigarettes in a 24-hour period that some researchers claim.

Students read abstract accounts of the various bills now before the legislature and then asked the three doctors specific questions about the bills.

The students will review their abstracts and then adopt a group view on the legislation and send it to the legislators.

[From the Morgantown (W. Va.) Dominion-News, Feb. 8, 1969]

CONGRESSIONAL RECORD CITES EDITOR'S WORK

Reports on mine safety and health written by Ray Martin, Dominion-News city editor, have been cited in the Congressional Record.

Rep. Ken Hechler, Huntington Democrat, referring to Mr. Martin's reports said, "National attention is focused on coal mine health and safety whenever there is a disaster in the coal mines. Since the Nov. 20 disaster at Farmington, W. Va., which resulted in the deaths of 78 miners, many questions have been raised as to what can and should be done to protect the lives and safety of the men who work in these dangerous conditions."

"Ray Martin of the Morgantown Dominion-News, a member of the National Conference of Editorial Writers, has examined this subject in depth in a series of articles which should be carefully read by all those interested in taking constructive action to clean up the mines and make them safer for those who work in them. These articles should provide a sound basis for action in this vital and complex area."

The Fourth District congressman's office said that the Washington Journalism Center has started to use Mr. Martin's articles as a major research source for one of its current projects.

Representative Hechler included a synopsis of Mr. Martin's professional background in his remarks and referred to a Dec. 6 Dominion-News editorial which commented on the series of articles authored by the newspaper's city editor.

The congressman followed this with publication of Mr. Martin's articles between Dec. 4, 1968, and Jan. 31. The articles consumed 26 pages in the Congressional Record.

The Record clerk's office reported that publication of Mr. Martin's work in the daily newspaper of Congress is among the longest single entries in recent years. The record for the longest single insertion is held by former Sen. Wayne Morse, R-Ore., who inserted over 100 pages of material in 1958 relative to the Taft-Hartley Act.

The clerk's office said insertion of Mr. Martin's work may possibly set a record for the longest entry of one individual's writing.

[From the Morgantown (W. Va.) Dominion-News, Feb. 9, 1969]

BLACK LUNG MEET TO BEGIN TUESDAY

(By Ray Martin)

The stage is set and the actors have rehearsed well the lines and gestures they will use in Charleston Tuesday when the House and Senate Judiciary Committees hold a joint hearing on proposed legislation to make "black lung" a compensable disease under the Workmen's Compensation Act.

Of 30 bills introduced in the current session of the state Legislature dealing with the Department of Mines, mine safety and health, nine are relative to the compensation question.

Although compensation awards for coal miners' pneumoconiosis have been made in four instances over a four-year period, the state of West Virginia does not specifically recognize the lung disease as compensable.

A great deal of furor has been raised, accompanied by character assassination and vilification, since the campaign was launched to get the legislators to include black lung in the compensable disease category.

It is ironic that such tumult should ensue when one considers there is nothing compulsory about the state's basic compensation law and hence no penalties for industrial and business entities which do not choose to participate in the state's system of workmen's compensation.

Participation in the state plan merely provides certain immunities for the employer in the courts in case an injured worker brings suit. One of the principal immunities is that dealing with "deliberate intent" to injure or kill an employee.

Many lawyers in West Virginia believe the deliberate intention clause and its restrictive interpretation by the courts has worked a great injustice on injured workers and placed employers in a highly favored position.

Regardless of the nature and extent of accidents in coal mines it is practically impossible to hold the mine operators legally accountable, if they carry workmen's compensation, many lawyers assert. It is impossible, they say, to prove in a court of law that the mine operator previously picked out a specific individual out of perhaps hundreds to injure or kill.

These lawyers advocate changing the laws to provide that an employer can be held accountable if there is evidence of willful or wanton misconduct or negligence. They would include violation of state or federal safety laws and rules, where applicable, as evidence of such conduct.

All nine black lung compensation proposals contain a provision that blocks award of payments to employees of employers who are delinquent in the payment of their premiums to the compensation fund.

The October, 1968, contract between the United Mine Workers of America and various coal mine operators contains this clause relative to workmen's compensation and occupational diseases: "Each operator who is party to this agreement will provide the protection and coverage of the benefits under Workmen's Compensation and Occupational Disease Laws, whether compulsory or elective, existing in the states in which the respective employees are employed. Refusal of any operator to carry out this direction shall be deemed a violation of this agreement. Notice of compliance with this section shall be posted at the mine."

The Tuesday hearings will be conducted in the House of Delegates chamber at the state Capitol starting at 1:30 p.m. Everyone except the registered speakers, legislators and the press will be barred from the floor of the chamber during hearings. Spectators will be seated in the galleries.

Area members of the Senate Judiciary Committee headed by Sen. William T.

Brotherton Jr., D-Charleston, include O. G. Hedrick, D-Fairmont and William Moreland, D-Morgantown.

Del. J. E. Watson, Fairmont Democrat, chairs the House Judiciary Committee. Other area members of the committee include Robert W. Dinsmore, D-Morgantown; Harry U. Howell, D-Morgantown and Robert C. Halbritter, R-Kingwood.

Before the joint committee will be the following House bills dealing with black lung: H.B. 570 (Dels. Goodwin, Seth and Jones of Charleston), H.B. 605 (Del. Simpkins), H.B. 606 (Dels. Stacy and Withrow), H.B. 648 (Del. McGraw), H.B. 720 (Del. Bolarsky), and J.B. 814 (Del. Nelson).

There are three Senate bills. Their numbers and sponsors are: S.B. 96 (Sens. Kinsolving and Moreland), S.B. 167 (Sen. Jackson), and S.B. 216 (Sens. Brotherton and Holliday).

All of the bills amend the present Workmen's Compensation Act by inserting various versions of coal miners' lung disease, pneumoconiosis, black lung or occupational pneumoconiosis, thus making the ailment compensable.

The two major bills which add new sections to the existing law are S.B. 167 and S.B. 216 and their companion bills in the House. The former is sponsored by the AFL-CIO and UMWA and the latter was prepared under the aegis of the West Virginia Black Lung Association.

All of the bills, with the exception of the Black Lung Association measure, contain provisions for denying payments to a widow or widower who is found living under common law marriage circumstances. A widow living a life of prostitution is also prohibited from getting benefits. Provision is made in the proposed laws for investigation of reports concerning the two situations cited.

The AFL-CIO-UMWA proposal contains a presumption clause specifying that an employee exposed to the hazards of occupational pneumoconiosis for a period of two years during the 10 years immediately preceding the date of his last exposure shall be regarded as getting the ailment as the result of his employment. The presumption, however, is not considered conclusive and may be rebutted by the employer.

The union proposal pegs payments under the compensation system to varying percentages of the average weekly wage paid in West Virginia, which is determined after taking all state workers' salaries into account.

Both major bills, as do the others, provide for disqualification of workers if they fail to follow posted safety rules or fail to use safety equipment supplied by the employer. As an example, a miner who failed to wear a mask could be disqualified for benefits.

The Black Lung Association bill pegs benefits to the average wage earned by miners rather than all of the state's workers and the figure is calculated on the individual's earnings.

The Association's presumption clause is predicated on the applicant being under 70 years of age and exposure to the dust hazard over a period of five years in a 15-year period preceding the date of the claim.

Both major bills would set up a new board to consider black lung claims as distinguished from others. Other measures combine silicosis and black lung into a single board.

The Association bill calls for the establishment of a laboratory center at Charleston to determine whether employees have black lung or not. The AFL-CIO-UMWA proposal makes no such suggestion.

The union-sponsored bill provides for a schedule of payments to attorneys who assist applicants for compensation. The Association bill makes no mention of this procedure.

All of the bills contain provisions for making adjustments in the amount of compensation now paid by the state commission. This has been estimated to cost about \$48 million.

No estimates have been given regarding the cost of making black lung a compensable disease.

Some state lawyers contend that the state's compensation law could be simplified, thus reducing a great deal of confusion for workers and employers alike. They advocate the simple statement that any medical condition resulting from or through the cause of employment is compensable.

[From the Morgantown (W. Va.) Dominion-News, Feb. 11, 1969]

MINERS' BLACK LUNG—WHAT IS IT? LEGISLATORS TO HEAR ARGUMENTS TODAY

(By Ray Martin)

CHARLESTON.—"Black lung." What is it? What's behind the heated discussion involving coal miners, doctors and coal mine operators?

At 1:30 p.m. today the proponents and opponents of legislation designed to make "black lung" or coal workers' pneumoconiosis a compensable disease in West Virginia will parade their separate panels of "experts" before the Judiciary Committees of the House and Senate.

The coal mine operators and their doctors will stress that no new legislation is needed on the subject.

The miners and a small group of doctors will endeavor to make the fountain State the fourth state in the Union to recognize the coal miners' lung ailment as an industry-related impairment.

The position of the coal operators is best illustrated by the stand taken by the West Virginia Coal Association.

After noting current miners' pay scales and the amount of taxes, direct and indirect, which the coal industry pays in West Virginia and some of its past economic problems, the Coal Association states:

"From a shivering sparrow which poorly wintered the years when it lost almost all of its steam locomotive market and almost all of its home heating market, the coal industry is now developing into the productive, proverbial goose.

"There are those who, greedy for their immediate desires, would open up this goose for a single golden egg.

"However, the coal industry is presently standing up well under new challenges. A nuclear power competitor subsidized by federal tax dollars, Iron Curtain coal dumped at a loss for American dollars, markets lost because of unreasonable air pollution standards and additional expenses occasioned by environmental pollution control standards, are among these challenges.

"New Canadian and Australian coal fields, increased coal production in other states and advantages of market proximity enjoyed by these states are other challenges to the continued strength of West Virginia's coal industry.

"As if these were not problems enough," the Coal Association states, "the industry is now faced with an unrealistic attack in the form of a highly emotional thrust to rewrite the state's workmen's compensation laws without regard to the welfare of the coal miners and the industry itself.

"In view of proposed legislation concerning coal workers' pneumoconiosis or black lung, coal, the cornerstone of West Virginia's economy, is being seriously threatened because of a lack of understanding and misrepresentation of fact.

"This legislation may severely hamper the coal industry and do great injustice to the coal worker.

"Briefly, the proposed legislation assumes that after working only two years in the mines, a coal worker with a respiratory ailment has automatically contracted black lung, and is entitled to an award under the state's workmen's compensation laws.

"This presumption is without precedent

anywhere in the world. In fact, respiratory disease is the largest single public health problem of non-coal workers.

"What is pneumoconiosis? Dust in the lungs. Coal workers' pneumoconiosis (Black lung) means coal dust in the lungs. Silicosis is a pneumoconiosis caused by rock or sand dust in the lungs. Miners often breathe both coal and silica dust.

"Cigarette smoke also is dust. According to Dr. Wolfgang T. Ulmer, a West German lung physiologist of international renown, one single cigarette exposes the smoker to a greater amount of dust than a miner exposed to in three 8-hour shifts in the mines.

"Because it is frequently impossible to determine whether a disabled living miner has silicosis or coal workers' pneumoconiosis, thousands of claims have been paid by West Virginia's Silicosis Medical Board without regard to the distinction.

"What is important to this board of doctors is that if the disabled man is a miner with dust in his lungs, then he is compensated for any resulting disability.

"Anyone who says that Workmen's Compensation benefits are not being paid in West Virginia for the disease called 'black lung' is not stating the truth."

A workmen's compensation law similar to that of Pennsylvania has been suggested for West Virginia's miners. This type law is bad for both the miner and the state. Unlike West Virginia's law, a Pennsylvania miner must be totally and permanently disabled before he is entitled to a single penny. His claim is heard by a referee with no medical training and may be appealed to a board of three lawyers.

"On the other hand," the Coal Association states, "upon discovering dust in the lungs, West Virginia's three-doctor silicosis board may award the miner \$1,000 even without a showing of disability. If the miner is disabled, an award is made according to the per cent of disability up to \$188 per month for life. Compare this to Pennsylvania's maximum life award of \$75 a month . . .

"With over 56 billion tons of recoverable coal reserves, there is gold in the West Virginia hills. At the present rate of production, the industry could keep producing its golden eggs for almost 400 more years—so long as coal remains competitive in the marketplace," the Coal Association position statement concludes.

With respect to the state's present law, Cletus B. Hanley, former West Virginia Compensation Commissioner, has stated: "There is a principle in law that you list specific things, enumerate them, then anything not listed is not covered.

"Our law follows this principle: We don't list specific conditions, except for silicosis. Therefore, any occupational disease is covered if it meets the tests set up by law."

According to available statistics, West Virginia has recognized only four cases of black lung as compensable in a four-year period.

The Coal Association statement appears to err on several points. It fails to note, for example, when a West Virginia coal miner accepts the \$1,000 award for silicosis or pneumoconiosis he automatically waives his right to further claims for compensation for that cause either against the state commission or his employer.

The reference to the Pennsylvania law is also misconstrued. The maximum amount of award is \$12,750 and that state's law provides for the payment of \$75 monthly for each month subsequent to the one in which the compensation was awarded. A bill to raise the latter sum to \$100 a month was vetoed by the governor of that state.

Pennsylvania's payments are made from the general fund rather than the workmen's compensation fund.

In West Virginia compensation payments are made from a state fund to which employers contribute. Some large firms are allowed to self-insure themselves and make payments directly to injured workers under

the general supervision of the Workmen's Compensation Commission.

The West Virginia Black Lung Association, which has spearheaded the campaign for appropriate state legislation, announced that it plans to record statements made by legislators at today's meeting. The Association will transcribe the statements and distribute them to United Mine Workers of America locals in each district represented by members of the joint Judiciary Committee.

The UMW, which has sponsored legislation of its own, is committed to support a strong black lung bill. Many UMW locals have sent delegations to Charleston for today's hearing.

Among the many union representatives are Basil Callen and Wayne Lee of Local 1058. The local is comprised of miners who work at Humphrey No. 7 mine at Mt. Morris, Pa.

The Black Lung Association and the three doctors—Drs. I. E. Buff, H. A. Wells and Donald Rasmussen—who have appeared at miners' rallies around the state came under new attack Monday in anonymous statements mailed to state newspapers from Parkersburg.

The second such mailing from Parkersburg states the West Virginia Coal Association has attacked the "sideshow antics" of advocates of black lung legislation. The anonymous mailing also criticized Rep. Ken Hechler, congressman for the Fourth District.

C. E. Brooks, Black Lung Association president, said a U.S. Public Health Service survey has established that only one out of 10, active soft coal miners and one out of five former miners have X-ray evidence of black lung. The study also reveals, he said, that death rates for U.S. coal miners were about twice that of the general working population while death rates for diseases of the respiratory system are about five times that for the general working male population.

"Silicon dioxide is the only coal mine hazard that the present laws now state explicitly may cause lung disease," Brooks said.

"In every case, other than silicosis, the miner must prove that his lung disease came from the mines. Less than six miners have been successful in establishing this proof."

Brooks noted that Britain has recognized coal dust as the cause of pneumoconiosis for more than 30 years and has compensated for it. Pennsylvania has compensated for it since 1965 on the basis of presumption, he said.

"Coal pneumoconiosis is not mentioned in the present law. Article 4, Section 2 places such a heavy burden of proof on the black lung claimant that he has a very slim chance of receiving compensation," Brooks said.

The Association president said the law should not contain a release from liability for employers if the employee accepts a first stage silicosis award, and the law should provide for additional benefits if the respiratory disease is aggravated by the occupation.

Brooks also suggested that compensation payments should be adjusted to the cost of living and all those receiving compensation should receive it according to the latest payment schedule passed.

The West Virginia Black Lung Association has been conducting a drive for funds to help it wage the battle for passage of appropriate legislation. Funds are being received by the Association's treasurer, Ernest Riddle, at Cannelton. Each contributor receives a buff-colored card certifying that he has made a donation to the group.

[From the Morgantown (W. Va.) Dominion-News, Feb. 12, 1969]

BLACK LUNG STEP TAKEN: WITNESSES AGREE DISEASE EXISTS—BOYLE DISAPPOINTS

(By Ray Martin)

CHARLESTON.—Achievement of a new milestone in the current debate over pneumoconiosis and a bitter disappointment to the members of the United Mine Workers of America in West Virginia came Tuesday during the course of a hearing which lasted

more than six hours before the joint judiciary committee of the state legislature.

The milestone was achieved when the majority of the 23 witnesses appearing before the committee, including physicians, agreed that there was something called pneumoconiosis, or black lung which affects soft coal miners. Some of the physicians, however, disagreed with their counterparts on the extent of disability caused by black lung.

The disappointment came when W. A. (Tony) Boyle, international president of UMW, failed to appear at the meeting. He had been invited by miners attending a rally at Charleston Civic Center on Jan. 26.

UMW's Washington headquarters had announced that Vice President George Titler and other union officials would attend the hearing and support the miners' effort to secure black lung compensation legislation.

Titler was present in the House of Delegates chamber where the hearings were held.

Copies of his prepared remarks were distributed to members of the press corps and others. Some newspapers in the country with early deadlines will undoubtedly record that Titler spoke before the legislative committee. He didn't.

After taking UMW credit for the establishment of the Pennsylvania program for black lung compensation, Titler noted that "West Virginia is the largest coal producing state in the nation, last year producing a 151,000,000 tons of coal."

"In spite of this," Titler continued, "it does not recognize that the dust the employees of the coal industry breathe every day causes all of the ravages of coal workers pneumoconiosis and all of the other disease common among coal miners."

"Many doctors here today will demonstrate that pneumoconiosis or black lung is a disease caused by bituminous coal dust. Its victims obviously should be compensated for this work-caused disease. We are proposing that it be added to the list of compensable industrial diseases in the state of West Virginia."

"I am accompanied here today by more than a dozen of the leaders of the four UMW districts in West Virginia and by three members of our staff in Washington, D.C. We plan to continue this fight until this legislation is passed," Titler said.

Titler's distributed but unspoken views were rebutted by Charleston attorney George Burnett, who said he was the spokesman for UMW Districts 6, 17, 29, and 31.

He recalled that he had appeared before legislative sessions since 1961 in the interest of law compensation law improvements.

Then in obvious reference to the three doctors—Drs. H. A. Wells, Donald Rasmussen and I. E. Buff—who had been in the forefront of the campaign for black lung legislation, Burnett said, "Never in history have so many been confused by so few."

He then asserted that black lung has been covered under West Virginia's compensation law since July 1, 1949. He said no claims have been paid, however.

Burnett explained the reason no miner had received compensation for black lung was the inability to provide X-ray evidence of the disease.

Burnett urged passage of the bill drafted by the UMW and AFL-CIO. Miles Stanley, state AFL-CIO president, took a similar position.

David Johnson, speaking for the West Virginia Coal Association, opposed the basic purpose of the legislation but said he agreed with some of the approaches taken by Burnett and the UMW bill.

Many UMW locals in West Virginia received letters from their district presidents implying possible expulsion from the union of members who supported the Black Lung Association and its efforts to secure legislation.

Many of the witnesses testifying at Tuesday's hearing said the Black Lung Association

proposal would do more for the miners of the state than the other bills.

Ben Tissue of the West Virginia Manufacturer's Association took exception to the UMW proposal on the grounds that it would open up the respiratory disease presumptive clause to all workers in the state.

Tissue said the problem was that of the coal industry and that industry should face it.

Some observers expressed the opinion that the UMW inserted the broad provision in its bill to help assure its unacceptability to legislators.

Several witnesses told the legislators that it would be "useless" for them to have "another study" made. All agreed that sufficient scientific data is available for the legislators' guidance in drafting and enacting appropriate laws on the subject.

Dr. Jethro Gough of the Welch National School of Medicine was invited to the hearing by the Monongahela Valley Association of Health Centers. He is credited with being the discoverer and identifier of black lung disease in coal miners.

Dr. Gough suggested that one of the difficulties in West Virginia and indeed much of the United States might lie in the failure to read X-rays properly and to adhere to standards set for the detection of the disease by the International Labor Organization, an arm of the United Nations.

The health center group also sponsored the appearance of Dr. Eugene Pendergrass of the University of Pennsylvania and Dr. Leon Cander of the University of Texas Medical School at San Antonio.

The West Virginia Coal Association relied on the director of Spindletop Research Inc. of Lexington, Ky. and Dr. William Anderson and Robert W. Penman to carry the main burden of its opposition to the pending bills.

Under questioning, it was brought out that Spindletop sent out a list of six questions to 24 doctors it and some of the respondents regarded as "experts." Eighteen doctors replied and each was paid \$50 for his answers.

Dr. Anderson asserted that the union has been attacked and warned UMW members to regard the union as the most valuable thing in their lives next to their families.

He went on to say that it was neither the UMW nor the coal operators' responsibility to control coal dust in the mines. It is the U.S. Bureau of Mines responsibility "and it has been silent."

Dr. Charles Andrews, provost for health services at West Virginia University, was invited to appear before the committee by Sen. William Brotherton Jr.

Dr. Andrews said he disagreed with some of Dr. Gough's findings, but admitted that the Welch doctor had good reasoning to support his opinions.

The WVU provost said black lung should be made a compensable disease but said difficulty arises in the determination of the degree of disability. He expressed opposition to proposals to make all respiratory impairment subject to compensation.

Dr. Andrews said he favored a 10-year period of exposure to dust before presuming the miner contracted black lung as the result of employment.

Dr. Keith Morgan, chief of the United States Public Health Service Project ALFORD, headquartered at WVU, was also invited by the legislative committee.

Dr. Morgan scored present legislation as inadequate and stressed that black lung is not accepted as compensable in West Virginia.

It is important to distinguish between silicosis and black lung, Dr. Morgan said. The legislators were told that 10 per cent of the miners in Appalachia had black lung according to a 1962-63 study conducted by the U.S. Public Health Service.

He said while the Public Health Service has no jurisdiction over mines it has recommended a dust standard of 3 milligrams of respirable dust per cubic meter of air.

Dr. Morgan cited British results with the dust standard that country imposed and the marked decrease in black lung cases in a 10 to 15 year period.

Commenting on the Black Lung Association proposal for the establishment of a laboratory in Charleston, Dr. Morgan said the Public Health Service is already sponsoring such a facility in Morgantown.

"It is not subject to pressures from any side, at least I would like to think so," Dr. Morgan declared.

Dr. Rasmussen was questioned about black lung's effect on the miners' sex status. Both Dr. Rasmussen and other doctors said the effect was one of the more tangible evidences of black lung's presence.

Hearings will be held later on the monetary aspects of black lung compensation as well as general increases in state payments to injured workers.

[From the Morgantown (W. Va.) Dominion-News, Feb. 13, 1969]

BLACK LUNG MULTIPLIED WITH MINE MACHINES

(By Ray Martin)

FAIRMONT.—Dr. Jethro Gough of Cardiff, Wales, father of the whole lung section technique which led to the isolation of coal workers' pneumoconiosis (black lung) as a separate disease, Wednesday said black lung ailments increased sharply after mechanization added to dust in mines.

Dr. Gough conducted a three-hour symposium at Fairmont Clinic to which doctors from West Virginia University Medical Center as well as other area physicians were invited. Purpose was to bring them abreast of current and new knowledge in this sphere of medicine.

Dr. Gough earlier described the current move to make coal workers' pneumoconiosis compensable in West Virginia is "40 years late."

"The death rate of miners wasn't high during the first 20 years of the century," said Dr. Gough, founder of the British College of Pathology and consultant to the World Health Organization.

"A change occurred in 1925," he added. "From this time on there was a steep rise in the death rate due to mechanization of mines. Men died of respiratory diseases."

Coal dust, resulting from mechanization, causes black lung disease and "a special kind of emphysema" as well, said Dr. Gough who is also the chief consultant on pneumoconiosis for the British Ministry of Social and Occupational Research.

"It is called focal dust emphysema," Dr. Gough explained. "When you talk of the total amount of emphysema, you get a far greater incidence among the coal mining population."

Cigarette smoking is a contributing factor, but studies show that "there is some other factor producing emphysema," Dr. Gough said.

"If the disease among miners was due to cigarette smoking, you would expect to get a high degree of cancer," the Welsh physician explained. "We get a less degree of cancer among miners."

Dr. Gough said chronic bronchitis usually precedes cancer, "but we don't get the sequence of cancer as often in miners as we do in the rest of the population. We can see that this is related to the disposition of coal dust."

The Welsh pathologist explained that there may be various explanations; for the difference. He believes that coal dust causes blockage in the lungs so that development of cancer is thwarted.

"Coal dust destroys a lot of the tissue from which cancer can develop," Dr. Gough said. "Miners develop immunity to cancer of the lung."

He said coal dust may cause massive fibrosis that leads to heart failure.

He has conducted research in many parts of the world, including the United States, and is credited with having autopsied more coal miners than anyone else over a period of nearly 40 years.

He explained that in Britain, for example, the autopsy is performed automatically whenever death is attributed to an occupational disease.

The British Government made black lung subject to workmen's compensation in 1943. Silicosis laws were enacted in 1929.

Dr. Gough said various agencies in the U.S. had concentrated on coal dust as a contributing factor to coal mine explosions in conjunction with methane gas. He pointed out that other countries had performed research and have practical experience to show that coal dust itself can trigger explosions without methane and that dust itself is a health hazard.

The British mines he said, have operated under strict dust control procedures since the 1950s. In that period there has been a marked decline in the number of cases of coal miners' pneumoconiosis, he noted.

Two different medical control systems operate in England, Dr. Gough pointed out. Under one system specific groups of miners are examined for black lung or other disability under a schedule which assures examination once every five years.

The second system involves specific geographic areas of the nation where miners are examined annually.

The visiting physician also pointed out that in England mines are closed and ordered to make necessary improvements when they fail to meet the published dust standard. Individuals are given assignments away from the face of the mine when pneumoconiosis is first detected.

No dust standards are enforced by West Virginia or the U.S. Government.

Dr. Gough has taught pathology at Welsh National School of Medicine since 1948. He appeared at Tuesday's hearing on black lung legislation before the House and Senate Judiciary Committees in Charleston.

His appearance there along with that of Drs. Eugene Pendergrass and Leon Cander was sponsored by the Monongahela Valley Association of Health Centers. The Association operates Fairmont Clinic.

The Association is a chartered non-profit corporation with scientific, educational and charitable objective founded in 1958. Its board of directors consists of community leaders and serves without remuneration.

It operates Fairmont Clinic, general practice community offices in Marion and Harrison Counties and is the largest home health service in West Virginia. Its facilities are open to the public. There were almost 100,000 outpatient visits in 1968.

The Association sponsors six teaching affiliations with leading universities and colleges in nursing and medical education, medical care administration, public health and business management.

It has offered support fellowships for rural general practice. Its educational program has included sponsorship of scientific and public forums and publications. Members of its medical, nursing and ancillary staff and administrative personnel serve as faculty members in the professional field and contribute to professional journals and conferences.

Relative to the sponsorship of the three doctors' appearance at Tuesday's legislative hearing, the Rev. Richard Bowyer of Fairmont, member of the Association's executive committee, said:

"Our health care association is interested in guaranteeing that public and legislative opinion in the state has the benefit of the finest possible scientific experts in the nation and world. We therefore have sponsored the visit to West Virginia of three internationally recognized specialists in coal miners' lung diseases."

"Any appeal to reason requires the best minds with experience and medical knowledge of the subject. The superb credentials of Dr. Gough in pathology, Dr. Pendergrass in radiology and Dr. Cander in chest diseases assured a high level discourse."

"This action was taken as part of the preventive medicine and public health program of our Association," the Rev. Mr. Bowyer said.

"The Association neither supports nor opposes any legislation. It does not engage in lobbying."

"It is most important that those with the largest contribution to the medical literature, reputations of the highest order in the profession and wide-ranging experience with coal workers' lung diseases be heard. These experts are without connection either with the coal companies, the union or the black lung movement. They are the top figures in this field of medicine and in their appearance before the State Legislature, the sole function was to 'tell it like it is.'"

"Our first interest is in the coal miners who comprise a large part of the people in our area receiving health services," Mrs. Brown said.

Both Drs. Pendergrass and Cander served as members of Gov. William Scranton's compensation study commission in Pennsylvania in 1964.

Dr. Cander is chairman of medicine and physiology at the University of Texas Medical School at San Antonio. Dr. Pendergrass is chairman of the radiology department of the University of Pennsylvania.

[From the Morgantown (W. Va.) Dominion-News, Feb. 16, 1969]

HECHLER DEPLORES DUST RULE DELAY

(By Ray Martin)

WASHINGTON.—Rep. Ken Hechler, D-W. Va., Saturday described Labor Secretary George P. Shultz's delay of the first federal dust standards for coal mines as "an outrage."

Before leaving office former Labor Secretary Willard Wirtz issued revised health safety standards under the Walsh-Healey Public Contracts Act. The standards which apply to all employers with government contracts of \$10,000 or more were to have taken effect today, 30 days after they were published in the Federal Register on Jan. 17.

The Wirtz regulations would have affected between five and 10 per cent of the nation's coal operators, who do \$200 million worth of business annually with the government.

Hechler, a Huntington Democrat, said:

"This is an outrage. Here are clear and simple rules which will protect the health and safety of the coal miner but the profit-making producers scream that these simple protections cannot be carried out, and the Administration immediately says they should be 'studied.'"

"I think it's high time that we should consider above all the health and safety of the men who work in the coal mines and die in the coal mines, and let the question of profits take second place," the West Virginian said.

The standards were postponed for at least 90 days Thursday when Shultz ordered a delay in the original effective date. The Republican labor secretary said he wanted more time to study the effect of the new regulations before he decided whether to put them into effect. He said his action did not reflect on the merits of any of the standards.

Shultz's statement did not mention that two days of public hearings had been held last November on the new proposals, and that industry objections had been aired in detail then.

Neither did it disclose that the same industry groups that had raised objections then—the National Association of Manufacturers and the U.S. Chamber of Commerce foremost among them—had sent telegrams to

the new secretary since inauguration day demanding that he postpone or cancel the regulations.

The revision, which updates the standards in effect since December 1960, protects the worker by strengthening the standards pertaining to fire, safety, noise, and air contaminants.

The standards delayed include the requirements limiting dust to three milligrams of dust per cubic meter of air. This standard, the first to be imposed in the U.S., is compared to the standard used in England since the 1940s.

It is aimed at reducing the number of workers injured in fire and industrial accidents, and the alarming number of cases of impaired hearing and pneumoconiosis caused by exposure to excessive noise and air contaminants.

Highlights of the revision delay by Shultz are:

Adoption by reference of nationally recognized consensus standards, such as the national fire codes established by the National Fire Prevention Association and the American Safety Standards set up by the United States of America Standards Institute.

Adoption by reference of other federal agency regulations, such as the Ordinance standards of the Department of Defense and the Hazardous Materials standards of the Department of Transportation.

Adoption of an occupational noise standard designed to reduce the threat of loss of hearing from job noise which now hangs over an estimated six to 16 million workers. This standard sets a maximum acceptable level of 85 decibels.

However, in those cases where a firm is unable to meet this requirement immediately, an interim level of 92 decibels is acceptable if an effective hearing conservation program is established to protect the hearing of employees and to reduce the noise level to 85 decibels by Jan. 1, 1971. While the noise levels exceed 85 decibels, annual audiometric examinations shall be performed on exposed employees.

Adoption of stricter standards to control air contaminants, including the adoption of the Threshold Limit Values set forth by the American Conference of Governmental Industrial Hygienists with certain exceptions.

The exceptions include the current standards issued by the American Standards Institute in the field of air contaminants and, in the area of dusts, the new standard of the U.S. Public Health Service for coal dust. The three milligrams of respirable dust per cubic meter of air standard set by the Public Health Service is designed to prevent coal miners' pneumoconiosis, which has resulted in serious illness among miners and an alarming number of deaths.

Many of the Wirtz standards for health and safety are contained in legislation introduced last year by Rep. James O'Hara, Michigan Democrat, and which were defeated in committee. The Michigan congressman has submitted his bill again this year.

Under the O'Hara bill, the labor secretary could issue standards already adopted by other federal agencies, which would give him exclusive jurisdiction over the affected industries.

He also could issue temporary standards adopted by private groups by other than the consensus method. While providing opportunities for judicial review, there would be no court challenges in cases where standards are finally adopted and where state plans to enforce their own programs are rejected.

[From the Morgantown (W. Va.) Dominion-Post, Feb. 16, 1969]

UMW SHOULD FIGHT FOR STRONGEST LAWS

The Feb. 1 edition of the United Mine Workers Journal proclaims on its first page: "In our book persons who accuse the United

Mine Workers of America and its dedicated International President W. A. Boyle of not doing their jobs in behalf of the health and safety of coal miners are finks.

"Don't listen to them! Don't support them!"

"This great Union of coal miners under the inspired leadership of President Boyle is now engaged in an all-out fight in the Congress of the United States and in the legislatures of the several coal mining states to win better health and safety conditions for all coal miners in the United States."

Elsewhere in the issue of the UMW Journal appears an account of the union's sponsorship of legislation to make coal workers' pneumoconiosis compensable under West Virginia's workmen's compensation law. With specific reference to the Feb. 11 hearing held in Charleston, the Journal said that Vice President George J. Titler, former president of UMW District 29 in West Virginia, would recommend to Tony Boyle that the union's position be stated by Lewis E. Evans, the sole full-time person the UMW has engaged in the pursuit of safety causes.

Mr. Evans didn't address the legislators. Neither did Mr. Titler, although copies of his remarks were distributed at the hearing. Ironically, his words were rebutted by the testimony of a Charleston lawyer who spoke as the representative for the four UMW districts in the state.

UMW members in our state were warned, under penalty of union punitive action not to support any other bill than that endorsed and authored by the UMW.

It is hard to see how anyone, coal miners least of all, can benefit when there is a rift existent between those who seek reform in the mine laws of the several states as well as federal statutes. On the contrary, the cause of mine safety and miner health seems certain to suffer from the discord among the various groups and lawmakers seeking new laws on both levels of government. If these groups are seriously interested in helping the miner, they could best prove it by ceasing their screams and accusations and trying to find the best route to new mine safety and health laws.

This includes the United Mine Workers, whose officials seem to spend more time defending themselves against critics than in promoting passage of decent mine laws.

Arguments over how strict new legislation should be actually tend to reduce chances for passage of any mine laws. Some reform workers have suggested that such divisive action is typical of the UMW, adding that the union has always been more concerned with collecting royalties and winning pay raises than in protecting miners on the job. It was such statements that sent the UMW leadership scrambling from the trenches, screaming the organization's indignation and condemning its critics as "fink."

Maybe the accusers went too far in their charges, but no one can successfully deny that the UMW stand is hurting chances for effective mine health and safety laws. Not even the staunchest friend of the mine union can argue successfully that the UMW has an unblemished record in regard to the health needs of its members.

In 1963 the UMW's Welfare and Retirement Fund unceremoniously gumped the coal field hospital chain on which its miners depended for health care because the hospitals proved costly to operate. A few months earlier the Fund cancelled all welfare benefits of miners employed by operators who had failed to pay the union's 40-cents a ton royalty, thus punishing its own members rather than the offending operators.

In view of what has gone before, the present conduct of the UMW in Charleston and Washington is not reassuring. It may be unfair to say that the union wants no new health or safety laws. But if it does it would do well to stop screaming "fink" at its critics, come down from the self-built pedestal and

do something substantial in the quest for long overdue health and safety legislation.

The miners of West Virginia as well as the non-miners will have an opportunity within the next few days to see the real posture of the UMW leadership as it concerns the health and safety of its members. The House Judiciary Committee, under the chairmanship of Del. J. Ned Watson of neighboring Fairmont, is to report out a bill concerning black lung.

The strength and fate of that legislation will be the real test of sincere interest in the miners' life by those sworn to preserve it. The action in Charleston will also be a harbinger of what we can possibly anticipate in Washington.

The UMW has a splendid opportunity to cleanse itself of past sins, real and imagined. We would hope that the union takes full advantage of this opportunity. Also, we would hope that West Virginia's legislators will avail themselves of the opportunity to do something for coal miners for a change rather than continued enchantment with the now booming black gold they harvest.

[From the Morgantown (W. Va.) Dominion-News, Feb. 8, 1969]

UMW RESTRICTS ITS MEMBERS

(By Ray Martin)

Article III of West Virginia's Constitution proclaims:

"All men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot by any compact, deprive or divest their posterity, namely: the enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety."

Another section of that same Article declares: "The right of the people to assemble in a peaceable manner, to consult for the common good, to instruct their representatives, or to apply for redress of grievances, shall be held inviolate."

The authors of the United Mine Workers of America Constitution appear to ignore these constitutional mandates as well as similar protection embodied in the United States Constitution.

The UMW Constitution, including the one adopted in Denver, on Sept. 9, 1968, leads to the conclusion that some of the rights of citizenship in a democratic society are expressly forbidden if they are exercised to the detriment of the union's hierarchy.

The position of the UMW leadership in Washington toward persons outside the union who have expressed views on miners' health and safety needs is well known. Persons who espouse such views are regarded as "finks," which, according to the UMW Journal, is used interchangeably with "spy, strikebreaker, informer and stool pigeon among other things."

The chief targets of this kind of invective on the part of the mine workers' union leaders have been individuals such as Ken Hechler, U.S. Representative from West Virginia's Fourth District, and Ralph Nader, the Washington-based consumer protection crusader. And in West Virginia the Black Lung Association came under UMW fire for leading the drive for tougher legislation than that UMW advocated.

But what about the miners themselves?—particularly those who have chosen to exercise their civil rights?

Do they face retribution from the UMW hierarchy?

Yes, if the provisions of the UMW Constitution and letters of District officials were to be implemented.

The UMW Constitution provides the black gold spike with which the miner is deprived of fundamental rights under the U.S. and

West Virginia constitutions as well as provisions of the National Labor Relations Act.

This spike is not limited to coal mining matters. It could be used to silence a miner on any question which the hierarchy decides is against the union's interest.

The fact that the NLRB regards as illegal threats to employees that they will lose their jobs unless they support the union's activities hasn't deterred the UMW's position at all.

A miner can't work in a UMW-organized mine unless he holds a membership in the union.

Late last month the presidents of the several UMW Districts in West Virginia sent letters to their respective locals regarding black lung legislation which was to be introduced in the State Legislature.

After calling for support of the UMW-AFL-CIO bills introduced by the Senate president and the Speaker of the House, the letters said:

"No doubt you are aware of the self-appointed group which is now sending letters to all local unions, not only in West Virginia, but in Kentucky and Virginia, soliciting funds to pay an attorney \$10,000 they are alleged to have hired to prepare a compensation bill. As working members of District (the number), you are now paying an attorney to handle your legal affairs, under the compensation law, and some of the best legal minds in West Virginia had a part in preparing the UMW Bill, as stated above. Therefore, your local union has no authority to donate money from the treasury, to some unknown group which, in my opinion, is dual to the UMW, to be used for any purpose they see fit."

The UMW Constitution provides for the imposition of penalties on its members for support of or aid to "dual" organizations. These penalties include suspension and expulsion from the union.

In the case of West Virginia's effort to obtain legislation to make coal workers' pneumoconiosis a compensable disease, it apparently mattered not that the effort was launched by coal miners themselves. Miners who had in the main been frustrated by the UMW hierarchy which now, in effect, threatens them with loss of their jobs.

The UMW leadership also sent out directives limiting the number of miners who could attend the Feb. 11 hearing in Charleston to two from each local union.

Many unions, particularly in the southern part of the state, chose to ignore the directives from the respective District presidents.

Article XX, Section 3 of the UMW Constitution states:

"Any member guilty of slandering or circulating, or causing to be circulated, false statements about any member or any members circulating or causing to be circulated any statement wrongfully condemning any decision rendered by any officer of the Organization, shall, upon conviction, be suspended from membership for a period of six months and shall not be eligible to hold office in any branch of the Organization for two years thereafter. The above shall be construed as applying to any local officer or member reading such circulars to the members of a Local Union, or who in any way gives publicity to such. This also includes the circulating of any statements from or giving any aid to any organization set forth in Section 2 of Article XIV."

Section 2 of Article XIV states:

"... Any member accepting membership in the Industrial Workers of the World, the Working Class Union, the One Big Union, or any other dual organization, or membership in the National Chamber of Commerce, National Association of Manufacturers, or the Ku Klux Klan, or the Communist Party, or Fascist, Nazi or Bund organizations, shall be expelled from the United Mine Workers of

America, and is permanently debarred from holding office in the United Mine Workers of America, and no members of any such organizations shall be permitted to have membership in our Union unless they forfeit their membership in the dual organization immediately upon securing membership in the United Mine Workers of America. Any member of the United Mine workers of America who accepts office in any dual organization shall be permanently expelled from the United Mine Workers of America, unless reinstated by the International Executive Board."

Another clause in the UMW Constitution has the practical effect of continuing the national union's hierarchy in office indefinitely. A recent change requires that the national president, vice president and secretary-treasurer be nominated by 50 or more locals. In the past nominations could be made by five locals.

In addition, the current contract between the UMW and coal mine operators says relative to the enforcement of coal mine inspectors' reports, that "whenever either party to the contract feels that compliance with the recommendations of the federal mine inspectors as provided above would cause irreparable damage or great injustice, they may appeal such recommendation to the Joint Industry Safety Committee as hereinafter provided."

The joint management-union committee can issue a ruling which supersedes the inspectors' findings and recommendation for correction of safety violations.

[From the Morgantown (W. Va.) Dominion-News, Feb. 18, 1969]

SHAFFER AIDE IS OFFERED BUREAU OF MINES POST

(By Ray Martin)

HARRISBURG, Pa.—Dr. H. Beecher Charnbury, Secretary of Mines and Mineral Industries in Gov. Raymond P. Shafer's cabinet, confirmed Monday that he had been offered the post as director, U.S. Bureau of Mines.

Charnbury, who assumed the Pennsylvania post on Jan. 30, 1968, as an appointee of former Gov. William Scranton, said he had made no decision on the possible acceptance of the federal post under Secretary of the Interior Walter Hickel.

"There are a lot of things to be considered," Charnbury said.

He declined to give any indication of when he might make a decision on the federal job offer.

Charnbury would succeed John F. O'Leary, a Democrat, who has held the Bureau of Mines post for the past four months.

O'Leary, 42, was an economist at the Federal Power Commission until he was named to the Bureau of Mines directorate by President Johnson.

Robert Bloom, Governor Shafer's secretary, said the 54-year-old mine secretary talked with the Governor Friday following a visit to Washington.

"The decision on acceptance of the federal post is up to Dr. Charnbury," Bloom said, adding that as of late Monday afternoon he (Charnbury) had not indicated he would resign from the state post.

Delbert Klaus, personnel official at the Interior Department in Washington, takes a different view of Charnbury's job status, however.

"I don't think it was a definite offer of a job," Klaus said. "He was interviewed. He is deserving and is getting consideration."

Klaus said Dr. Karl McMurray conducted the departmental interview with the Pennsylvanian.

The directorship of the Bureau of Mines is a presidential appointment and, generally, the recommendation of the secretary is accepted by the White House.

Neither Secretary Hickel nor McMurray were available for comment on the Charnbury appointment.

Reports of the impending appointment of Charnbury to succeed O'Leary sparked comments from two West Virginians who have been in the forefront of the effort to obtain better health and safety conditions in coal mines.

Rep. Ken Hechler, a Huntington, W. Va., Democrat, Monday urged coal miners and their families to write to President Nixon, asking him to retain O'Leary as director of the U.S. Bureau of Mines.

Hechler made his appeal at a Washington news conference after the appearance of a published report that O'Leary would be replaced by Charnbury.

"I urge every coal miner, every miner's widow and every coal miner's youngster whose father was killed or disabled in the mines to write to President Nixon and urge that O'Leary stay on the job," Hechler said.

The Fourth District congressman, who has been fighting with the coal industry and the United Mine Workers because he feels they are lax in providing safety and health standards for miners, also criticized an announcement by Labor Secretary George P. Shultz.

Shultz announced he would postpone for 90 days the limits on the amount of coal dust in coal mines at some 300-400 mines which receive federal contracts.

"These limits of three milligrams of coal dust per cubic meter of air were to go into effect at midnight last night, but now they have been postponed for 90 days because of the National Association of Manufacturers and some coal producers have objected," Hechler said.

The labor secretary said last Thursday he wanted time to study the requirements before putting them into effect.

The Department of Health, Education and Welfare announced on Dec. 9, 1968, that three milligrams of respirable dust per cubic meter of air was a recommended standard of coal dust to protect the coal miner against pneumoconiosis, or black lung.

Hechler added that O'Leary should be retained because "his dismissal would be a victory for the special interests who oppose vigorous enforcement of the law."

Hechler said he was hopeful that congressional hearings on health and safety legislation would begin in mid-March. The Nixon administration has not submitted its recommendations on coal bills yet.

Dr. I. E. Buff, Charleston, W. Va., heart specialist and chairman of the Physicians, Committee for Miners' Health and Safety, said the departure of O'Leary would cause the miners "to lose hope that the mines will be made safe."

Dr. Buff described the replacement of O'Leary as a "death knell" for the cause of "mine safety and health."

The Charlestonian said that O'Leary had accomplished more in four months than all of his predecessors.

"For the first time in history, many laws were being enforced and inspectors were not informing mine owners of the visits in advance," Dr. Buff said.

Dr. Buff also voiced his criticism of Labor Secretary Shultz's action in postponing Secretary Wirtz's order concerning the level of coal dust in mines.

Referring to Shultz's statement that he had received telegrams from what Dr. Buff termed "the vested interests" who complained that the new rules would be "too expensive," Dr. Buff said: "Is it really too expensive to save lives or is this just a means of making more money?"

O'Leary ordered a vigorous enforcement of federal mine safety regulations and advocated stricter new safety rules.

After the underground explosion and fire

that took the lives of 78 miners at Farmington, W. Va., last Nov. 20, O'Leary stated publicly that the Bureau of Mines had not been doing a satisfactory job of promoting safety in mines.

In his short time on the job, O'Leary startled the old-line staff at the U.S. Bureau of Mines—an agency that former Secretary of the Interior Stewart L. Udall called "timorous and almost apologetic" in its regulation of the mining industry—by insisting that the Bureau "represent the public interest rather than the industry alone."

O'Leary has been reminding top aides at the Bureau's Washington headquarters that, despite the Bureau's new safety campaign, 42 miners have died in accidents in the 63 working days since the Farmington disaster. O'Leary has come under pressure since his order last month to the Bureau's inspectors to make unannounced spot checks of coal mine compliance with federal safety rules. This step involved an element of surprise that the Bureau rarely tried before although it is directed to do so by existing laws.

The O'Leary directive was one of several issued after the West Virginia mine explosion.

He also set up provisions for miners to petition his office directly when they suspected that federal laws and regulations were being violated at their places of work. The identity of the complainants was kept secret and inspectors were sent from Washington rather than the field office which normally inspected the mines in question.

Over 600 spot checks were made in December alone, compared with 137 in all of 1967. With the power to close mines only with evidence of "imminent disaster" or "unwarrantable disregard" or previously reported safety violations, the inspection staff under O'Leary's directives since November has ordered workers temporarily out of more than 200 coal mines considered unsafe. During the entire previous 10 months, only 129 such closure orders were issued.

Charmbury, a graduate of Gettysburg State College received his master's degree at the University of Pennsylvania and his doctorate at Pennsylvania State University.

Between 1937 and the time of his state appointment in 1963, Charmbury taught and conducted research at Penn State. He was head of the Mineral Preparations Department.

While associated with the university, Charmbury served as a consultant to several coal companies and municipalities. He explained that he also served metallic and non-metallic mining companies.

In 1958 he was elected as a member of the Centre County Republican Executive Committee and became its chairman two years later.

[From the Morgantown (W. Va.) Dominion-News, Feb. 19, 1969]

MINERS BACK O'LEARY

The three-member safety committee of Local 1058, United Mine Workers of America, last night appealed to President Nixon to retain John O'Leary as director of the U.S. Bureau of Mines.

The committee, representing miners who work at Humphrey No. 7 mine at Mt. Morris, Pa., made its views known in a telegram which was sent to the President.

Text of the telegram was as follows:

"John O'Leary may be new to the job as Bureau of Mines director, but in four months he has discovered what his many predecessors should have known and did nothing about—the lack of safety and healthful working conditions in the mines of this nation. He had identified the problem and diligently sought the answers without fear or favor and this is the kind of guardian life in the mines demands.

"Like changing horses in midstream, to de-

prive the miners of America an equal chance to live and breathe at this time through failure to retain Mr. O'Leary will be to confine them to another three decades of eternal fear and needless death and misery suffered through injury.

"Politics has no place in law enforcement and the ability to get the job done is what counts. Mr. O'Leary has that ability.

"Mr. President, you have a golden opportunity to restore the American miners' faith in justice and equality before the law and God. Failure to keep Mr. O'Leary as the Bureau of Mines director will result in as bleak and black a picture of life as the black gold which we mine day in and day out.

"Please, Mr. President, keep the faith and remember those who have died because there wasn't a Mr. O'Leary around to protect them."

[From the Morgantown (W. Va.) Dominion-News, Feb. 19, 1969]

MINE WORKERS' JOURNAL LEVELS NEW ATTACK AT OPPONENTS (By Ray Martin)

WASHINGTON.—The United Mine Workers of America, through its official publication, the United Mine Workers Journal, has leveled a new attack against some of the individuals and groups seeking to improve coal mine health and safety through more stringent measures than those recommended by the UMW.

While dropping the label "fink," which appeared in the Feb. 1 issue of the Journal, the mine workers' publication released Tuesday continued to stress that the UMW and its president, W. A. (Tony) Boyle, are the key and virtually sole tacticians in the cause of miners' health and safety.

After reporting that 309 American coal miners died last year in coal mine accidents, the Journal in a Page One message to UMW members states:

"This is a sorry record and no one—least of all the above mentioned safety directors (the safety director of the International Union, United Mine Workers of America, the director of the U.S. Bureau of Mines and the safety director of the Bituminous Coal Operators Association) who are experts on the field—tries to minimize the record.

"So, what do we do about it?

"Well this organization most urgently seeks the support of all parties now concerned with coal mine health and safety. We find some of the 'support' a little hard to take. There are a lot of 'instant experts' who, finding that the November disaster in Mannington, W. Va., was 'hot' news and could get them time on television and headlines in newspapers, jumped at the opportunity to sound off.

"This Union, as we have said so many times before and repeat here, has been at the business of trying to get more safety and better health in American coal mines since its establishment in 1890. The labor organizations that preceded the establishment of the United Mine Workers of America on Jan. 25, 1890, in Columbus, Ohio, also were primarily concerned with coal mine safety.

More than with the question of wages, the men who founded the United Mine Workers of America and the leaders of our Union ever since then have been basically concerned with safety. UMW President W. A. Boyle carries on this vital work in the great tradition of his predecessors.

"Those who publicly attack this Union and its president, for whatever reason, on the question of coal mine health and safety are being dishonest. We charge that their real motive, in many cases, is to prevent any constructive action at either the federal or state levels.

"We took the occasion to check back through some of our microfilm of old Journals the other day. The record of death and

injury in American coal mines in the past was shocking. But it was not as shocking last year as it used to be.

"We have made some progress because of the never-ending battle by this Union, and to a great extent this Union alone, in the fight to save lives. This is not for one minute to argue that more cannot and should not be done.

"As previously reported, this Union has once again, initiated legislation at the federal and state levels to try to solve the problems and to bring greater health and safety to coal miners. Many details were contained in the Feb. 1 issue of this publication. More are in this issue.

"The nit-pickers are now at work, of course. You will hear and read that our proposals, based on nearly 80 years of experience as THE representative organization of American coal miners are 'inadequate,' or is 'too extreme,' or 'won't work,' or can't be enacted into law, or are not based on true facts.

"Such charges are, of course, outright lies. The legislation being supported by the United Mine Workers of America in the 91st Congress and at the state level is, in the considered judgment of the leaders of this Union the best legislation that can be proposed. It is practical, realistic, humanitarian legislation designed to accomplish the objectives sought by the men who work in the coal mines of America, the men whose lives are at stake.

"At this writing we do not know what the outcome will be in our battle for new safety and health legislation. We do know that all coal miners are going to have to help. And that includes every man who works in a coal mine in the United States and every leader of every Local Union and every District organization of the United Mine Workers of America.

"The opposition will try to divide you, as usual. The opposition, aided by some segments of press and television who are not interested in saving lives but are interested in stirring up a name-calling fight for the amusement of the public, this opposition will engage in dirty strategy and tactics as it always has.

"But this Union does not intend and will not be diverted from its objective because of such tactics.

"Our advice to the members of the United Mine Workers of America is to 'keep your cool'—as the saying goes. Support President Boyle and this Union in this fight as you always have done. It's your lives and your lungs that are at stake.

"With your support, this Union will win the fight to make the nation's coal mines safer and to solve the problem of coal workers' pneumoconiosis, or 'black lung.'"

The Journal message was written by Justin McCarthy, editor of the twice-a-month publication.

[From the Morgantown (W. Va.) Dominion-News, Feb. 20, 1969]

BLACK LUNG BILLS LANGUISH IN LEGISLATURE (By Ray Martin)

CHARLESTON.—Nine days have passed since the public hearing was held by the Senate and House Judiciary Committees on the so-called "black lung" bills. The West Virginia Legislature will conclude its 1969 session on March 8, 17 days from today.

What is the status of these legislative proposals? What kind of bill, if any, will be enacted into law?

Will the placards in evidence at the State Capitol on Feb. 11, date of the six-hour hearing, which read: "No law, no coal," be implemented to the full meaning of their words?

Sen. William T. Brotherton Jr., D-Charleston, chairman of the Senate Judiciary Committee said his committee plans to take no action on the amendments to the Workmen's

Compensation Act until the Senate gets the bill from the House of Delegates.

Brotherton along with Sen. Robert K. Holliday, D-Oak Hill, is a sponsor of Senate Bill 216, which was drafted by the West Virginia Black Lung Association.

House Speaker Iver F. Bolar, D-Charleston, said he thought that the House Judiciary Committee might report out a black lung bill tomorrow. Whether this happens or not, Bolar said, dependent on Del. J. E. Ned Watson, D-Fairmont, chairman of the committee.

Watson had hopes that his committee might report the bill out. But, he wasn't really sure it would and he didn't know what kind of a measure it would be.

The Fairmont Democrat was positive about only one thing; the bill which comes out of his committee won't be any of those which were referred to it.

Del. T. E. Myles, D-Fayetteville, is chairman of the Judiciary subcommittee which has been given responsibility by Watson for the shape that the Workmen's Compensation Act amendments take.

The Myles subcommittee will prepare a committee substitute bill, Watson said, noting "that none of the bills do what the committee desires."

The substitute measure had not been written as of Wednesday, Watson told The Dominion-News.

The House Judiciary Committee chairman said that he was not aware of any opposition to the basic black lung proposal. The principle behind pending legislation is the recognition of pneumoconiosis, or black lung, as a compensable disease under state laws.

Watson said he didn't foresee any difficulty in getting the bill to the floor of the House for a vote after it is reported out by his committee. Since Friday, Feb. 14, all bills must be approved by the House Rules Committee before they are placed on the special calendar for action of the House.

The Senate has been operating under the special calendar rules since Monday, Feb. 10.

Advocates of the more liberal black lung proposals, which encompass increased compensation for all injured workers and a presumption clause pertaining to pneumoconiosis, have expressed concern over the legislative timetable.

Dr. I. E. Buff, Charleston heart specialist and chairman of the Physicians' Committee for Miners' Health and Safety, speculated that the timetable may doom the measure.

Dr. Buff, recalling difficulties surrounding the actual introduction of the bill sponsored by the Black Lung Association, said the hearing on the measure was first set for Feb. 5. It was then postponed until Feb. 11, a day after the Senate's special calendar rule became operative.

The hearing on the monetary phase of the Workmen's Compensation Act amendment was then continued until Monday, Feb. 17, a date after the House special calendar rule went into effect.

The Charlestonian, who is a member of the state Air Pollution Control Commission, expressed dual fears concerning the pending legislation. He suggested the possibility that House action would be delayed until the last day of the session, thus precluding any vote on the measure in the Senate.

He said that it was also conceivable that the Senate Rules Committee might delay the bill, assuming it did get to the Senate before the final day of the 1969 session.

Dr. Buff said opponents of the black lung measure are trying to confuse the public and the legislators about the intent of the presumption clause.

"They would have you believe," Dr. Buff said, "that we want the law to say that just because a man worked in the coal mines for a specified number of years he contracted pneumoconiosis and therefore is entitled to compensation for life."

"This is simply not so," Dr. Buff declared.

"The presumption clause means that if a miner shows the tangible signs of pneumoconiosis after working in the mines for a prescribed period of time he is presumed to have contracted the ailment as the result of his employment."

"Even that isn't final, because the employer is provided the opportunity to prove, if he can, that the disease was not related to the worker's occupational activity. In short, it shifts the burden of proof from the worker to the employer," Dr. Buff said.

David D. Johnson, a Charleston lawyer representing the West Virginia Coal Association, told the Senate Judiciary Committee this week that "if a substantial part of the proposed increases in workmen's compensation are enacted, the end result will be a lot of now active coal miners being unemployed."

At the Feb. 11 hearing Johnson publicly praised the approaches taken by George Burnette, an attorney for United Mine Workers Districts 6, 17, 29 and 31, who voiced opposition to the Black Lung Association's more liberalized proposal.

"I find it difficult to believe that proponents of these measures believe that the coal industry could withstand a substantial part of this increase," Johnson told the senators this week. "It appears that the proponents have given little thought to, or paid less attention to, how the cost of these proposals would affect the coal industry."

"Contrary to the apparent assumption being made by these proponents," the profit margin in the coal industry today is very narrow. Many operators employing a large number of miners are in serious economic trouble. In fact, a considerable number of other operators are skating on thin ice financially," said Johnson.

He focused attention on recently published reports which he said showed a drastic decline in the net income and earnings per share in some of the more prominent coal companies in West Virginia.

Johnson referred to a group of 10 coal companies operating 28 mines in the state who disclosed their margin of realization on their 1968 production, in excess of 18 million tons. (West Virginia's annual production is about 700 million tons.)

The report, Johnson said, showed that of these 10 companies, three actually lost money in 1968 and of the remaining seven companies, three had a margin of realization (the difference between cost of production and the selling price of coal) of 10 cents a ton or less.

"Under West Virginia's present compensation law, minimum weekly benefits are already higher than 35 states and the present maximum benefits are equal to or higher than 18 states," the Coal Association spokesman told the Senators.

"Furthermore," said Johnson, "A comparison of the minimum and maximum benefits in West Virginia and other states doesn't tell the whole story. Unlike many other states, West Virginia has no limit to the amount of benefits which can be paid out to a totally disabled workman or to widows in the event of fatalities."

Earlier this month, Robert E. Lee Hall, senior vice president of the National Coal Association, told officials of the Joy Manufacturing Co. at Franklin, Pa., that mechanization of the coal industry during the past two decades increased the average daily output of a miner from six tons a day to 19.17 tons per day. It also helped to lower cost, he said. The average f.o.b. mine price of coal per ton in 1967 was \$4.62—37 cents a ton cheaper than it was in 1948.

Because the prospects of increased coal production are so good, many coal companies are now subsidiaries of major oil companies, he said. In fact, Hall said, "there is hardly

a major oil company that is not looking seriously at some coal company."

[From the Morgantown (W. Va.) Dominion-News, Feb. 20, 1969]

ENORMOUS STEP BACKWARD IN MINE SAFETY—EXPERTS DISCUSS NEED FOR ACTION

(By Ray Martin)

The current issue of the United Mine Workers Journal, contains statements concerning health and safety.

Following an annual custom instituted in 1955, the Journal includes statements by the U.M.W.A. safety director, the director of the U.S. Bureau of Mines, and the safety director of the Bituminous Coal Operators Association.

By Lewis E. Evans, U.M.W.A. Safety Director. In 1968 coal mine safety took an enormous step backward, both in reality and in the eyes of the public.

The tragic reality was that there were 309 fatalities during the year, a horrible contrast with 1967, when 200 were killed.

The impact on the public was made by a Nov. 20 coal mine explosion and fire at the Consol No. 9 mine near Farmington, W. Va., where 78 men were killed. The bodies were sealed in the mines after a dramatic, but futile rescue effort. No one yet knows what caused this horrible disaster but in my mind it would seem almost a sure thing that it was caused by haste and the pressure for production.

This one tragedy focused the eyes of network TV cameras on the nation's coal mines and brought out the sharpest and most critical reporting in history on the coal industry in the nation's newspapers and magazines. Not only were the news media attracted to telling the story of the tragedy itself, but inevitably to probe into the general subject of coal mine health and safety in our nation.

It is sad but true that every advance made in coal mine safety legislation has come after a horrible disaster. This time we must again press for improvements in legislation that would protect the coal miner not only from explosion and fire but from the every-day hazards which their deadly but unpublicized toll.

Roof falls kill more coal miners by far than any other type of accident. The U.M.W.A. will insist that present roof-control procedures be immediately improved by management under existing laws, and will also insist that the federal law be made mandatory instead of permissive insofar as proper roof-control procedures are concerned.

The fact that 99 men died under roof falls in coal mines is as much of a disgrace to the industry as the fact that 78 men died in an explosion Nov. 20. If coal mine operators are ingenious enough to bring productivity to the fantastic heights of today they should be ingenious and humane enough to put money and effort into solving the problem of how to stop the slaughter and maiming of men under roof falls in the mines they own and operate. . . .

I would like to point out that deaths in coal mines are completely unnecessary. I believe that each and every one of the 309 men who died last year should be alive today.

It is primarily the duty of management of the coal industry to operate its mines safely. It is also the duty of federal and state government enforcement agencies to enforce laws now on the books. It is up to our Safety Committees to protect the men in the mines who elect them to their positions.

U.M.W.A. President W. A. Boyle has ordered every member of the staff of the International Union to fight for improved safety and health legislation. This we are doing and will continue to do as long as our union exists.

The 1968-death record in the coal mines . . . probably was merely the same old, sad story of inadequate laws, timid or operator-dominated enforcement of those laws, and the

continuation of the made production race where human lives are sacrificed to make money.

By JOHN O'LEARY, Director, U.S. Bureau of Mines: For everyone who has an interest in the future of coal, and especially for those of us who share responsibility for the lives and health of coal miners, 1968 was a bitter year.

Even before the tragic events of Farmington, W. Va., shocked the entire nation late in November, the industry's health and safety record had become a matter of concern. The fatality-frequency rate for the first nine months of 1968 already had exceeded substantially the rate recorded for all of 1967, a year that ironically had seen the lowest fatality rate ever achieved in the history of American coal mining. Not for a quarter of a century has the fatality rate soared as high as it did last year.

The Farmington disaster, with the fate of its 78 victims in doubt for nine agonizing days, generated light and heat that spread to every segment of the industry and to the governmental institutions, state and federal, that have authority and responsibility for coal mine health and safety. Through television, radio, and the daily press, the eyes of the nation were focused on us all.

To the Bureau of Mines, a basic truth became quickly apparent. We recognized that, regardless of our good intentions and our dedication to the cause of health and safety, we had not fully utilized the limited authority given us under the law. Whatever the reasons, we had failed to discharge all of the responsibility entrusted to us. In the months that have passed since Farmington, we have done everything in our power to rectify that failure.

In following our present course, we realized that the law we now have cannot guarantee safe and healthful working conditions for every coal miner. No law, by itself can provide such a guarantee; though a law more realistic than the existing one most certainly is needed, and we can look for its passage during 1969.

In the last analysis, however, neither law nor research can be expected to free coal mine management and coal mine workers from their ultimate responsibility for the industry's safety record. By accepting that responsibility by dedicating themselves to their own best interests, they can help assure that the deplorable record of 1968 is not repeated in 1969 or in any of the years to come.

By ROBERT L. VINES, Safety Director, Bituminous Coal Operators Association: In keeping with its 79-year history of leadership in the movement to improve safety in the coal mines, it is fitting that the United Mine Workers start the new year with a review in the Journal of coal mine safety and with a forecast for the future.

A review of the record of fatal and nonfatal mine accidents since the U.S. Bureau of Mines started keeping those records in 1930 shows a reduction of 86 per cent in total number of coal mine accidents. This reduction in accidents would not have been accomplished without the joint effort of the miners, under the leadership of the International Union, the coal operators guided by their industry leaders, and the federal and state mine safety agencies.

The tragic Mannington disaster in November, 1968, has caused some individuals to lose sight of the great improvement in coal mine safety that has been made in the past and has caused them to forget those who have been responsible for making this marked improvement. It has provided an opportunity for these individuals to use this tragic loss of life to advance their own personal ambitions by criticizing those who lose the most when such a disaster occurs—the mine workers and the mine operators.

The greatest asset of any coal mine is not

its huge reserve of the raw material which is so essential to the strength and progress of our nation, nor is it the equipment and investment needed to mine the coal. Our greatest asset is the men who do the work of mining the coal. This is evidenced by the fact that a new man entering the mine today can expect to be paid more than half a million dollars for his services.

We intend to protect these men, our greatest assets, through continued and ever-increasing efforts to improve safety in coal mines. Many of the member companies of Bituminous Coal Operators' Association, through cooperative efforts of the mine workers, supervisors and managers, have achieved better accident frequency records than the average for all industries. It is our aim that by giving our support to constructive and meaningful legislation designed to improve mine safety that the safety record for our entire industry will reach this level.

As employers, we are equally concerned with the health of our employees and their families. In the few short years since the Welfare and Retirement Fund was created by the Union contract, to be financed by payment made by the mine operators, the life expectancy of coal miners has risen, from a level considerably below the national average, to a point where the coal miner can now expect to live years longer than the average American male.

We cannot rest on these laurels. Recent government studies have shown that about 10 coal miners in 100 have coal workers' pneumoconiosis, which is an X-ray showing of dust in the lungs, and that this condition can sometimes lead to disability. The coal industry can and will solve this problem by finding the means of providing the coal miner with a working environment which will control pneumoconiosis.

Through constructive legislation for the improvement of mine safety and health and through the continued efforts of the mine workers and operators, we can look forward to 1969 and future years to continue the impressive trend toward fewer injuries, better health, and still further increase in life expectancy of the men who mine the nation's coal.

[From the Morgantown (W. Va.) Dominion-News, Feb. 22, 1969]

JOHN O'LEARY GETS RANDOLPH ENDORSEMENT
(By Ray Martin)

WASHINGTON.—U.S. Bureau of Mines Director John J. O'Leary received a strong endorsement Friday from U.S. Sen. Jennings Randolph, D. W. Va.

The endorsement was contained in a message the West Virginian sent to Secretary of the Interior Walter J. Hickel.

The senator requested Hickel to make O'Leary available as an official witness before the Senate Labor Subcommittee when it begins hearings on coal mine safety and health bills. Those hearings are scheduled to start next Thursday.

Randolph, the ranking majority member of the subcommittee, introduced a coal mine health and safety bill based on proposals prepared under O'Leary's direction and sent to Congress by former Interior Secretary Stewart L. Udall.

West Virginia's senior senator sent the following message to Hickel:

"The incumbent director of the U.S. Bureau of Mines, John J. O'Leary, is competent, capable, and diligent in the performance of the duties of that office. Under his direction, legislative proposals for recodification and modernization of coal mine safety and health laws have been prepared and presented to the Congress.

"I have confidence in Mr. O'Leary and his proposals. Hence, I introduced Senate Bill 355, and request that you make Mr. O'Leary

available as an official witness when hearings on the substantive language of Senate Bill 355 and other measures are held.

"This would be subsequent to the opening hearing by the Senate Subcommittee on Labor on Feb. 27, when these measures will be brought formally to the attention of the subcommittee. Your cooperation and understanding will be appreciated," Randolph concluded.

On the other side of Capitol Hill, Rep. Ken Hechler, a Huntington Democrat, expressed his concern about the current wave of miners' strikes in West Virginia.

"I can understand very well why the West Virginia coal miners are striking to dramatize their grievances, and to call attention to the desperate need for state legislation on black lung and safety," Hechler said.

"But I don't feel that endless, bitter and disorganized strikes and walk-outs will either solve the problem or necessarily result in good legislation. Rather, it would be better for the miners to select spokesmen for a meeting which has been scheduled for next Wednesday at 2 p.m. at the Charleston Municipal Auditorium.

"I am informed that at next Wednesday's meeting there will be an excellent opportunity for the coal miners and their representatives to voice a direct and clear-cut course of action for the legislature. In this way, a series of minimum legislative standards can be presented to those in a position to act in order to produce effective legislation," the Fourth District congressman said.

Representative Hechler indicated that he had written to a number of coal miners interested in state legislation, urging them to attend next Wednesday's meeting and to insist on certain minimum standards necessary to be included in any action by the State Legislature.

March 4 has been set as the date for the start of hearings on mine safety and health legislation before a House Subcommittee on Labor. The hearings will continue until March 26.

Among the measures to be considered are bills introduced by Rep. John Dent, D-Pa., chairman of the general labor subcommittee; Rep. Carl Perkins, D-Ky., chairman of the House Education and Labor Committee; Rep. James O'Hara, D-Mich., and Representative Hechler.

The Senate Subcommittee on Labor, under the chairmanship of Sen. Harrison A. Williams Jr., D-N.J., will begin its hearings next Thursday. At that time the committee will hear from members of the Senate relative to the pending legislation. In addition one representative from the coal industry and one representative of the coal miners will be heard.

Senator Williams is the sponsor of the Senate version of the bill introduced in the House by Representative Hechler.

Senator Randolph has introduced two bills. One is the Bureau of Mines proposal sent up to Capitol Hill while Secretary Udall was in charge of the Interior Department. The other is one drafted by the United Mine Workers of America.

The West Virginia senator said he expects that the UMW bill on mine safety as well as measures proposed by the Nixon Administration will be submitted before the committee starts its hearings.

Senator Randolph acknowledged that new laws are needed to improve the safety and health conditions under which the nation's coal miners work. He stressed that he was keeping an open mind on the subject until all the legislative proposals had been studied by the committee.

"If we legislate provisions technically unobtainable or if obtainable only by closing the mines and wiping out the jobs of miners, we have failed in our mission," the West Virginian said.

FREEDOM'S CHALLENGE—VIEWS OF A YOUNG AMERICAN

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BYRNES of Wisconsin. Mr. Speaker, I am pleased to announce that the winner of the Voice of Democracy contest in Wisconsin is a resident of my district, Mr. Leslie Fuszard, of Little Chute, Wis.

The contest is sponsored by the Veterans of Foreign Wars and its ladies auxiliary. The theme of this year's national competition is "Freedom's Challenge."

I commend Mr. Fuszard on his winning speech. This young American expresses a deep pride in this country's ideals while showing a mature awareness of current threats to freedom's continued existence in American society. Moreover, he readily accepts the responsibilities which the preservation of that freedom demands.

The speech follows:

FREEDOM'S CHALLENGE

(By Leslie Fuszard)

The most dangerous gift we have ever received is freedom. I do not deny that it is the most precious and should be jealously guarded. This gift, however, will soon destroy us unless we learn how to use it wisely. Take a look at this country today for an example. Everywhere there seems to be a sharp decline in morals; cheating where once there was honesty, crime where once there was respect for the law. Everywhere there seems to be a growing laxness, an indifference, a softness that terrifies people when they think about it.

Perhaps we have a blind and misguided concept of liberty. Maybe we are using our freedom of choice, gained for us by the bloodshed of our forefathers, to choose the wrong things. This is where the confusion lies—in the choices a man makes as to the course of his life, and in the awareness that a wrong choice or none at all can turn his life into emptiness and futility.

"Give us more freedom!" has been man's incessant cry. This plea was valid when it was directed against tyranny or oppression, but we have pushed far beyond freedom from this. The freedom we now desire has come to mean freedom from all unpleasantness: from hardship, from discipline, and from the pains of self-sacrifice. Man wishes for fewer and more elastic rules, but this will weaken our courts and shake our government's foundations. Man longs for more leisure and less work, but this will weaken him physically and mentally.

As a nation then, we have clamored for complete freedom. Now we just about have it and also face a bleak and horrifying truth: we have flung off one restraint after another, but in the process we have not learned how to control ourselves.

There is a fear that if we do not learn to preserve our best values, some form of tyranny will surely take them from us. We should not be thinking so much about the freedom from tyranny our ancestors won as the chaos that freedom can bring to those who do not use it wisely. We must consider the truth of the old saying, "A man's worst difficulty begins when he is able to do whatever he likes," and we must be able to control ourselves.

The time has come in our lives when we need to look straight into some of the ugly areas of our society—the crime, the weaken-

ing of family ties, the racial hatred, the death rate on our highways—and ask ourselves to what extent these things stem from a distorted concept of freedom which leaves man free to be lazy, to be selfish, and to be weak.

Our generation is looking for ideas in which we can believe and for which we can fight. We want peace, but not at the price of freedom. We would rather be challenged by hard work and self-sacrifice than sheltered by society. Ours is a generation on the move, ready to be disciplined, ready to dare. We are an inspiration to our country and to the world! This enthusiasm and patriotism can be seen in the words of a young dying serviceman in his last letter to his parents:

"Believe me, I didn't want to die, but I know that it was part of my job. I want my country to live for billions and billions of years to come. I want it to stand as a light to all people oppressed and guide them to the same freedom we know. If we can stand and fight for freedom, then I think we have done the job God has set down for us."

Therefore, if we can learn to choose the right things, not always the easy things; to keep from abusing our freedoms, not cringing from hardships or discipline, then our freedom has been used wisely and constructively—has met its challenge, and has triumphed.

ESTONIAN INDEPENDENCE DAY

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MESKILL. Mr. Speaker, today as we observe Estonian Independence Day, we are reminded that Estonians form one of the smallest nationality groups in Europe, numbering just over 1 million in their homeland in northeastern Europe. Their modern history is full of misfortune and misery. These sturdy and stouthearted peasants endured the oppressive yoke of Russian czars for more than 200 years before they attained their freedom and independence early in 1918.

The Estonians took advantage of the Russian revolution of 1917, broke away from the Russian state and proclaimed their national political independence on February 24, 1918. From that day on for about two decades they lived happily under the democratic institutions of their rebuilt country and were quite content with their lot. That seemed to be their national desire, but their more powerful neighbor in the east seemed determined to eliminate democratic Estonia. The Communists of the Soviet Union had their chance to do this early in the last war. In mid-1940 Estonia was overrun and then occupied by the Red army, and became part of the Soviet Union. Since then, for nearly three decades, unhappy Estonians have been living under tyranny in their once-free homeland. They still suffer under the ruthless agents of the Kremlin, and their lot is in many respects worse than it was under the callous agents of the czars. They have not, however, given up their national ideals, their desire to attain freedom and independence. Today on

the 51st anniversary observance of Estonian independence day let us all pray for the deliverance of these peoples from Communist totalitarian tyranny.

NIXON URGED TO PURSUE STRONG LIBERAL TRADE POLICY

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BURTON of California. Mr. Speaker, the New York Times on Sunday, February 23, 1969, had an article entitled "Nixon Urged To Pursue Strong Liberal Trade Policy."

When that urging comes from a man of the stature and experience of William M. Roth, it is a view which I should like to share with my colleagues.

Mr. Roth, a native San Franciscan, was first appointed special representative for trade negotiations in July 1963 by President John F. Kennedy. He served with distinction under President Johnson as U.S. representative with the Kennedy round.

William Roth is a public servant of the highest caliber and I enter the article from the New York Times by him, at this point in the RECORD:

NIXON URGED TO PURSUE STRONG LIBERAL TRADE POLICY

(By William M. Roth)

President Nixon has lost no time in making his position on trade policy clear. In his Inaugural Address he called for "a world . . . open to the exchange of goods" and at his second press conference he said:

"I believe that the interests of the United States and the interests of the whole world will best be served by moving toward freer trade rather than toward protection."

My own views on future trade policy are set forth in detail in a report submitted to President Johnson last month. This report is the first comprehensive review of United States trade policy in more than a decade. It was based on the work of a number of task forces within the Government, as well as intensive discussions with a distinguished public advisory committee appointed by President Johnson.

The report concludes that our policy of trade liberalization and expansion has contributed importantly to the achievement of such major national goals as economic growth, full employment and higher real incomes, and that it should be continued and strengthened.

There have, of course, been changes in world trade in recent years. Because of the dramatic postwar economic growth of Western Europe and Japan, competition is keener than ever before. The patterns of trade have also been profoundly affected by the creation of regional trading blocs, notably the European Common Market and EFTA, and by the spectacular growth of great multinational corporations.

There are some who, citing these changes, maintain that our liberal trade policy has outlived its usefulness. They would have us take refuge in a commercial "Fortress America." The typical form that this economic neo-isolationism has taken is the advocacy of restrictive import quotas. The professed objective is "orderly marketing—a euphemism for restraining competition through

market sharing. This is in fact the goal of the old-style cartels, which Americans have traditionally rejected as the antithesis of our system of free competition and individual enterprises.

For consumers, import quotas would mean higher prices and less freedom of choice. For producers, they would mean higher costs and impairment of their ability to meet foreign competition at home and abroad. For the economy as a whole, they would mean a further push toward inflation.

Therefore, I welcome the President's statement that he takes "a dim view" of quotas, though I wish he had expressed the same opinion of voluntary quotas which in most cases are as unjustifiable as mandatory quotas. This is certainly true of those currently being suggested for woolen and synthetic textiles.

Trade expansion, with all its benefits, does result in occasional hardships. Our means of alleviating them can and must be significantly improved. My report recommends the liberalization of the present unduly strict criteria for obtaining "escape-clause" relief in the form of quotas or higher tariffs. It would be advisable, of course, for us to be in a position to provide compensation to those of our trading partners whose interests may be adversely affected—and for this purpose the President should be given authority by the Congress to make limited tariff adjustments.

Similarly, the report recommends the liberalization of the criteria for adjustment assistance to individual firms and groups of workers—and for individual establishments within a firm, even when the firm itself may not be eligible for assistance.

The criteria suggested for the granting of "escape-clause" relief to industry's are stricter than those for adjustment assistance. It is frequently the case that the weaker firms in an industry—those already falling behind their domestic competitors—are the ones that are most affected by imports. In such cases, across-the-board relief amounts, for the stronger firms, to a needless and unjustifiable windfall.

Our over-all objective must be to help industries and firms adjust to competition—not to shelter them from it indefinitely. It is therefore essential that "escape-clause" tariffs or quotas be regularly reviewed and that the firms concerned be required to report periodically on their progress toward meeting import competition.

Internationally, the United States must continue to insist upon the principle of reciprocity. We can offer others access to our market only to the extent that they offer us access to theirs. We should continue to uphold the rules of international trade embodied in the General Agreement on Tariffs and Trade (GATT), particularly the rule of non-discrimination in trade policy, but we must insist that others abide by them as well.

The United States must take full advantage of the remedies available to it under the GATT whenever its interests are jeopardized by the actions of others. Indeed, we should put ourselves in an even stronger position to do so. We should amend our trade legislation to enable us to retaliate against illegal restrictions on our industrial exports as forcefully as we are already able to do in the case of agricultural products.

There are many nontariff barriers that are not illegal. Together with its trading partners, the United States must work within GATT and bilaterally to reduce and eventually eliminate them. We should begin by abolishing the American selling price system of customs valuation, an obsolete form of protection—which will enable us to realize the significant tariff and nontariff benefits embodied in a special agreement negotiated concurrently with the Kennedy Round.

Action against nontariff barriers is particularly important for our farm exports. They are increasingly threatened by agricultural protectionism abroad, especially in the Common Market. High price supports are protected by high and variable duties against efficient outside suppliers, including the United States. The excess production they generate is being marketed on a subsidized basis in third countries, undercutting our own sales. Surpluses of dairy products in the Common Market have recently inspired a proposal to levy a heavy tax on oilseed products, menacing our very substantial soybean exports.

SPECIFIC TALKS URGED

The current preparations for another general round of trade negotiations should be pressed vigorously. Meanwhile, the United States should seek negotiations on specific nontariff barriers wherever progress is possible, as well as negotiations aimed at the elimination of tariff and nontariff barriers in particular industrial sectors. It is especially urgent that the nations take agricultural protectionism in hand before it provokes a major confrontation—and to do so they must be prepared to place their own domestic agricultural system on the bargaining table.

One important respect in which the present GATT rules should be changed is in the field of border tax adjustments. They now permit export rebates and levies on imports to compensate in full for domestic taxes on products, such as business sales taxes, based on the very dubious assumption that all such indirect taxes are passed on fully to the consumer. To the extent that such taxes are not passed on, these border adjustments are protective and hurt our trade. We are seeking a satisfactory revision of the GATT rules and should continue to press hard for it in 1969.

The United States must take account, in its trade policy, of the interests of the less-developed countries and give serious consideration to generalized preferences for them. We must consider means of extending selective most-favored-nation treatment to the Communist countries of Eastern Europe, in return for equivalent commercial benefits.

ACTIONS EXPLAINED

During the last year and a half, balance-of-payments difficulties have repeatedly induced nations to take or contemplate restrictive trade measures. It is clear that the maintenance of an open trading world requires the strengthening of the world monetary system. Trade measures should be taken only under international supervision and as a temporary and supplementary means of easing balance-of-payments strains while more basic remedies are put into effect. And countries in surplus have an obligation to help in the adjustment process as well as the country that is in deficit.

Finally, trade policy must be developed in full recognition of its close relationship with other economic policies, domestic and international. I believe that the Office of the Special Representative for Trade Negotiations in the Executive Office of the President is well situated to fulfill this responsibility. During its six years of existence it has gained the confidence and cooperation of important sectors of American business, agriculture, labor and consumers. It seems to me urgent that the President appoint as special representative a businessman of stature and that the status, budget and staff of his office be strengthened to measure up to its mission.

As the world becomes more complex and interdependent, so do the problems of domestic and international economic policy. We must remember, however, how successful the basic thrust of American trade policy has been over the years. We must not risk all the gains we have made—rather, we should build upon them for the future.

APOLLO 8, NAVY SATELLITE GET ENGINEERING HONORS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. GUDE. Mr. Speaker, the Applied Physics Laboratory—APL—which has for more than a quarter of a century been a leader in Navy weapons research, today remains at the forefront of this research area. Guided missile technology is one area of their major achievement, but they face as well a broad spectrum of national needs in fields that included the peaceful uses of outer space, advanced air breathing engines, biomedical engineering, laser research, and urban transportation.

The Applied Physics Laboratory was founded in Silver Spring, Md., in 1942 to pursue development of the radio proximity—VT—fuse which halted the threat of the buzz bomb over London and contributed materially to ending World War II.

This success was followed by the invention of the supersonic ramjet—the flying stovepipe, as it was nicknamed—flown for the first time in 1945. This new defense for naval ships against high speed air attacks, guided bombs, and suicide planes opened the way for guided-missile defense of the fleet. By 1956, the guided-missile defense was installed and operative in the U.S.S. *Boston*, and 2 years later a similar defense system, the "Talos," existed on the U.S.S. *Galveston*. In succeeding years, numerous foreign countries have installed the "Talos," or a smaller version of it, on their ships.

Pioneering missile technology put APL in a position to accept other important challenges as they arose. When the Russians launched their sputnik in 1957, APL scientists tracked it in orbit and from their calculations were able to provide the basis of a worldwide system of navigation.

From this beginning, the laboratory's space research and development efforts have evolved to include satellite navigation, geodesy, and techniques for spacecraft stabilization. More than 30 satellites designed by APL have performed successfully in orbit.

With this auspicious background, it is not surprising that the Applied Physics Laboratory was recently honored for two of its projects. The Apollo 8 translunar flight and the Navy navigation satellite system have been named by the National Society of Professional Engineers as two of the top four engineering achievements of 1968. I am entering in the *RECORD* the following news article from the February 2, 1969, issue of the *Evening Star* newspaper, of Washington, D.C., with the thought that my colleagues and the Nation would want to make proper notice of this distinction most recently received by the Applied Physics Laboratory:

APOLLO 8, NAVY SATELLITE GET ENGINEERING HONORS

The Apollo 8 translunar flight and the Navy navigation satellite system developed by the

Applied Physics Laboratory of Johns Hopkins University in Silver Spring have been named two of the top four engineering achievements of 1968 by the National Society of Professional Engineers.

The Washington-based national association also listed as major achievements the Maramba Power Plant in south St. Louis County, Mo., for its air pollution control system and the Palacio de Rio Hotel in San Antonio, Tex., for its unique crane-hoisted module construction.

The Apollo moon voyage, under program direction of the National Aeronautics and Space Agency in Washington, was termed "an unparalleled feat, attributable to the joint efforts of engineering and science."

Program director for Apollo Samuel C. Phillips and mission director William C. Schneider are both of NASA headquarters here, as is George E. Mueller, assistant administrator for manned space flight.

The Navy navigation satellite system developed by the Applied Physics Laboratory in Silver Spring provides highly accurate worldwide, all-weather position information for surface vessels and submarines.

It is used by the Navy in the Polaris submarine force and in major surface combatant ships. An adapted model for commercial shipping has been installed in Great Britain's newest luxury liner, Queen Elizabeth II, the laboratory reported.

The navigation system involves measuring the "Doppler shift" of frequencies transmitted from a satellite, to an accuracy of one part in a billion.

The Glomar Challenger, oceanographic research vessel, the Navy's ocean research ship Mizar, and other oceanographic vessels are equipped with the satellite navigation system.

ESTONIAN INDEPENDENCE DAY

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SANDMAN. Mr. Speaker, on February 24, all of the Estonians who are living in the free countries throughout the world will celebrate the 51st Independence Day anniversary of the once free Republic of Estonia. Presently, Estonia is occupied by Soviet Russia.

With the outbreak of World War II, Estonia was one of the first countries to experience the aggression of both Hitler and the Soviet Union. Russia's assault against its Baltic neighbors was the initial step westward in a ruthless march against Europe. The beginning of today's international tensions and threats to world peace may be found in the Soviet aggression against the Baltic States in 1940.

Estonia, together with other nations behind the Iron Curtain, is waging a great struggle against world Communist expansion. Their fight for freedom is not only for their own liberation; it is also a fight for freedom in the world.

We must not, for a minute, forget the fate of this and other nations who have contributed so much to civilization and whose right to self-government has so brutally been taken from them. All who cherish freedom in the world have a common interest, and likewise we share a common threat. Estonian Independence

Day, therefore, should be for Americans, a day of prayerful reflection and renewed dedication.

FREEDOM'S CHALLENGE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. QUILLEN. Mr. Speaker, Miss Marcella Elliott, a sophomore at Unaka High School, which is located in my district, has won first place in Carter County, Tenn., for her speech in the "Voice of Democracy" contest entitled "Freedom's Challenge."

Miss Elliott is an outstanding student and I know the future holds many wonderful things in store for her.

It is indeed an honor for me to share such an outstanding achievement of one of my constituents with the readers of the RECORD:

FREEDOM'S CHALLENGE

What does democracy mean to the American people? This is a question that few of us ever think about. We enjoy its privileges, such as freedom of speech, freedom of worship, and the right to vote without really thinking of how precious they are to us.

Democracy is a wonderful form of government, and almost every American would agree that the privileges it affords are indeed precious when we stop to consider them. But as we look around at all the violence, hatred, and turmoil within our country, many ask, "If democracy is so wonderful, why does our country have more problems than many other countries that are governed in different ways? Has democracy failed us?"

Before we answer that question, let us consider how democracy got its start. Who is responsible for our nation's being democratic? We, the people, choose our own government. We formed and fought for democracy. Secondly, who has made it work for 200 years? Leaders selected by the people drew up our Constitution, and leaders selected by the people have put its laws in force. True, it has never been easy. Our country has always had its problems, but, through it all, it has been successful. And we, the people, are responsible for its success. But if the people can take credit for its past success, must we not also take the blame for its problems of today? Has democracy failed us—or have we failed democracy?

We Americans seem to have forgotten that to everything there is challenge. Freedom is no exception. Even though the challenge of acquiring freedom was met in 1781, the challenge of keeping our freedom and making democracy work is still very real today.

Where did we fail? Perhaps one of the main areas of failure has been in taking our freedom for granted. In the past few years patriotism has become more and more a thing practiced only by children in grade school. Today, people who show flagrant disrespect for their country get more attention than patriotic citizens. They are even admired for their so-called courage. But the American who is not ashamed to stand up for his country is the person who has real courage. Even though most Americans are not flag burners, how many of us are flag saluters in the true sense of the word? When we salute the flag, do we think of what it means or do we do it mechanically? When we salute the flag, we are pledging our loyalty to our country. How can we fulfill this pledge in our everyday lives?

For one thing, when we hear others criticizing democracy, we can point out its many advantages. This is a good way to prove our loyalty to those around us, and we might also influence their attitudes by taking this stand. Also, since so many young people are being deceived into admiring those who would tear our country apart, we should convince our friends that peaceful change is the only change that can benefit us.

We must not misuse our privileges. Instead of using freedom of speech to condemn our country and its form of government, let us use this privilege to praise them.

When we speak of freedom's challenge, we are speaking of a challenge that has existed since the beginning of our country and is going to continue. Are we equal to it? We have been in the past, and there is no reason we cannot be now. The rewards will be well worth what we can do for our country.

ABM DISCUSSION, FEBRUARY 26, 1969

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. COHELAN. Mr. Speaker, I have joined with several other Members of the House in scheduling a special order for Wednesday, February 26, 1969, to discuss the question of ABM deployment.

We recognize that a discussion of this type will not resolve all the outstanding questions. However, we hope that it will sharpen our understanding and focus the areas in which we are in doubt.

I believe that it is important that every Member of the House have the opportunity to study closely the arguments for and against the deployment of a limited ABM. Accordingly, I would like at the conclusion of my remarks to include several pertinent items which may be of assistance to Members and their staffs in the course of deliberations on this most important matter.

First, I will include the additional views from the report on the military construction appropriation for 1969. In these views, the gentleman from Illinois (Mr. YATES), the gentleman from Connecticut (Mr. GIAMMO), and myself have laid out the major facts which influenced our conclusions that the Sentinel ABM should not be deployed.

Second, I will include former Defense Secretary McNamara's speech of September 18, 1967, in which he announced the decision to proceed with a limited Chinese-oriented ABM, but warned strongly against the deployment of an anti-Soviet ABM.

Third, I will include an article from International Affairs by Mason Willrich again dealing with the ABM question.

Fourth, I will include an article by Jeremy Stone, formerly of the Hudson Institute, in which he makes the case against ABM deployment in a paper published by the Institute for Strategic Studies. Finally, I will include an article by Robert L. Rothstein appearing in Foreign Affairs, April 1968.

The material follows:

ADDITIONAL VIEWS OF ROBERT N. GIAIMO, JEFFERY COHELAN, SIDNEY R. YATES

There is doubt amongst military and civilian defense experts about the desirability of deployment of an anti-ballistic missile system at this time. Similarly there is doubt in the academic and scientific communities over the desirability of ABM deployment. We want to take this occasion to express our doubt in the Congress over the wisdom of ABM deployment now.

After a considerable study we find ourselves unconvinced that it is in the best interests of the United States to proceed with the deployment of a limited anti-ballistic missile defense at this time. We believe that ABM deployment now could well be unnecessary, unwise and a misuse of precious fiscal and manpower resources.

These are conclusions not idly arrived at. They are drawn largely from five simple facts.

Limited ABM deployment will probably not save American lives in case of a Soviet attack. ABM deployment this year is not necessary to our security against China.

ABM deployment threatens to escalate the arms race.

ABM is enormously costly, especially at this time.

ABM may be obsolete or ineffective even before it is operational.

These are striking facts. But they are all ones which we believe can be supported with expert testimony.

We would like to proceed with a brief review of each of these points.

1. The limited Sentinel ABM will probably not save American lives in case of a Soviet attack. This may seem startling—but it is the fact.

It results simply because the Soviets, like ourselves, cannot refuse to respond to developments by the other side which threaten their assured destruction capability. Accordingly, to overcome our ABM the Soviets would most likely deploy more and better equipped offensive missiles, and perhaps continue with or expand the deployment of their own light ABM. Because the Soviets, like ourselves, must prepare for the worst plausible case, they must prepare for an ABM which will be nearly perfect until it is overwhelmed. They will thus build far more offensive capability than they need, and in the event of an exchange, more damage will be done to the United States than if they had not been forced to respond to our ABM deployment.

Simply put, this means ABM may cost American lives, not save them.

2. ABM deployment this year is not necessary to our security against China. Again, this fact may seem striking in view of the common response to the statement of Secretary of Defense McNamara in September, 1967 that we had to act then to have our ABM in time for the supposed Chinese threat. Yet, statements made only a few weeks and months ago to the Congress by high officials of the Defense Department indicate that the Chinese are perhaps as much as a year behind the time table we estimated they would have to follow to have an ICBM in the mid 1970's. The turmoil in China continues. It would appear that with the Chinese a year behind or more, we could afford to postpone this decision for at least a year while developments in technology and in arms control have an opportunity to work their will.

In addition, we still find it remarkable that we do not believe that the offensive deterrent we possess against the Soviets will also be an adequate deterrent against the weaker Chinese. Further still we do not even know if the Chinese will deploy intercontinental missiles against which an ABM would be a defense, or if they do whether they will not also build cheaper and less vulnerable submarine launched missiles, against which the Sentinel ABM will not be very effective.

The Herbert Hoover Institution on War, Revolution and Peace at Stanford University recently published a contingency study

"Communist China and Arms Control." In it they state—

The recent U.S. decision to deploy a thin ABM system mounted against Communist China compounds Peking's problems in developing a credible nuclear force. Obviously, China is now aware that she must find means to penetrate or circumvent these defenses * * * Since any type of leadership (of China) would necessarily be committed to pursuit of the nuclear program, we can expect each of them to bend every effort to overcome the strategic obstacles imposed by the (U.S.) ABM system.

We believe that while the Chinese will rely primarily on a ground launched deterrent system, they may well seek to augment this with a submarine launched ballistic missile system (SLBM). Thus we anticipate that the major thrust in naval construction during the forthcoming decade will be toward acquiring a fleet of transoceanic diesel-powered submarines, each equipped to launch three to four short or medium range ballistic missile (range spread: 400-1,000 miles) from a deck-awash position. A fleet of fifty such boats, which—given priority—could be constructed within ten years, would enable the Chinese to keep approximately twelve to fifteen on station southeast of Hawaii and off lower California for limited periods. This would provide insurance to their ICBM system.

3. ABM deployment threatens to escalate the arms race. This is a fact which must be clear to us all. In the past several months we have heard of the development of fantastic new destructive weapons—multiple independently guided reentry vehicles, orbiting bombs—these are not deployed weapons, but weapons which could be deployed in response to the need to protect the strategic capability of either ourselves or the Soviet Union. A threat to this capability, like the ABM will likely set off a new round of increased numbers and sophistication of offensive weapons—an escalation of the arms race. The Soviet deployment of an ABM around Moscow has already threatened to launch us down this path. In the end we will both have to remain capable of making the other side believe that it will be destroyed if it engages in nuclear war. Quite simply, effective parity (i.e., mutual ability to inflict unacceptable nuclear destruction) is the basis of our defense. Every improvement we make will be reflected by the Soviets, as we have seen from past experience, thus neither we nor they can hope to get more defense simply by deploying more systems.

This is the logic of the mutual interest of the USSR and ourselves in arms limitation discussions.

In recent weeks the ABM debate has been greatly influenced by the agreement of the Soviet Union to hold discussions on the limitations of strategic armaments. It has been argued that we must provide the funds for ABM to fortify our bargaining position in these negotiations. We submit that this is not necessarily the case. Our experts have testified that the best American response at this time to a Soviet ABM is to deploy a stronger offensive force, and not to reply with an ABM of our own. Thus the Soviets should be as interested as we are in assuring that neither side deploys an ABM if for no other reason than to preclude an increase in offensive weapons. An agreement which would remove the threat—however remote—of ABM deployment would be meaningful to them.

If we spend money on ABM deployment now, and then we agree to halt ABM deployment, we may waste billions of dollars.

Sound management as well as sound bargaining calls for us to hold ABM deployment in abeyance until the outcome of the arms limitation discussions is clear.

4. ABM is enormously costly, especially at this time. \$5 billion is an immense amount of money. It is the annual wages of 500,000

families earning \$10,000 a year. We face a difficult fiscal situation. We have a mandate to cut expenditures. We can no longer treat the Defense budget as a sacred cow. It must undergo the same form of searching inquiry as any other program.

In view of the former Secretary of Defense there are only "marginal grounds" to support a Chinese oriented ABM, and no grounds to support a Soviet oriented ABM. If cuts must be made, and surely they must, let us cut out the marginal items and preserve the vital ones.

5. ABM may be obsolete or ineffective even before it is operational. The Nike-Zeus ABM which we were previously urged to deploy would have been by common consent obsolete and ineffective by the time it would have been deployed. The same fate is probably built into the Sentinel. By the admission of our experts it will have no capability against incoming weapons with any penetration aids. Yet any enemy building ICBM's today must certainly be encouraged to include penetration aids, if we have an ABM. Accordingly, our unsophisticated system may already be passed by. Certainly it would constantly have to be up-dated and remodeled at enormous costs.

The effectiveness of any ABM is much in doubt. Defensive systems against nuclear warheads must be extremely reliable since any warheads which do get through will cause enormous damage. Viewed in this light the limited Sentinel ABM is open to question. The reliability of the system is still further strained by the fact that when the ABM is called upon to function, it must perform exceedingly well the very first time.

CONCLUSION

We share with the proponents of the Sentinel, ABM the belief that the security of the United States is a consideration which is second to none. Some proponents contend that while the ABM may not be technically perfect or strategically sound, it is better to deploy it and err on the side of safety. But that is the basic question: which is the side of safety? Is it to build an ABM system knowing that such action must inevitably provoke a Soviet response, or is it to hold back, temporarily at least, the initiative until it is known where the current discussions on the reduction of nuclear weapons are going? There is only a very fine line between deterrence and provocation. It is not clear at this point on which side of that line the current ABM deployment would fall. Certainly the possibility exists that meeting a commitment to expand funds for a program the merits of which are at best questionable, could injure the security of the United States. Thus we could, in effect, be misdirecting our efforts to the overall detriment of our defense posture.

In view of these facts, we believe the Sentinel ABM should not be deployed at this time.

We urge support for amendments to delete the \$263.3 million in this bill for Sentinel ABM deployment.

ROBERT N. GIAIMO.
JEFFERY COHELAN.
SIDNEY R. YATES.

REMARKS BY SECRETARY OF DEFENSE ROBERT S. MCNAMARA BEFORE UNITED PRESS INTERNATIONAL EDITORS AND PUBLISHERS, SAN FRANCISCO, CALIF., SEPTEMBER 18, 1967

Ladies and Gentlemen, I want to discuss with you this afternoon the gravest problem that an American Secretary of Defense must face: the planning, preparation, and policy governing the possibility of thermonuclear war.

It is a prospect most of mankind would prefer not to contemplate.

That is understandable. For technology has now circumscribed us all with a conceivable horizon of horror that could dwarf

any catastrophe that has befallen man in his more than a million years on earth.

Man has lived now for more than twenty years in what we have come to call the Atomic Age.

What we sometimes overlook is that every future age of man will be an atomic age.

If, then, man is to have a future at all, it will have to be a future overshadowed with the permanent possibility of thermonuclear holocaust.

About that fact, we are no longer free.

Our freedom in this question consists rather in facing the matter rationally and realistically and discussing actions to minimize the danger.

No sane citizen; no sane political leader; no sane nation wants thermonuclear war.

But merely not wanting it is not enough.

We must understand the difference between actions which increase its risk, those which reduce it, and those which, while costly have little influence one way or another.

Now this whole subject matter tends to be psychologically unpleasant. But there is an even greater difficulty standing in the way of constructive and profitable debate over the issues.

And that is that nuclear strategy is exceptionally complex in its technical aspects. Unless these complexities are well understood, rational discussion and decision making are simply not possible.

What I want to do this afternoon is deal with these complexities and clarify them with as much precision and detail as time and security permit.

One must begin with precise definitions.

The cornerstone of our strategic policy continues to be to deter deliberate nuclear attack upon the United States, or its allies, by maintaining a highly reliable ability to inflict an unacceptable degree of damage upon any single aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after our absorbing a surprise first strike.

This can be defined as our "assured destruction capability."

Now it is imperative to understand that assured destruction is the very essence of the whole deterrence concept.

We must possess an actual assured destruction capability. And that actual assured destruction capability must be credible. Conceivably, our assured destruction capability could be actual, without being credible—in which case, it might fail to deter an aggressor.

The point is that a potential aggressor must himself believe that our assured, destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwaivering.

The conclusion, then, is clear: if the United States is to deter a nuclear attack on itself or on our allies, it must possess an actual, and a credible assured destruction capability.

When calculating the force we require, we must be "conservative" in all our estimates of both a potential aggressor's capabilities, and his intentions. Security depends upon taking a "worst plausible case"—and having the ability to cope with that eventuality.

In that eventuality, we must be able to absorb the total weight of nuclear attack and rely on our strike back forces; on our command and control apparatus; on our industrial capacity; on our cities; and on our population—and still, be fully capable of destroying the aggressor to the point that his society is simply no longer viable in any meaningful twentieth-century sense.

That is what deterrence to nuclear aggression means. It means the certainty of suicide to the aggressor—not merely to his military forces, but to his society as a whole.

Now let us consider another term: "first-strike capability." This, in itself, is an ambiguous term, since it could mean simply the ability of one nation to attack another nation

with nuclear forces first. But as it is normally used, it connotes much more: the substantial elimination of the attacked nation's retaliatory second-strike forces.

This is the sense in which "first-strike capability" should be understood.

Now, clearly, such a first strike capability is an important strategic concept. The United States cannot—and will not—ever permit itself to get into the position in which another nation, or combination of nations, would possess such a first-strike capability, which could be effectively used against it.

To get into such a position vis-a-vis any other nation or nations would not only constitute an intolerable threat to our security, but it would obviously remove our ability to deter nuclear aggression—both against ourselves and against our allies.

Now, we are not in that position today—and there is no foreseeable danger of our ever getting into that position.

Our strategic offensive forces are immense: 1000 Minutemen missile launchers, carefully protected below ground; 41 Polaris submarines, carrying 656 missile launchers with the majority of these hidden beneath the seas at all times; and about 600 long-range bombers, approximately forty percent of which are kept always in a high state of alert.

Our alert forces alone carry more than 2200 weapons, averaging more than one megaton each. A mere 400 one-megaton weapons, if delivered on the Soviet Union, would be sufficient to destroy over one-third of her population, and one-half of her industry.

And all of these flexible and highly reliable forces are equipped with devices that insure their penetration of Soviet defenses.

Now what about the Soviet Union?

Does it today possess a powerful nuclear arsenal?

The answer is that it does.

Does it possess a first-strike capability against the United States?

The answer is that it does not.

Can the Soviet Union, in the foreseeable future, acquire such a first-strike capability against the United States?

The answer is that it cannot.

It cannot because we are determined to remain fully alert, and we will never permit our own assured destruction capability to be at a point where a Soviet first-strike capability is even remotely feasible.

Is the Soviet Union seriously attempting to acquire a first-strike capability against the United States?

Although this is a question we cannot answer with absolute certainty, we believe the answer is no. In any event, the question itself is—in a sense—irrelevant. It is irrelevant since the United States will so continue to maintain—and where necessary strengthen—our retaliatory forces, that whatever the Soviet Union's intentions or actions, we will continue to have an assured destruction capability vis-a-vis their society in which we are completely confident.

But there is another question that is most relevant.

And that is, do we—the United States—possess a first-strike capability against the Soviet Union?

The answer is that we do not.

And we do not, not because we have neglected our nuclear strength. On the contrary, we have increased it to the point that we possess a clear superiority over the Soviet Union.

We do not possess first-strike capability against the Soviet Union for precisely the same reason that they do not possess it against us.

And that is that we have both built up our "second-strike capability" to the point that

¹ A "second-strike capability" is the capability to absorb a surprise nuclear attack, and survive with sufficient power to inflict unacceptable damage on the aggressor.

a first-strike capability on either side has become unattainable.

There is, of course, no way in which the United States could have prevented the Soviet Union from acquiring its present second-strike capability—short of a massive preemptive first strike on the Soviet Union in the 1950s.

The blunt fact is, then, that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation; nor can either of us attain a first-strike capability in the foreseeable future.

The further fact is that both the Soviet Union and the United States presently possess an actual and credible second-strike capability against one another—and it is precisely this mutual capability that provides us both with the strongest possible motive to avoid a nuclear war.

The more frequent question that arises in this connection is whether or not the United States possesses nuclear superiority over the Soviet Union.

The answer is that we do.

But the answer is—like everything else in this matter—technically complex.

The complexity arises in part out of what measurement of superiority is most meaningful and realistic.

Many commentators on the matter tend to define nuclear superiority in terms of gross megatonnage, or in terms of the number of missile launchers available.

Now, by both these two standards of measurement, the United States does have a substantial superiority over the Soviet Union in the weapons targeted against each other.

But it is precisely these two standards of measurement that are themselves misleading.

For the most meaningful and realistic measurement of nuclear capability is neither gross megatonnage, nor the number of available missile launchers; but rather the number of separate warheads that are capable of being delivered with accuracy on individual high-priority targets with sufficient power to destroy them.

Gross megatonnage in itself is an inadequate indicator of assured destruction capability, since it is unrelated to survivability, accuracy, or penetrability, and poorly related to effective elimination of multiple high-priority targets. There is manifestly no advantage in over-destroying one target, at the expense of leaving undamaged other targets of equal importance.

Further, the number of missile launchers available is also an inadequate indicator of assured destruction capability, since the fact is that many of our launchers will carry multiple warheads.

But by using the realistic measurement of the number of warheads available, capable of being reliably delivered with accuracy and effectiveness on the appropriate targets in the United States or Soviet Union, I can tell you that the United States currently possesses a superiority over the Soviet Union of at least three or four to one.

Furthermore, we will maintain a superiority—by these same realistic criteria—over the Soviet Union for as far ahead in the future as we can realistically plan.

I want, however, to make one point patently clear: our current numerical superiority over the Soviet Union in reliable, accurate, and effective warheads is both greater than we had originally planned, and is in fact more than we require.

Moreover, in the larger equation of security, our "superiority" is of limited significance—since even with our current superiority, or indeed with any numerical superiority realistically attainable, the blunt, inescapable fact remains that the Soviet Union could still—with its present forces—effectively destroy the United States, even after absorbing the full weight of an American first strike.

I have noted that our present superiority is greater than we had planned. Let me ex-

plain to you how this came about, for I think it is a significant illustration of the intrinsic dynamics of the nuclear arms race.

In 1961, when I became Secretary of Defense, the Soviet Union possessed a very small operational arsenal of intercontinental missiles. However, they did possess the technological and industrial capacity to enlarge that arsenal very substantially over the succeeding several years.

Now, we had no evidence that the Soviets did in fact plan to fully use that capability.

But as I have pointed out, a strategic planner must be "conservative" in his calculations; that is, he must prepare for the worst plausible case and not be content to hope and prepare merely for the most probable.

Since we could not be certain of Soviet intentions—since we could not be sure that they would not undertake a massive build-up—we had to insure against such an eventuality by undertaking ourselves a major build-up of the Minuteman and Polaris forces.

Thus, in the course of hedging against what was then only a theoretically possible Soviet build-up, we took decisions which have resulted in our current superiority in numbers of warheads and deliverable megatons.

But the blunt fact remains that if we had had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today.

Now let me be absolutely clear. I am not saying that our decision in 1961 was unjustified. I am simply saying that it was necessitated by a lack of accurate information.

Furthermore, that decision in itself—as justified as it was—in the end, could not possibly have left unaffected the Soviet Union's future nuclear plans.

What is essential to understand here is that the Soviet Union and the United States mutually influence one another's strategic plans.

Whatever be their intentions, whatever be our intentions, actions—or even realistically potential actions—on either side relating to the build-up of nuclear forces, be they either offensive or defensive weapons, necessarily trigger reactions on the other side.

It is precisely this action-reaction phenomenon that fuels an arms race.

Now, in strategic nuclear weaponry, the arms race involved a particular irony. Unlike any other era in military history, today a substantial numerical superiority of weapons does not effectively translate into political control, or diplomatic leverage.

While thermonuclear power is almost inconceivably awesome, and represents virtually unlimited potential destructiveness, it has proven to be a limited diplomatic instrument. Its uniqueness lies in the fact that it is at one and the same time an all-powerful weapon—and a very inadequate weapon.

The fact that the Soviet Union and the United States can mutually destroy one another—regardless of who strikes first—narrows the range on Soviet aggression which our nuclear forces can effectively deter.

Even with our nuclear monopoly in the early postwar period, we were unable to deter the Soviet pressures against Berlin, or their support of aggression in Korea.

Today, our nuclear superiority does not deter all forms of Soviet support of communist insurgency in Southeast Asia.

What all of this has meant is that we, and our allies as well, require substantial non-nuclear forces in order to cope with levels of aggression that massive strategic forces do not in fact deter.

This has been a difficult lesson both for us and for our allies to accept, since there is a strong psychological tendency to regard superior nuclear forces as a simple and unfailing solution to security, and an assurance of victory under any set of circumstances.

What is important to understand is that our nuclear strategic forces play a vital and absolutely necessary role in our security and that of our allies, but it is an intrinsically limited role.

Thus, we and our allies must maintain substantial conventional forces, fully capable of dealing with a wide spectrum of lesser forms of political and military aggression—a level of aggression against which the use of strategic nuclear forces would not be to our advantage, and thus a level of aggression which these strategic nuclear forces by themselves cannot effectively deter. One cannot fashion a credible deterrent out of an incredible action. Therefore security for the United States and its allies can only arise from the possession of a whole range of graduated deterrents, each of them fully credible in its own context.

Now I have pointed out that in strategic nuclear matters, the Soviet Union and the United States mutually influence one another's plans.

In recent years the Soviets have substantially increased their offensive forces. We have, of course, been watching and evaluating this very carefully.

Clearly, the Soviet build-up is in part a reaction to our own build-up since the beginning of this decade.

Soviet strategic planners undoubtedly reasoned that if our build-up were to continue at its accelerated pace, we might conceivably reach, in time, a credible first-strike capability against the Soviet Union.

That was not in fact our intention. Our intention was to assure that they—with their theoretical capacity to reach such a first-strike capability—would not in fact outdistance us.

But they could not read our intentions with any greater accuracy than we could read theirs. And thus the result has been that we have both built up our forces to a point that far exceeds a credible second-strike capability against the forces we each started with.

In doing so, neither of us has reached a first-strike capability. And the realities of the situation being what they are—whatever we believe their intentions to be, and whatever they believe our intentions to be—each of us can deny the other a first-strike capability in the foreseeable future.

Now, how can we be so confident that this is the case?

How can we be so certain that the Soviets cannot gradually outdistance us—either by some dramatic technological break-through, or simply through our imperceptibly lagging behind, for whatever reason: reluctance to spend the requisite funds; distraction with military problems elsewhere; faulty intelligence; or simple negligence and naivete?

All of these reasons—and others—have been suggested by some commentators in this country, who fear that we are in fact falling behind to a dangerous degree.

The answer to all of this is simple and straightforward.

We are not going to permit the Soviets to outdistance us, because to do so would be to jeopardize our very viability as a nation.

No President, no Secretary of Defense, no Congress of the United States—of whatever political party, and of whatever political persuasion—is going to permit this nation to take that risk.

We do not want a nuclear arms race with the Soviet Union—primarily because the action-reaction phenomenon makes it foolish and futile. But if the only way to prevent the Soviet Union from obtaining first-strike capability over us is to engage in such a race, the United States possesses in ample abundance the resources, the technology, and the will to run faster in that race for whatever distance is required.

But what we would much prefer to do is to

come to a realistic and reasonably riskless agreement with the Soviet Union, which would effectively prevent such an arms race. We both have strategic nuclear arsenals greatly in excess of a credible assured destruction capability. These arsenals have reached that point of excess in each case for precisely the same reason: we each have reacted to the other's build-up with very conservative calculations. We have, that is, each built a greater arsenal than either of us needed for a second-strike capability, simply because we each wanted to be able to cope with the "worst plausible case."

But since we now each possess a deterrent in excess of our individual needs, both of our nations would benefit from a properly safeguarded agreement first to limit, and later to reduce, both our offensive and defensive strategic nuclear forces.

We may, or we may not, be able to achieve such an agreement. We hope we can. And we believe such an agreement is fully feasible, since it is clearly in both our nations' interests.

But reach the formal agreement or not, we can be sure that neither the Soviets nor we are going to risk the other obtaining a first-strike capability.

On the contrary, we can be sure that we are both going to maintain a maximum effort to preserve an assured destruction capability.

It would not be sensible for either side to launch a maximum effort to achieve a first-strike capability. It would be serious because the intelligence-gathering capability of each side being what it is, and the realities of lead-time from technological break-through to operational readiness being what they are, neither of us would be able to acquire a first-strike capability in secret.

Now, let me take a specific case in point.

The Soviets are now deploying an anti-ballistic missile system. If we react to this deployment intelligently, we have no reason for alarm.

The system does not impose any threat to our ability to penetrate and inflict massive and unacceptable damage on the Soviet Union. In other words, it does not presently affect in any significant manner our assured destruction capability.

It does not impose such a threat because we have already taken the steps necessary to assure that our land-based Minuteman missiles, our nuclear submarine-launched new Poseidon missiles, and our strategic bomber forces have the requisite penetration aids—and in the sum, constitute a force of such magnitude, that they guarantee us a force strong enough to survive a Soviet attack and penetrate the Soviet ABM deployment.

Now let me come to the issue that has received so much attention recently: the question of whether or not we should deploy an ABM system against the Soviet nuclear threat.

To begin with, this is not in any sense a new issue. We have had both the technical possibility and the strategic desirability of an American ABM deployment under constant review since the late 1950s.

While we have substantially improved our technology in the field, it is important to understand that none of the systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. Were such a shield possible, we would certainly want it—and we would certainly build it.

And at this point, let me dispose of an objection that is totally irrelevant to this issue.

It has been alleged that we are opposed to deploying a large-scale ABM system because it would carry the heavy price tag of \$40 billion.

Let me make it very clear that the \$40 billion is not the issue.

If we could build and deploy a genuinely impenetrable shield over the United States,

we would be willing to spend not \$40 billion, but any reasonable multiple of that amount that was necessary.

The money in itself is not the problem: the penetrability of the proposed shield is the problem.

There is clearly no point, however, in spending \$40 billion if it is not going to buy us a significant improvement in our security. If it is not, then we should use the substantial resources it represents on something that will.

Every ABM system that is now feasible involves firing defensive missiles at incoming offensive warheads in an effort to destroy them.

But what many commentators on this issue overlook is that any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them.

And this is the whole crux of the nuclear action-reaction phenomenon.

Were we to deploy a heavy ABM system throughout the United States, the Soviets would clearly be strongly motivated to so increase their offensive capability as to cancel out our defensive advantage.

It is futile for each of us to spend \$4 billion, \$40 billion, or \$400 billion—and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now.

In point of fact, we have already initiated offensive weapons programs costing several billions in order to offset the small present Soviet ABM deployment, and the possibly more extensive future Soviet ABM deployments.

That is money well spent; and it is necessary.

But we should bear in mind that it is money spent because of the action-reaction phenomenon.

If we in turn opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain.

It is precisely because of this certainty of a corresponding Soviet reaction that the four prominent scientists—men who have served with distinction as the Science Advisers to Presidents Eisenhower, Kennedy, and Johnson, and the three outstanding men who have served as Directors of Research and Engineering to three Secretaries of Defense—have unanimously recommended against the deployment of an ABM system designed to protect our population against a Soviet attack.

These men are Doctors Killian, Kistiakowsky, Wiesner, Hornig, York, Brown, and Foster.

The plain fact of the matter is that we are now facing a situation analogous to the one we faced in 1961; we are uncertain of the Soviets' intentions.

At that time we were concerned about their potential offensive capabilities; now we are concerned about their potential defensive capabilities.

But the dynamics of the concern are the same.

We must continue to be cautious and conservative in our estimates—leaving no room in our calculations for unnecessary risk. And at the same time, we must measure our own response in such a manner that it does not trigger a senseless spiral upward of nuclear arms.

Now, as I have emphasized, we have already taken the necessary steps to guarantee that our offensive strategic weapons will be able to penetrate future, more advanced Soviet defenses.

Keeping in mind the careful clockwork of lead-time, we will be forced to continue that effort over the next few years if the evidence

is that the Soviets intend to turn what is now a light and modest ABM deployment into a massive one.

Should they elect to do so, we have both the lead-time and the technology available to so increase both the quality and quantity of our offensive strategic forces—with particular attention to highly reliable penetration aids—that their expensive defensive efforts will give them no edge in the nuclear balance whatever.

But we would prefer not to have to do that. For it is a profitless waste of resources, provided we and the Soviets can come to a realistic strategic arms-limitation agreement.

As you know, we have proposed U.S.-Soviet talks on this matter. Should these talks fail, we are fully prepared to take the appropriate measures that such a failure would make necessary.

The point for us to keep in mind is that should the talks fail—and the Soviets decide to expand their present modest ABM deployment into a massive one—our response must be realistic. There is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offense.

Instead, realism dictates that if the Soviets elect to deploy a heavy ABM system, we must further expand our sophisticated offensive forces, and thus preserve our overwhelming assured destruction capability.

But the intractable fact is that should the talks fail, both the Soviets and ourselves would be forced to continue on a foolish and feckless course.

It would be foolish and feckless because—in the end—it would provide neither the Soviets nor us with any greater relative nuclear capability.

The time has come for us both to realize that, and to act reasonably. It is clearly in our own mutual interest to do so.

Having said that, it is important to distinguish between an ABM system designed to protect against a Soviet attack on our cities, and ABM systems which have other objectives.

One of the other uses of an ABM system which we should seriously consider is the greater protection of our strategic offensive forces.

Another is in relation to the emerging nuclear capability of Communist China.

There is evidence that the Chinese are devoting very substantial resources to the development of both nuclear warheads, and missile delivery systems. As I stated last January, indications are that they will have medium-range ballistic missiles within a year or so, an initial intercontinental ballistic missile capability in the early 1970s, and a modest force in the mid-70s.

Up to now, the lead-time factor has allowed us to postpone a decision on whether or not a light ABM deployment might be advantageous as a countermeasure to Communist China's nuclear development.

But the time will shortly be right for us to initiate production if we desire such a system.

China at the moment is caught up in internal strife, but it seems likely that her basic motivation in developing a strategic nuclear capability is an attempt to provide a basis for threatening her neighbors, and to clothe herself with the dubious prestige that the world pays to nuclear weaponry.

We deplore her development of these weapons, just as we deplore it in other countries. We oppose nuclear proliferation because we believe that in the end it only increases the risk of a common and cataclysmic holocaust.

President Johnson has made it clear that the United States will oppose any efforts of China to employ nuclear blackmail against her neighbors.

We possess now, and will continue to

possess for as far ahead as we can foresee, an overwhelming first-strike capability with respect to China. And despite the shrill and raucous propaganda directed at her own people that "the atomic bomb is a paper tiger," there is ample evidence that China well appreciates the destructive power of nuclear weapons.

China has been cautious to avoid any action that might end in a nuclear clash with the United States—however wild her words—and understandably so. We have the power not only to destroy completely her entire nuclear offensive forces, but to devastate her society as well.

Is there any possibility, then, that by the mid-1970s China might become so incautious as to attempt a nuclear attack on the United States or our allies?

It would be insane and suicidal for her to do so, but one can conceive conditions under which China might miscalculate. We wish to reduce such possibilities to a minimum.

And since, as I have noted, our strategic planning must always be conservative, and take into consideration even the possible irrational behavior of potential adversaries, there are marginal grounds for concluding that a light deployment of U.S. ABMs against this possibility is prudent.

The system would be relatively inexpensive—preliminary estimates place the cost at about \$5 billion—and would have a much higher degree of reliability against a Chinese attack, than the much more massive and complicated system that some have recommended against a possible Soviet attack.

Moreover, such an ABM deployment designed against a possible Chinese attack would have a number of other advantages. It would provide an additional indication to Asians that we intend to deter China from nuclear blackmail, and thus would contribute toward our goal of discouraging nuclear weapon proliferation among the present non-nuclear countries.

Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack, which means that at modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force.

Finally, such a reasonably reliable ABM system would add protection of our population against the improbable but possible accidental launch of an intercontinental missile by any one of the nuclear powers.

After a detailed review of all these considerations, we have decided to go forward with this Chinese-oriented ABM deployment, and we will begin actual production of such a system at the end of this year.

In reaching this decision, I want to emphasize that it contains two possible dangers—and we should guard carefully against each.

The first danger is that we may psychologically lapse into the old over-simplification about the adequacy of nuclear power. The simple truth is that nuclear weapons can serve to deter only a narrow range of threats. This ABM deployment will strengthen our defensive posture—and will enhance the effectiveness of our land-based ICBM offensive forces. But the independent nations of Asia must realize that these benefits are no substitute for their maintaining, and where necessary strengthening, their own conventional forces in order to deal with the more likely threats to the security of the region.

The second danger is also psychological. There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the weapon out of all proportion to the prudent level required.

The danger in deploying this relatively

light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first-strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

Let me emphasize—and I cannot do so too strongly—that our decision to go ahead with a limited ABM deployment in no way indicates that we feel an agreement with the Soviet Union on the limitation of strategic nuclear offensive and defensive forces is any the less urgent or desirable.

The road leading from the stone axe to the IOBM—though it may have been more than a million years in the building—seems to have run in a single direction.

If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare; but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.

I do not view man's history with that degree of cynicism, but I do believe that man's wisdom in avoiding war is often surpassed by his folly in promoting it.

However foolish unlimited war may have been in the past, it is now no longer merely foolish, but suicidal as well.

It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.

The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?

Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.

History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.

In the end, the root of man's security does not lie in his weaponry.

In the end, the root of man's security lies in his mind.

What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.

What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.

We had better all run that race.

Not merely we the administrators. But we the people.

Thank you, and good afternoon.

ABM AND ARMS CONTROL

(By Mason Willrich)

The Johnson Administration's decision to produce and deploy in the United States a "light" or "thin" anti-ballistic missile defence system (or ABM) marks a significant, perhaps decisive, turning point in the nuclear arms race and efforts to bring that race under control. How long will prevention of the further spread of nuclear weapons continue to be a viable policy objective? Will

the possibility of stability in the nuclear weapons balance between the United States and the Soviet Union be swept away? What is the future role of China in the nuclear club? These are the major questions which have been brought sharply into focus.

Of major importance in the context of these issues is the fact that the ABM system the Johnson Administration has decided to deploy is, for the time being at least, limited. The United States ABM system will be limited in cost to an estimated five thousand million dollars, and limited in effectiveness to interception of a comparatively few nuclear warheads. The system being deployed will consist of two kinds of missiles and associated radar and computer systems: the longer-range *Spartan* to provide limited area defence of population centres; and the shorter-range *Sprint* to provide "hard point" or terminal defence for ABM radars and Minuteman silos.

The basic purpose of the ABM deployment is to provide protection to the United States against the kind of intercontinental nuclear capability which China will possess in the mid-1970s. The deployment will not protect the United States population or industry against the quality and quantity of nuclear attack which the Soviet Union is now, or will in the future be capable of launching. It will, however, provide a measure of terminal defence of United States Minuteman silos, and also some capability to deal with an accidental launch of a nuclear weapon delivery system.

In analysing the United States ABM deployment decision, we will first consider the salient features of the strategic nuclear context in which the decision is imbedded. Thereafter, we will turn toward an assessment of the future, focusing on three sets of complex nuclear interactions: first, the nuclear Powers and the non-nuclear Powers; second, the two nuclear super-Powers, the United States and the Soviet Union; and, third, the United States and China.

Throughout a continuing process of research, development and innovation in nuclear weapons and delivery systems since World War II, the technology of the offence has maintained a commanding lead over the defence. This gap has not persisted because there has been no chance of intercepting an offensive nuclear warhead. Rather, the large numbers of warheads available, and the great destructive capability of each, require a degree of effectiveness for a defence that, until recently, was clearly unattainable.

From the technological imbalance of offence over defence the basic strategic principle has been derived—deterrence. In the absence of a sufficiently effective defence, it has become accepted doctrine that the largest measure of protection against nuclear attack can be found in the threat of retaliation in kind. From a strategy of deterrence the requirements for the present United States strategic posture have been developed. These requirements are summed up in former Secretary of Defense McNamara's phrase, "assured destruction capability," which he defined as the maintenance of "a highly reliable ability to inflict an unacceptable degree of damage upon any single aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after our absorbing a surprise first strike."

The requirements of such an "assured destruction capability" are survivability, reliability and penetration capability. United States nuclear forces must, first of all, be capable of surviving a Soviet first strike. Survival insurance costing thousands of millions of dollars has been purchased for bomber aircraft by airborne and strip alert procedures, and for missiles by installation underground in silos or under the sea in submarines. The benefits of survivability are twofold: the United States is placed in a strategic posture from which it will never be essential

to pre-empt with a nuclear first strike rather than deter with the threat of a second strike in retaliation; and the time for decision in a crisis will be lengthened. Thereafter, we must be assured that a sufficient number of delivery systems, if launched after surviving a nuclear attack, will arrive over their assigned targets with their nuclear warheads operational. Reliability can be acquired through technological excellence, systems redundancy and large quantities.

Finally, an assured destruction capability requires the ability of United States nuclear forces to penetrate any defensive systems transversed between the place of launch and impact on target. Here the ABM problem enters the picture. The problem should be viewed from the standpoint of an offence-defence interaction. Modifications in technology and tactics on the offensive side affect, and are affected by, defensive modifications in a dynamic relationship.

There are a variety of aids for an offence in penetrating a defence. A warhead/re-entry vehicle can carry with it large numbers of decoys and chaff which will overload the defensive radar tracking system with incoming signals. Early detonation of an offensive nuclear warhead can be used to create radar blackout through which following warheads can pass undetected. An offensive nuclear warhead can be shielded so that it will be destroyed only if a defensive warhead is detonated at close range. Finally, as an alternative to penetrating an ABM system deployed around a city, offensive warheads can be detonated upwind and outside the defensive envelope in a way which will maximise fallout on the target.

On the defensive side, a variety of counter-measures are also possible. Defensive missiles can be developed with extremely rapid rates of acceleration. This will permit interception of incoming nuclear warheads at relatively low altitudes after atmospheric drag has filtered out the lighter decoys and chaff. Radar tracking systems can be deployed in configurations which will minimise potential black-out problems from detonation of either offensive or defensive warheads. Furthermore, defensive missiles can be developed with longer ranges so that avoidance of the ABM envelope will be ruled out.

Beyond these primarily qualitative aspects of the offence-defence interaction lie important quantitative dimensions. Of particular relevance is the possibility of saturation. If there are more offensive than defensive warheads associated with a particular target, then a destruction capability of that target is assured—even if the defensive system functions perfectly. Weighing the possibilities for penetrating, avoiding and overwhelming the defence against the possibilities for technical improvements in defensive systems has led most analysts to pessimistic conclusions about the cost-effectiveness of a large-scale ABM deployment against a sophisticated nuclear attack.

A basic premise which underlies the present Soviet-American nuclear balance is that deterrence consists essentially of a strategic posture—a nuclear capability in being and credible to any potential adversary. If deterrence fails, nuclear war must be fought with existing forces. Unlike mobilisation for conventional war, mobilisation for nuclear war is a continuous process which occurs, if at all, before hostilities break out. Nuclear power politics, then, may be viewed as the evolution and interaction of a series of postures by the various participants.

Given the high stakes and large uncertainties involved, strategic nuclear planning tends to be conservative. Planning factors for developing a nuclear posture are an adversary's capabilities and the 'worst plausible case'. A potential adversary's intentions are largely ignored. When such conservative planning is applied on both sides of a con-

flict relationship it is easy to see how an arms race is unavoidable.

The net result to date in the evolution of the Soviet-American nuclear relationship is that each has achieved an assured destruction capability against the other. Deterrence is mutual and the level of strategic armament on both sides is very high. It is estimated that the United States could place about 4,000 nuclear warheads on Soviet targets, while the Soviet Union could hit the United States with 1,000 nuclear warheads of somewhat larger average yield. One might assume that in such a posture the two sides might declare that enough is enough. Granting the desirability of some measure of 'overkill', each side now has it.

However, the fundamental processes of science and technology are inherently dynamic. As diminishing returns set in on the offensive side, increased attention has been devoted to the possibilities of defense. The Soviet Union has already deployed a limited ABM system around Moscow. For several years the United States has conducted an ABM research and development programme costing approximately five hundred million dollars annually.

Before proceeding further with its own ABM programme, the United States made several attempts to start discussions with the Soviet Union on limitations on further deployment of the both offensive and defensive nuclear systems. In view of the failure of these attempts and the growing nuclear capability of Communist China, the United States then decided to produce and deploy a light ABM system of its own.

With this background in mind, let us turn towards the future, focusing first on the prospects for preventive the further spread of nuclear weapons in light of limited ABM deployment.

Recently, substantial progress has been achieved in non-proliferation negotiations between the United States and the Soviet Union. At the Eighteen-Nation Disarmament Conference in Geneva the two super-Powers reached agreement on January 18, 1968 on a complete draft treaty. This will be the subject of discussion at a resumed session of the United Nations General Assembly which will convene in April after this article has been published.

Non-proliferation is an inherently discriminatory concept. It seeks to perpetuate the *status quo* of a world with five nations possessing nuclear weapons and the rest without. Certain non-nuclear nations may be reluctant to relinquish their nuclear options, especially if they believe they may require nuclear weapons in the future to offset a nuclear threat from one of the five, as with India and Japan.

What options other than nuclear weapons exist, or can be provided, for Asian nations such as India or Japan in the face of China's growing 'modest' intercontinental nuclear force China will have by the mid-1970's with an initial five thousand million dollar ABM system, how should India or Japan respond to the medium range ballistic missile capability China will have within a year or so?

Following China's nuclear test explosions, assurances have been reiterated by United States officials that nations without nuclear weapons can be sure that 'if they need our strong support against some threat of nuclear blackmail, then they will have it'. Will these assurances be enough in the future?

The idea that the nuclear super-Powers could guarantee the security of non-nuclear nations against nuclear attack has been suggested as a possible *quid pro quo* for signature of a non-proliferation treaty. However, such commitments by either the United States or the Soviet Union alone would largely compromise the position of any non-aligned nation, while a joint United States-Soviet guarantee would require a degree of East-West co-operation that is below the

horizon of political reality today. While some form of nuclear assurance may emanate from the United Nations, it would seem doubtful that such a dilution of responsibility on the guarantor side would be satisfying in the long run. Finally, as a practical matter, it is doubtful whether at this time the U.S. Senate would give its consent to United States ratification of a non-proliferation treaty if it included provisions which could result in a sweeping and yet uncertain extension of United States security commitments.

In view of these considerations it is not surprising that the nonproliferation treaty draft, as it emerged from super-Power negotiations, was silent on the subject of nuclear guarantees to non-nuclear nations. Yet the problem remains, and it will have to be dealt with on a continuing basis.¹

Will, in fact, United States ABM deployment provide, as Mr. McNamara has argued, "an additional indication to Asians that we intend to deter China from nuclear blackmail, and thus contribute towards our goal of discouraging nuclear weapon proliferation . . ."? Or, might the construction of such a nuclear shield be interpreted in Asia as the beginning of an American shelter under which we will withdraw—a "Fortress America" for the nuclear age?

Another suggestion for alleviating the continuing security problems of non-nuclear nations in general would be to provide them with ABM defenses of their own. This suggestion does not appear to be either wise or feasible in the near future, for several reasons. The cost of even a limited ABM defense is too high—too high either for the United States to give away, or for whatever countries might be involved to be willing, and in some cases able, to pay for themselves. While cost sharing might be considered, past experience in NATO would indicate that discussion along these lines would probably produce more dissension than co-operation. In Western Europe especially, where the Chinese nuclear threat does not appear relevant in the near future, the magnitude of the Soviet offensive nuclear capability seems to foreclose any possibility of a limited ABM from achieving even marginal effectiveness.

Moreover, deploying a United States ABM system in other countries would raise a number of intractable problems of operational control and ownership. These problems would be intrinsically difficult to resolve. But also the most probable solutions would appear to be irreconcilable with existing United States legislation, as well as a non-proliferation treaty. While, therefore, the possibility of transfer of ABM systems to foreign countries should not be dismissed forever, consideration of this alternative should be postponed at least until the nonproliferation issue is resolved one way or the other.

Having examined the prospects for containment of the horizontal dimension of the nuclear arms race in light of the United States ABM decision, let us now turn to the vertical dimension and consider the future course of the nuclear relationship between the two super-Powers.

In the wake of United States deployment of a limited ABM defence the Soviets have four basic options: first, they can do nothing; second, they can offset the thin United States defence by increases in their offence; third, they can thicken their own existing defence; and, fourth, they can increase both defence and offence. We may hope that the Soviets will do nothing. However, is such a response in Moscow likely? Have the Soviet leaders already made allowance in their plans for the possibility of a limited United States ABM deployment so that no further offensive or defensive increase on their side will be

necessary? Such foresight would be rare indeed.

Which of the remaining three options the Soviets exercise would depend on the extent to which they share with us the assumption that an assured destruction capability is the cornerstone of national security, and whether they agree with the McNamara calculus of cost-effectiveness of increments of offence versus increments of defence. The Soviets have a tradition backed by strong emotion, if not pure logic, which emphasises defence of the homeland. Therefore, further thickening of Soviet ABM defences, either alone or in conjunction with offensive production, may not be ruled out.

Looking one step further in the interaction process, while the United States may be able to tolerate marginal extension of Soviet offensive procurement without further response, Mr. McNamara has stated that the United States would respond to Soviet thickening of its present defences with offensive increases of its own. This plan for an asymmetric response may prevent a vicious upward spiral from developing on the defensive side, if it holds. Over time, such a plan is, however, likely to yield to other pressures. The overall process to research, development and innovation in the context of competing societies seems to acquire an internal dynamism and logic of its own which lead toward full exploitation of technical possibilities. New developments achieve a momentum of their own which are difficult to resist, particularly in the national security area.

With respect to offensive nuclear delivery systems, a plateau in United States procurement had been reached before the ABM decision. Present Soviet production may be viewed largely as a reaction to the large missile production runs of the United States during the mid-1960s. Therefore, ABM aside, it is possible that missile levels on both sides would have levelled off.

The deployment of limited ABM systems on both sides will exert substantial pressure to turn this flattened curve upwards again. The number of warheads which the United States can place on Soviet targets is being increased within existing levels of missiles and launchers through replacement of single with multiple warheads—the so-called Multiple Independent Re-entry Vehicles or "MIRVs". Therefore, some Soviet ABM deployment can be offset by the United States without resuming large scale production of delivery systems. However, if the Soviet ABM defence is thickened the outer limit of this kind of offset capability will soon be reached. Penetration will come to depend on saturation, and saturation will require resumed production of offensive delivery systems. The 'worst plausible case' here would be a gradual spiral upwards into all-out production of both offensive and defensive systems on both sides of the balance of terror. The fact that the United States could, at tremendous cost and no gain in its security, lead such a production race should counsel restraint to the Soviet Union.

However, the Soviet Fractional Orbital Bombardment System, or "FOBS", is indicative of an increased tempo in the interactions occurring among the technological variables in the Soviet-American nuclear equation. To intercept an income FOBS, which will probably approach the United States from the South rather than the North, would require adjustments in ABM system deployment. The lower trajectory of the FOBS will place a premium of "over the horizon" radar detection systems. However, the Soviet FOBS will probably be less accurate and carry less nuclear payload due to the de-boosting requirement. Therefore, it may well be a less efficient system for delivering nuclear destruction than an equivalent number of ICBMs. In any event, if the Soviet Union does proceed to deploy Fractional Orbital Bombardment vehicles in

¹ The author discussed this problem more fully in "Guarantees to Non-Nuclear Nations", *Foreign Affairs*, Vol. 44, No. 4, p. 683 (July, 1966).

substantial numbers it will not be the first time that the Kremlin will have violated the Pentagon's rules of cost-effectiveness.

While, therefore, the Soviet FOBS should not be traced to the United States ABM deployment, it is clear that ABM systems in general will exert strong pressures in the direction of a resumption of the Soviet-American nuclear arms race in all its aspects. If pressed further than limited deployments, ABM systems could also erase much of what little progress has been achieved in the direction of nuclear arms control. Under the Nuclear Test Ban Treaty, which prohibits nuclear test explosions in the atmosphere, outer space and underwater, it will be impossible to conduct an operational test of an ABM system. The live interception and nuclear destruction of an incoming offensive warhead with a defensive warhead is prohibited by the Treaty.

Many of the uncertainties involving nuclear aspects of the interception problem can be narrowed by simulation techniques and static nuclear tests underground. Moreover, the major uncertainties in an ABM defence are not nuclear, but rather pertain to radar and fire control systems. The margins of uncertainty in the electronic aspects of an ABM defence can be measured, and either reduced or engineered around, without nuclear testing. Nevertheless, as the scale of ABM defence increases, pressure will also increase to test the system as nearly as possible in an operational nuclear environment. While the United States will spend five thousand million dollars, would it spend 40 thousand million dollars on an ABM defence without an operational system tests?

In addition to de-stabilising the balance between Soviet and American strategic postures, the deployment of ABM systems may well reverse a major trend in nuclear strategy itself. The doctrine of "massive retaliation", enunciated by Secretary of State Dulles, in 1954, to a large extent governed our strategic thinking until the Kennedy Administration in 1961. Then it was supplanted by the doctrine of "controlled and flexible response" developed by the new breed of Pentagon strategist under Secretary McNamara's tutelage. Implementation of this strategy mainly required substantial increases in conventional non-nuclear forces. But the new strategic concept also served as a basis for "thinking about the unthinkable", for war gaming and planning a variety of possible ways of using nuclear forces short of an all-out exchange, and for terminating a "controlled" nuclear war with something less than total destruction on both sides. The ability to implement such refinements in the practical tangle and emotional confusion of a global crisis may be questioned. Nevertheless, the doctrine of controlled and flexible response has had the virtue of inducing more rationality in thinking about strategy, and, more importantly, in planning strategic nuclear force structure.

Does the technology of ABM systems lead us inevitably back to massive retaliation at the nuclear end of the weapons spectrum? If an ABM system is credited with effectiveness, any launch of offensive nuclear missiles against defended targets will have to be sufficient in numbers to saturate the defence. Can anything short of a massive attack, whether a first or second strike, provide the required amount of certainty that the adversary's defenses will be saturated? The more effective ABM systems become, the more both sides would seem to be placed in an all-or-nothing strategic deterrence posture.

It is widely recognised that the mutuality of nuclear destructive capability on both sides of the Soviet-American equation "narrows the range of Soviet aggression which our nuclear forces can effectively deter". Deployment of ABM systems will reinforce this trend. Nuclear forces will, in the context of the Soviet-American relationship, become increasingly blunt and unwieldy instruments.

We complete our appraisal of the United States ABM deployment decision by specifically relating it to the future course of the United States nuclear relationship with China.

Mr. McNamara has stated that "we possess now, and will continue to possess for as far ahead as we can foresee, an overwhelming first-strike capability against China". Without a United States ABM defence, China would also soon be capable of inflicting grave damage on the United States if its nuclear forces were launched first. As previously indicated, it is estimated that China will have medium-range ballistic missiles within a year or so, an initial intercontinental missile capability in the early 1970s, and a "moderate" intercontinental force in the mid-1970s.

Our decision to deploy a light ABM defence has been justified primarily on the grounds of precluding the possibility of China inflicting damage on the United States in a first strike. It is difficult to imagine a rational ground for a Chinese nuclear attack on the United States in view of the immense retaliatory capability of the United States. Thus, the light ABM defence in the United States is intended mainly to constitute a shield against Chinese irrationality.

However, another and equally important argument exists in favour of deployment of a China-oriented system. Should a direct and major confrontation occur with China in the future and the United States possessed no effective defence against a Chinese first strike, the incentives operating in the United States to use its nuclear forces in a pre-emptive first strike would be greatly increased. The deployment of a light ABM defence may, therefore, insure not only against irrational conduct in Peking, but also that rationality will continue to govern in time of crisis in Washington.

We must, however, recognise that Peking will probably view the United States ABM defence as insurance, not against irrationality in a crisis, but against whatever Chinese nuclear forces might survive a United States first strike. Moreover, the extent to which an ABM defence would actually reduce first strike incentives for the United States against China would largely depend on the degree of confidence American decision-makers had in the effectiveness of their defence system.

In addition to direct pressure on the United States, China's expanding nuclear capability will generate increasing pressure in two other directions. First, as we have seen, China's nuclear posture and intentions are key factors conditioning the future course of nuclear proliferation in Asia. Second, China possesses substantial influence over the future course of the Soviet-American nuclear relationship. In this respect the dynamics of a technological race are working against both the Soviet Union and the United States. Improvement in relative position will be less difficult for China to achieve than for the nuclear super-Powers which are both already pressing against existing technological boundaries. Therefore, China's growing nuclear capability could be the catalyst for a major new round in the Soviet-American nuclear arms race. This would be especially true if continuing technological pressure from China's strategic nuclear posture induces the United States to thicken its own ABM defense.

What can we conclude from this appraisal of the United States limited ABM decision and of its impact on the future prospects for arms control?

First, China is moving into a position of pivotal importance. This trend is not new. But China's nuclear capability provides both the political cutting edge and an important strategic underpinning for her future role in world power politics. The United States ABM deployment will not cancel out the political power China derives from its nuclear capability. The United States ABM decision

in fact recognises China as a major nuclear Power.

Second, China's nuclear power creates a range of difficult and delicate security problems for its own leadership as well as for world leaders elsewhere. Until China itself achieves a secure second-strike capability the incentives for a first strike against China in a crisis cannot be ignored in Peking, whether or not her adversaries possess an ABM defense. However, if China sets as a primary objective the achievement of an assured destruction capability against the United States, this could trigger a renewal of the nuclear arms race between the United States and the Soviet Union which would leave China even further behind. Moreover, if China does not pursue a policy of restraint in the build-up of its own nuclear forces it seems inevitable that either or both Japan and India will eventually have to respond with the acquisition of nuclear forces of their own. Such a response in Asia would, in turn, effect a net reduction in China's own security. Therefore, it will be difficult for China to use her long-term advantage the political leverage resulting from her nuclear weapons programme.

Third, the United States may well be in the most difficult position of all. Recognising China's technological power of position, how best can the United States hope to deal with it? China's leverage will be maximum if the United States continues to base its response to China on her nuclear capabilities coupled to the worst plausible case.

China will eventually achieve an assured destruction capability against the United States. Will China be more 'rational' than at present? It is time now for the United States to face squarely the issue of an accommodation with China based not upon a first-strike capability on one side, but upon nuclear deterrence on both sides.

Article VI of the non-proliferation treaty would place an obligation on all parties, including the two super-Powers, "to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race . . .". Present trends in the reality of nuclear weapons capabilities fly in the face of these words on paper. China will not adhere to the non-proliferation treaty. But is it too much to expect the United States and the Soviet Union to review and agree to reverse or freeze their ABM deployment decisions in light of their prospective obligations? Otherwise, how can we expect nations without nuclear weapons which adhere to the treaty to take seriously the pledge of abstinence?

The path of arms control is difficult. Yet it is the only path which leads toward what must be a paramount goal in the nuclear age—avoidance of nuclear war in a world where diverse value systems co-exist.

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THE CASE AGAINST MISSILE DEFENCES

(By Jeremy J. Stone)

(NOTE.—Dr. Stone is currently on the faculty of Pomona College, California: during 1968-69, he will be engaged in post-doctoral work in economics at Stanford University. He was a member of the *Hudson Institute* from 1962 to 1964, and a Research Associate at Harvard Center for International Affairs from 1964 to 1966. He has written widely on problems of national security and arms control, and is the author of *Containing the Arms Race: Some Specific Proposals* (MIT Press, 1966) and *Strategic Persuasion: Arms Limitation Through Dialogue* (Columbia University Press, 1967).

(Additional copies of this paper may be ordered from the Institute at the cost of 5s (75 cents), post free.)

THE BACKGROUND

On 18 September 1967, Mr. Robert S. McNamara, then US Secretary of Defense, an-

nounced plans to deploy a limited ballistic missile defence system (called *Sentinel*) against the possibility of an attack by Chinese ballistic missiles. He acted under considerable political pressure, and called the case for the weapon system "marginal". This political pressure was generated very largely by the belief—now thought to be mistaken—that the Soviet Union was deploying ballistic missile defences around far more than Moscow. The Soviet Government had expressed willingness in principle to discuss limits on the arms race, but had delayed in setting a date for talks to begin. Many drew the conclusion that the Russians were 'stealing a march' on the United States. Because this pressure combined with the problem of missile defence against China, and because China became the rationale for the decision taken, it is a decision almost impossible to reverse on the grounds of faulty American estimates of Soviet intentions. Indeed, the new US Secretary of Defense, Mr. Clark Clifford, has advised the Senate Armed Services Committee that he is for maintaining a 'clear-cut nuclear supremacy' over the Soviet Union; this approach, distinctly more favorable to missile defence procurement than that of Mr. McNamara, suggests an increase in the likelihood that the United States will press on to build a larger system.

Nevertheless, this paper rejects the argument that at least some missile defences should be accepted as inevitable. Since these defences have a tendency to rapid obsolescence, conceding their desirability would concede the correctness of continuing expenditures. The case against additional expenditures for missile defences is, for the most part, a case against building any—thus a case for letting whatever has been done become obsolete as soon as possible. In any event, this paper attacks the idea that the existing thin defence against Chinese missiles should be used as a "building block" for a larger defence designed to neutralize Soviet offensive weapons.

For eight years preceding the September 1967 decision to deploy a "thin" ballistic missile defence, United States Administrations considered and rejected suggestions that ongoing development programmes for missile defence be followed by procurement of one system or another. At first it was a primitive Nike-Zeus missile—considered successful if it could make an 'intercept' for a single incoming warhead. Such a system could have been built by 1963-64 but would, according to estimates made by the Defense Department in 1962, have been obsolete by the time it became operational. A more advanced system, Nike-X, could have been ordered in 1963 and built by 1968, but—relative to projected Soviet improvements—would have been obsolete by 1966.

These systems depended upon tracking incoming objects despite clouds of "chaff", then distinguishing between decoys and weapons, and then launching anti-missiles at located warheads. Since observations of atmospheric drag on incoming objects were critical to distinguishing them, the defence was required to wait until the attacking warhead had entered well into the atmosphere and to intercept perhaps 5,000 to 100,000 feet off the ground; hence it had to rely upon interceptors that could climb thousands of feet in a few seconds. For this reason also, it had to anticipate low-level detonation of adversary warheads, and thence it had to complement the system with fallout shelters. Finally, the defence was local in character covering ranges of only 15 to 25 miles, and all but the largest 25 or 50 urban areas would have been undefended.

Although the systems under development were quite obviously improving throughout the 1959-65 period, they seemed, paradoxically, ever less likely to be built. The problem of civil defence, the partial coverage provided by the defence, the rising cost of building an ever more complicated system, a grow-

ing willingness to rely upon the balance of terror, the prospect of suitable Soviet penetration devices, a widespread desire not to stir up the arms race, and Mr. McNamara's emphasis on cost-effectiveness—all combined to limit the prospects for missile defence procurement.

In 1964, Communist China exploded her first bomb, and American strategists saw a threat that might be neutralized with greater confidence than could that of the Soviet Union. Not long thereafter, the range of the American interceptor missiles was greatly expanded. At the same time, new techniques were developed to permit the destruction of incoming missiles with X-rays while they were still outside the atmosphere. (Earlier systems had relied on blast effects in the atmosphere, and hence such systems were ineffective at air-less altitudes.) The increased range of the interceptor, in conjunction with the new X-ray method of "kill", enormously improved paper-and-pencil calculations of effectiveness. Incoming missiles could be attacked several hundred miles up. Each interceptor battery could cover a ground radius of about 400 miles.⁴ When these results were considered with respect to the new (and weaker) prospective Chinese threat, some began to talk of the possibility of preventing any Chinese missiles from penetrating until the 1980s—even of discouraging China from building long-range missiles at all.

In this supersaturated situation, in 1966, some evidence was uncovered that the Soviet Union had begun to build a ballistic missile defence. Earlier sporadic Soviet efforts to build a single battery around Leningrad in 1962 had created only a stir. Now it seemed certain that a defensive system had been installed around Moscow. Elsewhere, unquestionably, something was being built rapidly. This more comprehensive installation (called the "Tallinn" system, after the Estonian City that housed part of it) was thought by some to be a defence against missiles. General Earle G. Wheeler testified that it would violate "military logic" if it were not. But despite an earlier news conference, in which Mr. McNamara announced "considerable evidence" that the Soviet Union was deploying an antimissile system, he testified in 1967 that existing evidence could be explained by the hypothesis of an extensive new air defence system. Presumably such a system would have been started in anticipation of a high-flying B-70 aircraft or the flights of some U-3 spy plane. More generally, it might have reflected compulsive vested interest in air defence. By 1968, a "majority" of Department of Defense analysts subscribed to Mr. McNamara's "air defence" view, and the situation was seen as follows in the fiscal 1969 defence budget:

Now, I can tell you that the majority of our intelligence community no longer believes that this so-called "Tallinn" system (which is being deployed across the northwestern approaches to the Soviet Union and in several other places) has any significant ABM capability. This system is apparently designed for use within the atmosphere, most likely against an aero-dynamic rather than a ballistic missile threat.

Although construction of the *Galosh* ABM system around Moscow is proceeding at a moderate pace, no effort has been made during the last year to expand that system or extend it to other cities. It is the consensus of the intelligence community that this system could provide a limited defence of the Moscow area but that it could be seriously degraded by sophisticated penetration aids.⁵

Notwithstanding this new appraisal of Soviet plans, the Defense Department has not changed its own plans, asserting: "Nevertheless, knowing what we do about past Soviet predilections for defensive systems, we must,

for the time being, plan our forces on the assumption that they will have deployed some sort of an ABM system around their major cities by the early 1970s".⁶ The phrase "for the time being" presumably refers to the possibility of American-Soviet discussions and may suggest American willingness to compromise in the presence of talks.

THE CENTRAL ISSUES

Will Soviet missiles be launched against us?

A large-scale Soviet attack against American cities is plainly and simply not rational, since the American response is primed to destroy the Soviet Union in return. The Soviet leadership is aware of this. That nuclear war is mutual suicide has attained the status of a cliché with both super-powers. Wide-scale nuclear attacks on American forces are so unlikely to succeed, and so dangerous in any case, that it is very hard to imagine a Soviet leader, or Soviet committee, attempting them.

One can talk of war occurring through escalation. But it still requires, at some stage, that one major power launch nuclear weapons against the other. This will be, and can be expected to be perceived as, a self-destructive act. For the foreseeable future, war calculations will not seem promising; moreover, leaders are unlikely to believe them if they do seem so. And there is ample evidence in the three decades since World War II of great-power caution in treating events that might risk general nuclear war.

For these reasons, among others, nuclear war between the United States and the Soviet Union has become a low-probability event—possible and well worth worrying about because of its enormous consequences, but still unlikely. Because it has this character, concern with "getting through the next few years" has gradually been transmuted into concern with maintaining nuclear peace and national security over the next decades. In short, the world situation now warrants paying attention to the medium- and long-term problems attendant upon proposed policies relating to nuclear war.

Would missile defences work against a major power?

There are four questions. First, will missile defences work more or less as planned in the absence of adversary counter-measures? Second, would the defences be vulnerable to American or Soviet counter-measures? Third, would these counter-measures be taken? And, fourth, would the defences simply become obsolete as a result of unrelated developments in offensive weaponry?

Because most observers take their cue from the official estimates of the effectiveness of missile defence, little attention is normally paid to the possibility that these estimates might themselves be only "best guesses". The US Defense Department asserted in 1967, for example, that a massive American missile defence, costing \$20 to \$40 billion, would hold immediate fatalities down to 20 or 30 million if the Soviets did not take corresponding offensive adjustments in their strategic forces. These and related figures, admitted by the Defense Department to be illustrative and "highly sensitive" to small changes in targeting, are in fact still more questionable. They are technological speculations derived by systematically excluding all that does not lend itself to quantitative analysis, and by estimating with unreal precision parameters little understood and with wide variance.

These estimates are associated with historically unprecedented maintenance, electronic reliability, and computer programming standards. They then assume that the defence will work as planned in a nuclear environment that is, to put it mildly, unprecedented. Highly complicated computer programmes, sensitive radars and missiles filled with electronic equipment are supposed

Footnotes at end of article.

to be regularly shooting down hundreds of incoming missiles in an environment with radar-blinding fire-balls, electronic-disrupting blast and X-ray effects, and earth-shaking detonations. Moreover, these figures assume that no unexpected Achilles heel will present itself during, or soon after, the few to several years required to build the system. It is worth remembering the American air defence system which was built at a total cost of perhaps \$30 billion during the late 1950s. This was a system of which its builders admitted no realistic test could ever be given. In *On Thermonuclear War*, Herman Kahn remarked that a strategic analyst could not make his reputation by finding holes in the air defence system—it was known to have so many.

It is no accident that many of the scientists who were intimately involved in building the SAGE air defence system in the United States are persuaded that a comparable effort now to defend against ballistic missiles is a boondoggle. Thus Dr. Jerome B. Weisner, former science adviser to Presidents Kennedy and Johnson, asserted in a recent article in *Look Magazine* that "few competent people expect the extremely complex ABM system to work the first time; yet it must to have any effect". And he noted that it must work perfectly, since a single warhead can destroy a city. It should also be mentioned that the construction of ballistic missile defences in the United States is the single most complicated engineering feat ever attempted in the world.

Even assuring that the defence would work, would it work against counter-measures? Is it useful here to examine American counter-measures to the prospect of a Soviet ballistic missile defence, since these could presumably be adopted by the Soviet Union. The most important recent change in American offensive capability is the incorporation in each missile launcher of Multiple Independently Targetable Re-entry Vehicles (MIRVs): in short, the placing of several separately aimed warheads in a single "missile". Thus one possible American missile could carry ten separately aimed 50-kiloton warheads instead of, for example, one 10-megaton warhead, and the trend is for each launcher to have several.⁷ This requires the defence to use ten times as many interceptors. American land- and sea-based missile "launchers" have stabilized at about 1,700. If each came to have "several" warheads capable of reaching the Soviet Union, there would be approximately 10,000. Soviet ICBMs are now approaching 750, and their generally larger payloads can presumably reproduce the American multiple warhead capability if the Soviet Union should choose to try.

Multiple warheads are the penetration aid that lends itself best to computations. But the United States is also preparing, and presumably the Soviet Union could prepare, electronic counter-measures: knock out or confuse a radar, and all warheads might get through to a target; send one warhead through the trajectory of another, and the radar may be blinded by the blast of its own interceptor; try to have your missiles arrive simultaneously so that the defence is overloaded; seek out vulnerable parts of the system to attack, and then attack the city.⁸ Obviously there is room here for ingenuity and surprise (factors which are hardly susceptible to calculation).

Would the Soviet Union attempt to nullify an American system, and how strongly would the United States react to a Soviet defence? Those in favour of ballistic missile defences have sometimes put stress on the possibility that the Soviet Government would not make those corresponding adjustments in its offensive weapons that prevent the United States from holding immediate fatalities down to 20 or 30 million. Perhaps out of lack

of interest, ineptitude, or scarcity of resources, the Soviet Union might not respond effectively; but that she would in fact make corresponding adjustments in her offensive weapons seems—as has been put by Mr. McNamara—to be "virtually certain". She has already built an enormous strategic force that is growing more, not less, rapidly than it did in the past. She becomes, as does the United States, more skilled in making these arms race projections with each passing year. (She has only to follow the American lead in any case.) And she grows richer.

In both the United States and the Soviet Union, internal political considerations join with legitimate security concerns to make the credibility of the deterrent the single most important military consideration. In the United States, the opposition political party is not alone in being the guardian of the certainty with which the United States can invoke her deterrent. Inside the Pentagon, as Secretary McNamara put it in March 1967, "I do not think there is a senior civilian or military official in the Defense Department that does not believe that (1) we should react to the [Soviet] ABM deployment by expanding our offensive force, and (2) we have the technical capability to react in such a way as to assure our continued capability to penetrate that ABM defence. None of us are in any doubt about that".⁹ It is a measure of the height of feeling on this issue in the United States that it was not considered ridiculous when Mr. McNamara asserted that he would spend "\$50 billion, the entire military budget", on maintaining the ability of American missiles to penetrate if necessary.

When the Secretary of Defense announced that the Soviet Union had built a ballistic missile defence around a single city (Moscow) and suggested that another system (the Tallinn system) might be designed against missiles, the US Defense Department acted as follows. It chose to produce and deploy the *Poseidon* submarine-launched missile, which it said would make the effectiveness of the *Polaris* submarine "several times greater". It produced and deployed "improved missile penetration aids". It initiated the "development of new re-entry vehicles specifically designed for use against targets heavily defended with ABMs". And it decided to "increase the proportion of *Minuteman III* in the planned force and provided it with an improved third stage". This would give it greater payload and, at a cost of \$400 million, would require of the Soviet Union "many times more in ABM defences if they try to offset it".¹⁰

Thus, in the face of an equivocal and still building Soviet defence, the United States ordered the capability to defeat any plausible Soviet defence of the mid-1970s. We cannot so easily connect the rapid Soviet build-up in missiles with the American debate over missile defences—a debate that the Soviet analysts must have expected would eventually lead to deployment. But we should at least observe that the very long lead-time involved from ordering a system to having it operational—at least a few years—causes each power to overreact to still potential threats.

The Soviet Union, which less than a generation ago suffered from the most devastating destruction in modern warfare, is no less keyed to the importance of deterring the enemy from attack. And in her internal politics, as in the United States, the defence issue can presumably be used by one faction against another. As likely as not, for a Soviet leadership to permit the United States to build, if not later to boast about, an unanswered defence against missiles is to make itself vulnerable to potential rivals.

Even if neither super-power were interested in counter-measures to ballistic missile defences, but assuming that the arms race continued, it is entirely possible that the defences would be outmoded by unrelated

advances in weaponry. For example, as soon as the first inter-continental missiles were deployed—which was about the same year the American air defence system was completed—it became obvious that missiles could attack and "roll back" the air defence to make corridors through which planes could then fly without opposition. Who is to say that a nonballistic missile, orbiting bomb, or new radar-disrupting weapons effect will not do the same thing to an even more expensive missile defence? The missile was not developed to defeat the air defence system, but it certainly outflanked it.

Virtually any new strategic weapon, or major modification of existing strategic weapons, will raise a host of new problems for missile defences. As with the air defence system, the designers of the missile defence system expect that system to defend itself while it defends the country. Weapons against which it cannot defend itself will be weapons against which it cannot defend the country. Not many of such weapons will be necessary, therefore, to re-establish the credibility of the large Soviet investment in missiles.

For reasons like these, Dr. John S. Foster, who as Director of Defence Research and Engineering is the chief engineer in the U.S. Defense Department, asserted that: "Because of the enormous quantities of equipment involved, and the near rapid rate at which the technology changes, to maintain an effective system one would essentially have to turn over the whole system, the whole \$20 billion system, every few years."¹¹

In summary, missile defences are too complicated, and inevitably too untested, to generate much confidence that they will work as planned. Worse, both major powers can be expected to take appropriate counter-measures to neutralize them—even to overreact in the measures taken. Even in the absence of counter-measures, the arms race and advancing technology are likely to defeat the effectiveness of the system.

One may ask why advancing technology will not produce an even better defense. And this can only be answered by saying that a single bomb can destroy a city, and no imaginable defense will be perfect. It is an axiom of life, as one strategic analyst put it, that it is easier to destroy than protect. The offense can try any one of many methods; the defense must protect against each. The offense can lose many times and still succeed in its goal of destruction; the defense must be 100 per cent perfect. Each major power is reaching a stage at which it has literally thousands of warheads to launch in any one of several ways that technology can or will provide.

An attempt to defend a country against the effects of nuclear war, an attempt destined to cost several tens of billions of dollars and take years to construct, is not something to be done on the basis of short-range expectations. Nor, as was noted, do the immediate risks of war in the early 1970s warrant it. It seems that one must attempt to estimate the chances that the defence will be able to have any significant attritional effect on the offense over time, despite a continuing arms race and a determined attempt to neutralize the defence. These chances seem slim. At best, there is no permanent victory for the defence, but only continued and expensive struggle. More likely, most of the time, the defences will not serve to protect significant fractions of the population against super-power offence.

Effect of missile defences on the arms race

It is clear that missile defences tend to encourage expenditures on systems aimed at penetrating missile defences. Since these can involve the retrofitting of entire missile forces with improved missiles, and the multiplication of missiles or warheads, this fact is a major economic and political argument against the deployment of defences.

⁷Footnotes at end of article.

Still worse, however, the MIRV method of ensuring penetration, in conjunction with missile defences, creates certain strategic fears. From the Soviet point of view, for example, the United States may come to have several thousand separately deliverable warheads. The Soviet Government controls about 750 ICBMs and about 800 IRBMs and MRBMs. What if each of these could be successfully attacked by American missiles? In response to a newspaper report suggesting that the accuracy of the MIRVs might be insufficient to threaten hardened weapons, the US Defense Department issued a denial saying: "Each new MIRV warhead will be aimed individually and will be far more accurate than any previous or existing warhead. They will be far better suited for destruction of hardened enemy missile sites than any existing missile warheads."¹² Indeed, no other assumption than steadily improving accuracy could be made with even medium probability by a cautious Soviet strategic analyst. A measure of the improvement to date was provided by the Deputy Secretary of Defense, Mr. Nitze, in a table which showed that a missile carrying ten 50-kiloton warheads could destroy ten separate airfields, from 1.2 to 1.7 hard missile silos, or 3.5 cities of 100,000 population. (In these respects it was anywhere from 1.2 to ten times more efficient than a single 10-megaton warhead.)¹³

Although the United States is far ahead of the Soviet Union in the development of multiple warheads, has numerical superiority in missiles, and has a far more secure submarine force, she is nevertheless already worried about Soviet attacks on her land-based missiles. According to the U.S. Defense Department, "A large Soviet ICBM force with a substantial hard-target kill capability might be able to destroy a large number of our Minuteman missiles in their silos. An extensive effective Soviet ABM defence might then be able to intercept and destroy a large part of our residual missile warheads, including those carried by submarine-launched missiles."¹⁴ Admitting that such a threat is "quantitatively far greater than those projected in the latest intelligence estimates", Mr. McNamara asserted that "prudence" dictated that the United States put herself in a position to strengthen her offensive capability.

Of course, the Russians have far more reason to feel concerned. Defense Department testimony revealed what the Soviet must do to neutralize various American defensive postures. In illustrative computations about the mid-1970s against a hypothetical American defensive system now estimated at \$22 to \$40 billion, the Soviet retaliatory force of the mid-1970s would hold only 10 million Americans hostage to a surprise attack unless counter-measures were adopted. Soviet adoption of penetration aids, and of Multiple Independently Targetable Reentry Vehicles (MIRVs), would raise this figure to 40 million. But to get it back to 90 million, where it would stand if the United States built only Sentinel, would require 550 mobile ICBMs. The fact that the Defense Department refers to mobile ICBMs reveals the anticipated capacity of MIRVs to attack locatable ICBMs. In short MIRVs plus ABM spell trouble, at least on paper, if the centre of gravity of Soviet decision-making is still worrying about surprise attack from the United States.¹⁵ As Mr. McNamara's current statement put it, "We have come to the conclusion that both sides would be far better off if we can reach an agreement on the limitation of all strategic nuclear forces, including ABMs".¹⁶

Missile defences are likely to encourage not only offensive weapons that may neutralize them but more defences as well. Although Mr. McNamara may have argued, as he did in his announcement, that the case for a "Chinese defense" is only "marginal", and the case

against a more massive defence clear, time tends to turn whatever exists into a military necessity in the logic and psychology of defence bureaucracies. We have seen this happen before. The case for 1,000 land-based American Minutemen was questionable, and Mr. McNamara's 18 September speech announcing his recent decision admitted that they were excessive, blaming the decision on Soviet secrecy. Had the United States followed a different logic, it is possible that she might have contented herself with Polaris submarines and few if any land-based missiles. She might have relied on the threat to attack a few cities and disavowed any intention to strike Soviet missiles (the policy called finite deterrence). But having made the choice she has, American policymakers are led seriously to consider attempts to extend or protect what they have built.

Something should be said, in passing, of the arms-race implications of the different solutions proposed to the projected vulnerability of Minuteman. First of all, almost all of the arms-race problems could be resolved at one swoop if the Defense Department would dismantle the land-based missiles when they become vulnerable, and rely instead on existing or increased numbers of Polaris submarines. This massive reduction of American offensive power would undercut fears on the part of the Soviet Union of attack on her forces. The invulnerability of Polaris would prevent attack upon the sea-based missiles, and whatever was necessary to penetrate future Soviet defenses could be installed in the submarine-launched missiles.

Instead, the Defense Department is considering: (a) converting the entire force to Minuteman III, i.e., completing its modernization, and hence improving its offensive capability, so that whatever missiles survive will be more powerful; (b) increasing the number of warheads each Minuteman missile could carry, i.e. doing more of the same as in (a); (c) emplacing the entire Minuteman III force in super-hard silos, i.e. protecting it against attack by requiring of the Soviet Union more accuracy, more missiles, or larger ones for the same amount of destruction; or (d) protecting the Minuteman force with an ABM defense, i.e. employing what is called hard-point defense.

Solutions (a) and (b) would further threaten the Soviet force, pushing the spiral still further. Solution (c) buys time, but resolves the problem in no definitive way if the Russians seek protection in numbers—numbers that will eventually seem to threaten the new silos. Solution (d) will tend to enlarge the Sentinel missile defense, representing a step forward politically, psychologically, and perhaps even technically, to a full-fledged city defense. This will have an unfortunate effect on Soviet planners. And if Dr. Wiesner is right when he says he is "certain that the system we are now planning will be regarded as ineffective before it is installed," it is equally plausible that the hard-point defense will be considered inadequate protection by the time it is built.

The only possible basis for stability is to switch the main part of strategic offensive capability to submarines and to do it in both super-powers. Unfortunately, the trend in relative offensive power seems quite in the opposite direction, and strong political and bureaucratic pressures seem likely to keep it that way.

In any case, these difficulties reveal the problems that are associated with a single bad decision—to many Minutemen. Similarly, if it should become accepted that attempts to protect the country are in order, a variety of other expenditures will follow in time. These will include expenditures on bomber defenses and anti-submarine warfare, as well as expenditures to prevent existing missile defenses from becoming obsolete. There is, of course, the further possibility that defenses against new weapons, cruise missiles or something else might be encouraged as well.

The possible future costs in arms procurement of accepting the legitimacy, feasibility, and desirability of defence against nuclear weapons are quite unlimited. Systems of mid-course intercept, or boost-phase intercept, are now officially considered outlandishly expensive, involving, as they may, large number of satellites. But present missile defence considerations were, when begun in the late 1940s and early 1950s, even more outrageous, anticipating, as they had to, the parallel future development of the missiles themselves. And the logic and potential efficiency of attempts to intercept missiles early in their course will keep such defences under serious study. By the same token the strategic fears aroused by these possibilities could easily grow over time since, conceptually, they could conceivably promise higher reliability of attrition.

In general, over a period of decades, the possibility that the defence might throw a substantial scare into the offense is an important argument against the deployment of defences. It is not, as some would argue, a good reason for encouraging defences because, in the face of the strenuous pressures for their neutralization, we can hardly expect the "effective" defence to be more than a transitory phenomenon in a dynamic contest. (If at some future time some really super and more permanent defence emerged, it would be time enough then to take its particular characteristics of cost and permanency into consideration, along with the nature of the political climate.)

While these long-run dangers seem speculative, they may be related to this first decision to build a limited missile defense much as the present commitment of 500,000 troops in Vietnam is related to the national decision to commit 15,000 combat troops. Inspired by Soviet efforts, by occasional new ideas in missile defence, by improvements in Chinese weapons, by competition among the political parties, by pressures from American industry and the defence establishment, by changes in Defense Department leadership, and, conceivably, by stresses and strains in American-Soviet relationships, missile defence is not going to be easy to stop.

All this costs money, but it has other unfortunate effects as well. The preoccupation with arms gaps or the implications of new weapons takes the time of government and preempts the focus of public debates. It forces negotiations to concentrate on a series of new problems (like bombs in orbit), creates alarms that undermine better American-Soviet relations, and tends to produce ever more destructive weapons.

Does China warrant a missile defense?

Virtually all China experts deny the image of a Communist China that seeks nuclear war. They suggested instead the likelihood that Peking will seek low-risk strategies of political intervention, assistance to insurgents, propaganda, and so on. More generally, the Chinese leadership can hardly remain oblivious to the stark nuclear realities that have persuaded everyone else. A Chinese attack upon the United States is Chinese national suicide, and Chinese leaders, or committees of them, can be expected to see it this way. Attack from China is very well deterred.

Many American supporters of a defense against Chinese missiles quite openly want to retain the ability to attack China preemptively or the threat to do so. Thus one American analyst asserted: "American leaders probably would develop different attitudes towards the Chinese according as the United States did or did not have BMD." However, American Presidents are not likely to put as much confidence in these very involved computations of the Defense Department as all that, and even these computations always leave open the possibility of losing a city or two. Presidents know that Defense Departments—indeed government agencies general-

ly—are capable of making mistakes. This particular estimate concerns a system that is especially complicated and untestable—as we noted. In short, the President is likely to be deterred from pre-emptive attack of China.

But would the Chinese know it? Might they not be sobered by an American defense? Again, their most likely strategies are ones to which nuclear conflict and the threat of it are irrelevant. In any case, can they be expected to believe in the defense? Whoever heard of a defense that was airtight? Chinese planners will not have to be optimistic to be skeptical of the optimism of American planners; they need only share the attitudes of almost everyone but strategic analysts.

In addition, this posture of seeming to threaten pre-emptive attack is not desirable. The temptation to carry on the threat gives rise to risks of general nuclear war. To the extent that the threat of attack is successful, it might only induce in the Chinese a policy of holding Asians hostage. It would also induce them to develop weapons less desirable than missiles. In any case, the very effort to defend against Chinese missiles is likely to enhance China's status in Asia. And if Chinese missiles are worth such an effort on the part of the United States, it may be that Asians will be pressed by parties in opposition to take the Chinese threat more seriously than they might have otherwise. The pre-emption possibility itself might be considered very undesirable by friendly Asians and very dangerous. War with China, like war with North Vietnam, will be much more destructive in the theatre of conflict than it is to the United States, and this possibility will not be lost upon Asians.

In general, to base Western steadfastness in Asia upon the ability of the United States to reduce American casualties is to make the same mistake just made in Europe. There the United States has recently avoided basing her commitment on her ability to cut her own losses in a nuclear exchange—that posture has totally lost credibility. An analogous policy would lose that same credibility in Asia fast enough. The United States should therefore develop a rationale for Asian guarantees with greater staying power. As in Europe, she should avoid playing into the hands of those who doubt her commitment by basing it on ever more dubious calculations of casualties.

Notwithstanding all this, would the system work against China? No one really knows because the type and sophistication of future Chinese missiles cannot be known. The most effective counter-measures of the 1970s are not known either (nor whether they will be expensive or cheap). Whatever they are, they will be openly discussed in the American press, and the Chinese will learn them. The Defense Department estimates that attacks which might otherwise kill 7 million people could be held to 1 million or less. And it believes that as the Chinese ICBM force grows, "for relatively modest outlays" *Sentinel* could be improved to limit Chinese damage into the 1980's. But 1985 is as far in advance as 1950 is behind, and since the first Soviet atom and hydrogen bombs were detonated in 1949 and 1952, it has become clear that an awful lot of technical advance is possible in time spans of this order.

Can the Chinese-oriented system be dissociated from a larger Soviet-oriented one? The Chinese force is likely to require improvement in *Sentinel* earlier than the United States expects, and these improvements may blur the difference. More immediately, many in the United States see *Sentinel* as a suitable beginning for an attempt to maintain or increase American nuclear "superiority"; Secretary Clifford might be in that category. Certainly *Sentinel* could be a building-block to a larger system. (It is also what the Defense Department calls

a "foundation" for a future defence of *Minuteman* forces.)

Most relevant, the Soviet leaders are likely to see this system as a first step to a defence against their missiles, because that is the problem they worry about and because they need lead-time to take the appropriate preventive measures. Certainly, *Sentinel* is far more effective in neutralizing overall Soviet capabilities than the primitive Soviet efforts around Moscow are in reducing those of the United States. And consider how much the latter overreacted to the Soviet efforts.

Mr. McNamara called the American decision to build *Sentinel* "marginal". But in terms of the American-Soviet arms race, the balance seems quite in the other direction. *Sentinel* seems likely to cost the United States a great deal in time.

MISSILE DEFENCES AND ARMS CONTROL

For some time the dominant American view has been that missile defences would have the exacerbating effect on the arms race just described, and that the pressures they would generate could not be contained in a comprehensive formal agreement. For this reason, for example, the American proposal to the Eighteen-Nation Disarmament Conference that it explore a freeze on offensive and defensive strategic nuclear delivery vehicles included as an essential part limitations on anti-ballistic missiles.¹⁷

In the recent past there have been isolated defections from this view, encouraged by the seeming inevitability of Soviet missile defence deployment—an inevitability now largely based on American actions, if indeed missile defences are inevitable at all. One advocate of missile defences has suggested that ballistic missile defences could reduce potential casualties (an arms-control goal) and then be controlled by a comprehensive American-Soviet agreement. Such a possibility cannot be ruled out entirely, since for example, the missile defences might be as ineffective and irrelevant as existing air defences. But, assuming that the deployment contest between missiles and anti-missiles was reasonably balanced—so that the defensive missiles were, or were thought to be, competitive with the offensive ones—then the competition between offence and defence becomes very complicated and hard to freeze. Indeed, in practice, it is probably only necessary that the defense seem to be *improbable to effectiveness in coming years* for it to cast a pall over the prospects of the treaty. And this is for strategic analysts! Politicians may find it sufficient to know that the treaty and the problem are complicated, that technology changes fast, and that deterrence is important. Note that even with an enormous political, strategic, and economic consensus favouring ending the arms race on the basis of overkill and nuclear plenty, not more than a handful of American senators argued for an agreement with the Russians. If deterrence seemed erodable, under the treaty, even this handful would be further reduced.

As for the technical complications induced by missile defences, they are enormous. Each side is committed to ongoing research and development in every faintly plausible direction out of which an effective defence might come. It is quite impossible to design a treaty that would cope with ideas not yet formulated—such ideas would, of course, have to be covered by a right of withdrawal. But there are also those ideas which, while not sufficiently novel to spark a withdrawal from the treaty, may nevertheless arouse the most serious concern. What if a treaty had been negotiated in the early 1960s that limited the number of defensive missiles and froze only the externally observable characteristics—a common assumption. The American improvements in range of interception and kill mechanism of warhead could have turned the point-defense, "frozen" by the treaty, into a defence of large areas.

Similarly, the recent shift from individual warheads to smaller independently guided re-entry vehicles very substantially changes the efficiency of each offensive missile. In effect each missile is turned into several. Yet, with regard to external characteristics, the missiles can be designed to look the same. It is possible to hope that defensive improvements like these mentioned might be exactly nullified by offensive improvements like these also mentioned. But surely there is no certainty about it.

At least one analyst has argued that the problem would be solved if the United States did not put such emphasis on overwhelming deterrence, and has proposed that this emphasis be changed. But in view of the political obstacles, the lead-time uncertainties, and the tremendous sensitivity of all concerned, it seems unrealistic to think that important changes might be effected. It is relatively easy to persuade a Congress or an American Administration to do something like buy a ballistic missile defence. But to persuade it that it ought not respond to Soviet defences is to strike at the fundamental premise of post-war strategic weapon policy—overwhelming deterrence.

More often, it has been argued that the Russians will never agree to holding down expenditures on missile defences, and hence that agreements must be designed to permit them. (Again, it should be pointed out that, on available evidence, the Soviet Union is not planning to spend very much.) But in considering what the Russians will accept, one must also keep in mind what they cannot refuse. The idea that the Russians should not build a missile defence effective against the United States is not just part of a proposal which the United States would like the Soviet Union to accept; it is an integral part of American policy with which the United States would like to have the Russians cooperate. The United States can, and unquestionably will, 'negotiate' the ineffectiveness of a Soviet defence unilaterally. That is what Mr. McNamara meant when he testified in the spring of 1967: "I do not think they have a defence, Mr. Sikes, that is exactly my point. We will get more weapons through to the Soviet Union as a result of their deploying an ABM than we would if they had not. We presented to you a programme that with a high degree of probability will more than offset their ABM. . . ." Therefore, I say they do not have a defence.¹⁸ In this light, any expenditures by the Russians on a missile defence designed against the United States would be errors in cost-effectiveness, ones which they would eventually correct. Remember, the Soviet Union is not standing still; a Kossygin or his successor may veto expenditures that a Khrushchev might not know how to oppose, or a Stalin want to.

It has been suggested that the United States should match Soviet expenditures on missile defence, on the assumption that similar forces on both sides will make arms-control agreements easier. Why this should be so is unclear; in any case the argument puts too much stress on the relatively more formal—and less likely—methods of ending the arms race. It is noteworthy that no one seems to think that the United States need match the Russians in numbers of submarines or they match us in kinds of naval forces—as a precondition of plausible agreements. In any event, the argument was made on the now questionable assumption that the Soviet Union was buying more missile defence than the United States.

In some cases, analysts who emphasize the importance of symmetry in matching the Russians' (supposed) missile defence purchases—either to deter them or to secure an agreement with them—will insist that the agreement also preserve "historical asymmetries" between the capabilities of American and Soviet strategic forces. In short, some will argue for symmetry when it comes

Footnotes at end of article.

to matching the Russians, and against it when it comes to their matching us. Indeed, the notion of "historical asymmetries" is altogether questionable, in that the post-war periods have seen very different ratios of megatons deliverable (ranging from many-to-zero at one extreme to one-to-one at another, depending upon the period and type of measurement).

EUROPE

The single most important consideration in the attitude of Europeans to American missile defence decisions concerns the confidence of European central bankers in American fiscal responsibility. Faced with rising unrest at home, an expensive war abroad, inflation, and a balance-of-payments deficit, the United States is finding it ever harder to persuade European bankers and European institutions to hold US dollars rather than gold. The issue will turn on European confidence in the ability of the United States to set her house in order—to stop inflation and stem the balance-of-payments deficit. But more immediately, the issue is the credibility of the government's determination, as measured by its willingness to take unpalatable measures. In this connection, a decision to spend resources on missile defences is likely to be the worst possible step. It will seem to reflect the Administration's unwillingness to make hard decisions: a government unwilling to disengage from a war abroad, obligated to right urban wrongs at home, and financially pressed abroad is willing to open an open-ended new front in the arms race. While some European national security analysts may see merit in the missile defence, European financial circles are likely to see only inflation and equivocation. These attitudes will be enforced by the general unpopularity of the Vietnam war, which precludes a certain amount of sympathy for the American predicament, and for her requests for special consideration in the name of common defence against Communism or aggression. This issue is of enormous consequence.¹⁹

To return to more standard strategic considerations, in view of the thousands of tactical nuclear weapons in Europe, and the general low level of apprehension in Western Europe over the Soviet threat, Europeans do not seem to feel the need for enhanced American strategic superiority that one might have predicted some years ago. In short, there is no direct European doctrinal requirement for an American missile defence. Nor are Europeans unduly concerned about Soviet defences, assuming, as they can, that the United States will be making energetic efforts to neutralize them.

In the long run, it is possible that Europeans will come to regard missile defences as desirable for themselves. This does not seem very plausible at present, in view of British cuts in defence expenditure and French strains in producing even strategic offensive weapons. But a growing European armaments industry might become interested in missile defence for export to countries that might feel threatened by Chinese missiles—Australia, Japan, India, Formosa—as well as to West European countries that might be involved in some future European war. And both these impulses might be strengthened by advances in missile defence effectiveness. Existing experience in missile defence development teaches us to anticipate periods in which missile defences may look especially promising; during one such period, it is possible that Europeans might try to buy whatever the major powers had already bought.

It ought to be mentioned also that missile defences lend themselves conceptually to the different rationales used by supporters of the multilateral force; indeed, missile defences fit these arguments better than the multilateral force itself.²⁰ At some point, efforts may be made to use this fact to introduce co-operative missile defences in Europe.

PROLIFERATION

It has been argued that American and Soviet missile defences will increase the technological gap between the major powers and other powers and, in this way, somehow reduce the risk of proliferation. However, one is hard put to find a potential nuclear power which is likely to forgo nuclear weapons simply because, a decade or so hence when it has missiles to mount them on, these missiles might be unable to penetrate the defences of the United States or the Soviet Union. Many potential nuclear powers, among them the most plausible (e.g. Egypt, Israel, India, Pakistan, and Japan), are not directly interested in their ability to penetrate American or Soviet defences. In many potential nuclear powers, all strategic questions are secondary to other motivations.

No one is going to believe, in any case, that a nuclear bomb in hand cannot in time be made credible enough in one fashion or another. It is a revealing *reductio ad absurdum* that gaps in this argument have sometimes been filled in the following bizarre fashion: if America has a missile defence, the Egyptians, though not interested directly in threatening the United States, will have to anticipate an American guarantee of Israel, backed by an American missile defence. If they anticipate being unable to penetrate the American defence, they would anticipate finding nuclear weapons useless for threatening Israel and hence would be significantly less likely to buy them in the first place. This obviously, requires single-minded Egyptian attention to a single long-run scenario. It requires unprecedented confidence in American defences of the future—more confidence than most American analysts have. And it requires an absence of other motivations for having the bomb.

Evidently proliferation provides no motive for still greater missile defence expenditures. And by way of contrast it is worth mentioning that the political councils of at least some potential nuclear powers may be influenced adversely if the United States and the Soviet Union find themselves unable to prevent a new round of the arms race. Certainly the Indians have made this point repeatedly.

Speaking generally, missile defences will add to the world-wide fixation on nuclear weapons and make it more difficult to dispel the desire for them. It may lead the Japanese to review the development of a regional ABM system for them, and to stimulate discussions of the distinction between offensive and defensive weapons.²¹ All of this can be harmful to the non-proliferation effort.

CRISIS BARGAINING

It has been suggested that one-sided Soviet development of ballistic missile defences would lead Soviet generals to believe that the United States could be pushed around. One spokesman—again under the impression that the Soviet Union was doing more than the United States—even went so far as to call this the single most important reason for American procurement. Perhaps this fear has been allayed by the recent decision of the Secretary of Defense to build at least some ballistic missile defence. But it is symptomatic of the character of the debate over missile defence that an argument of this kind should be put forward. To maintain it one is forced to assume that the Russians' interest in defences stemmed from the high valuation they put on them, which, in turn, would suggest their contempt for anyone who did not have them. The argument overlooks the possibility that defences might have been purchased for reasons of vested interests—reasons unrelated to strategy. Or that they might have been bought because of compulsions to buy defensive weapons arising from the psychology of Soviet suffering in World War II—again reasons unrelated to strategy. Or simply that

they were bought in anticipation of an American purchase, or because the Soviet bureaucratic system still thinks Russia might be attacked.

Some argue for an American ballistic missile defence on grounds that it will improve the strategic balance. A few years ago, it would have been argued that such a defence would persuade the Soviet Union that the United States might be willing, under extreme provocation, to strike first and suffer the consequences of retaliation. This same point of view now claims only that the United States would gain escalation assurance—a willingness to bargain harder in crises. The difference between these positions is largely semantic and certainly is not one that can be communicated with assurance to the Russians. A variety of news reports have already suggested that the Russians regard the American decision to build a 'Chinese' ballistic missile defence as threatening.

Some writers have quoted the figures provided by the Secretary of Defense in support of the idea that only "escalation assurance", and not greater strategic advantage, will be secured. These figures show immediate American fatalities being reduced only from 30 million to 20 million. But, as has been pointed out, the figures are illustrative. If any president is ever induced by some enormous provocation or mental imbalance to launch his strategic force, it will be because he is persuaded that some highly sensitive trick or tactic will destroy virtually all Soviet weapons locatable, and that an improved missile defence, in conjunction with anti-submarine warfare, will be highly effective in destroying a disjointed and sporadic attack. With a vast missile defence, but not without it, one can perhaps imagine a president imagining a successful nuclear attack on Russia. This is one way of describing the difference a missile defence makes, and it gives one pause.

It has also been argued that ballistic missile defences would make an American president and a Soviet premier less willing to use demonstration missile attacks as shows of force, thus making the actual initiation of a central war much more difficult. But the plausibility of demonstration missile attacks is itself controversial, at best. The argument's underlying premise, that these attacks constitute a sizable fraction of the only avenues by which a war can be started, is a further very questionable speculation. And even the idea that the ballistic missile defences will make demonstrations much less likely—rather than, for example, only adding something new to demonstrate, namely penetration capability—superimposes a third order of uncertainty.

CONCLUSION

A decision has been taken to build a small missile defence against the possibility of Chinese attack—what 'small' will mean relative to a growing Chinese force is hard to say. Indeed, it is possible that the Chinese will not build intercontinental ballistic missiles at all.

At the moment, the most appropriate question seems to be: should the United States press on and build a still bigger missile defence at a cost of tens rather than several billions? Many of the arguments given for doing so by strategic analysts were set forth under the impression that the Russians were building a wide-scale missile defence over and above that around Moscow. These arguments, e.g. that the Russians will feel contempt for us if we don't have what they do, or that an agreement with them will become more feasible if we do have what they do, were always speculative, marginal, and controversial. Now their very premise seems doubtful. "Matching the Russians" does not seem to be at issue—according to the majority of the intelligence community quoted earlier by Mr. McNamara.

In any case, the only important reasons for a heavy missile defence have always been sufficient expectation of nuclear war, and sufficient expectation that the defence would work, to override the obvious economic and political arguments against it. Ever greater effectiveness is required of the defensive systems, and men of experience in these matters, have learned to be skeptical of the possibility of achieving it. Just as estimates of cost for big systems are always uncertain (virtually always too low, estimates of effectiveness can be no more reliable. Indeed, with respect to cost, the factors are relatively well determined; but effectiveness involves an intelligent adversary who will be seeking counter-measures.

Expectations that the defences will work can hardly be very high. The 'offence' is not being left behind, and if the Soviet Government wants to make the necessary expenditures, it can defeat the Western system even on paper. (Because defence is a harder and more unreliable game than offence, the Russian offence is still more likely to defeat the defence in an actual war.) Depending upon how the war started and many other factors, a massive defence might or might not protect when and if war came. No one will ever be sure. And very possibly the system will be considered obsolete—like its two predecessors—before its date of completion.

Nevertheless, the United States seems likely to press on with missile defences in the absence of talks with the Soviet Union simply because she is unable to restrain herself from doing so. Mr. McNamara's appeals to the Russians to talk were really appeals for help—help in ending the arms race. Combined with fears on both sides of increasingly vulnerable land-based missiles, missile defences have the potential to project the United States and the Soviet Union very firmly into a next round—in which the United States and possibly the Soviet Union build missile defences and both try to build offensive weapons in response to future defence.

In my view, the important question for the West is whether the national interest of the United States demands that she try to protect against the low-probability threat of nuclear war, even if the chance of effective protection is itself small over the long run. Perhaps any amount of money and any encouragement to the arms race are worth a small chance of protecting American society, and perhaps nothing in the resultant arms race can make the United States much more vulnerable than she is now. This point of view, which also discounts the political implications of a continuing arms race, must be answered on a still different plane. It raises the question of how long, and at what cost, America will continue to bemuse herself with low-probability threats to her "national security" in a world where others uniformly have less security and, almost uniformly, look to her for some kind of moral and financial leadership. The United States must learn, just as people must learn, to distinguish between a legitimate interest in insurance and an obsessive, neurotic concern for an unachievable nuclear security.

FOOTNOTES

¹ US Congress, House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1964*, Part 1, pp. 434-35.

² US Congress, Senate Committee on Armed Services, *Military Procurement Authorization Fiscal Year 1964* (88th Congress, 1st Session, 1963).

³ *Statement of Secretary of Defense McNamara Before the Senate Armed Services Committee on the Fiscal Year 1969-73 Defense Program and 1969 Defense Budget*, p. 75 (hereafter cited as *Statement 1969*).

⁴ The area protected is egg-shaped, about 500,000 square miles in extent, with the

sharper part of the egg pointed south. Considering overlaps, about 14 batteries cover the continental United States. See Hearings Before the Subcommittee on Military Applications of the Joint Committee on Atomic Energy, US Congress, 90th Congress, 1st Session, *Scope, Magnitude and Implications of the US Antibalistic Missile Program*, 6 and 7 November 1967 (hereafter cited as *Scope*).

⁵ *Statement 1969*, p. 55.

⁶ *Ibid.*, p. 55.

⁷ Joint Committee on Atomic Energy, *Scope*, pp. 48-49.

⁸ Thus the American *Sentinel* system must have terminal defense interceptors to protect the Perimeter Acquisition Radars, which are called the "eyes of the system". (*Ibid.*, p. 14.)

⁹ *Department of Defense Appropriations for 1968*, Hearings Before a Subcommittee of the Committee on Appropriations, House of Representatives.

¹⁰ *Statement of the Secretary of Defense Before the House Armed Services Committee on the Fiscal Year 1968-72 Defense Program and 1968 Defense Budget*, pp. 57, 44, 56.

¹¹ *US Armament and Disarmament Problems*, Hearings Before the Subcommittee on Disarmament of the Committee on Foreign Relations, US Senate, 3 February to 3 March 1967, p. 15.

¹² *The New York Times*, 17 January 1968.

¹³ Joint Atomic Energy Committee, *Scope*, pp. 48, 49.

¹⁴ *Statement 1969*, p. 59.

¹⁵ By combining the estimate provided earlier by Mr. Nitze with standard probability tables, one can estimate the order of magnitude of Soviet problems. Thus if ten 50-kiloton warheads will destroy 1.7 hard missile silos, and if this computation assumes that missiles are assigned to target so that no more than 2 per cent to 5 per cent of targets are undestroyed (a natural assumption), then the single-shot kill probability of each warhead must be 0.45 to 0.5 (see, for example, the table provided in Herman Kahn's *On Thermonuclear War*, p. 468, entitled "Missile Required to Attack a 50-Point Target System"). Assuming that the Soviet target system of hard missile silos grows to, say, 1,000 by the mid-1970s period under discussion, then 7,000 to 8,000 warheads with this single-shot kill probably could attack them in such a way that only about ten would remain. (See *On Thermonuclear War*, p. 481, for this estimate.) If each of the 1,000 American land-based missiles came to have the "several" warheads referred to earlier, this might be feasible on paper.

Incidentally, if the range from 1.2 to 1.7 provided earlier refers to ranges of "hardness" from, say, 100 psi to something higher ("hard" means at least 100 psi in common parlance), then the CEP under consideration can be read from the table on page 469 of *On Thermonuclear War* (using the well-known fact that the efficiency of missiles varies as

$$\text{yield}^{\frac{2}{3}}$$

$$\text{CEP}^2$$

or from the standard Nuclear Bomb Effects Computer Slide Rule. It would be about 0.25 miles, which explains the enthusiasm in the denial quoted earlier than MIRVs were inaccurate President Eisenhower boasted of CEPs of one or two miles.

¹⁶ *Statement 1969*, p. 65.

¹⁷ Speech on "ABM and the SNDV Freeze", delivered by Adrian S. Fisher to the ENDC, 16 August 1966.

¹⁸ Department of Defense Appropriations for 1968.

¹⁹ The recent wave of speculation and the American decision to cease selling gold to private parties have highlighted the danger. The fundamental problem seems now to be one of persuading others to join with the United States in the final establishment of a new monetary system—rather than only to hold American dollars. But this is at least as

difficult, and militates against missile defenses on the same economic and psychological grounds.

²⁰ For this argument, see my article "ABM—The Next, MLF?" *Bulletin of the Atomic Scientists*, September 1966.

²¹ These points have been made by Mrs. Alice Hsieh in testimony before the Joint Atomic Energy Commission, *Scope*, p. 86.

[From Foreign Affairs, April 1968]

THE ABM, PROLIFERATION AND INTERNATIONAL STABILITY

(By Robert L. Rothstein)

The contemporary strategic era, dominated by ballistic missiles, has appeared to possess a curious kind of stability. Despite its uncertainties and dangers, two factors were apparently beyond dispute. On the one hand, neither the Soviet Union nor the United States could eliminate the other's missile forces in a first strike or effectively defend against a retaliatory missile strike. The offense seemed to have made a quantum jump against the defense: the old pattern of oscillation between defensive and offensive superiority had apparently been superseded by a period in which, for the foreseeable future, defense would be definitely inferior and incapable of matching offensive gains. On the other hand, missiles were so expensive and required so much technical sophistication that very few countries could either afford them or build them. The vexing problem of nuclear proliferation thus appeared in a new light. Even if a state could develop a nuclear bomb, it was assumed that it could not be a truly "effective" member of the nuclear club unless it also developed a missile to deliver it somewhere. The double task of building a bomb and a sophisticated delivery system inevitably seemed so difficult that the problem of preventing a thoroughly destabilizing nuclear proliferation appeared relatively simple. At worst, the process could be "managed."

We may, however, be entering a strategic era in which neither factor holds true. Whether ballistic missile defense ever achieves the level of effectiveness (near perfect) some of its proponents foresee in the next decade, and whether the costs and difficulties of developing rocket vehicles are as sharply reduced as others contend (so that the ability to deliver the bomb in high style spreads rapidly) are obviously uncertain. But to the degree that these prophecies are accurate, or believed, the stability of the missile era may prove to have been very transitory.

At any rate, one point deserves emphasis. Deployment of an ABM system and the beginning of a process of nuclear diffusion (which may be directly related to the ABM decision), irrespective of whether they occur because of political or technological reasons, may thrust us into a new strategic environment in which even the tenuous stability of the present will evoke nostalgia. In the circumstances, policies which would have appeared dangerous or unnecessarily provocative yesterday may perhaps begin to appear more prudent and realistic today or tomorrow.

II

The recent announcement of the decision to begin installing a "thin" ABM system elicited a great deal of negative comment in the American and European press. This is hardly surprising for, on the basis of publicly available information, the arguments against the ABM seemed much more persuasive than those for it. In fact, anyone who troubled to read Mr. McNamara's statement on the budget in January 1967 would come away quite convinced that the arguments justifying early installation of an ABM system were at best premature and at worst spurious. Yet within the year Mr. McNamara had apparently changed his mind

and committed the United States to early deployment of a partial ABM system. The San Francisco speech in which he announced the decision may, perhaps, be read as an ambiguous and even anguished justification for the ABM; but it still may have committed us decisively.

It is possible, of course, that there were objective military and political reasons for Mr. McNamara's about-face. A new technological breakthrough might have occurred or intelligence might have yielded firmer and more dangerous information about Soviet or Chinese capabilities or intentions. To a certain extent this indeed appears to have happened. Soviet development of a "fractional orbital bombardment system" (FOBS), reports of heavy Soviet investment in both offensive and defensive missile systems, new predictions about Chinese capabilities and significant advances in our own ballistic missile defense research (especially with X-ray warheads) all tended to point in the same direction; prompt deployment of a "thin" ABM system.

Now, it is a mistake to argue as if the installation of an ABM system would have only negative consequences and that a delay would have only positive consequences. Decisions such as these are a wager about the future and they are made—or ought to be made—"on balance," and with full realization that the possibility of unanticipated consequences or mistaken consequences is very high. In the circumstances, there is great temptation to buy insurance by developing everything that can be developed, and to do everything possible to reestablish or maintain a situation which seems to be advantageous. The virtues which the Joint Chiefs of Staff have seen in immediate deployment of the ABM system may be regarded in this light. Their arguments, in isolation, seem persuasive: more effective deterrence, a reduction in the number of lives lost should deterrence fail at reduction in the possibility of accidental or "catalytic" wars, a halt to nuclear proliferation and, above all, a stabilization of the existing strategic balance (i.e. one in which the United States possesses "dominance"). ABM deployment, according to the Chiefs, would "continue the Cuba power environment in the world. . . . At the time of Cuba, the strategic nuclear balance was such that the Soviets did not have an exploitable capability because of our vastly superior nuclear strength."

None of these arguments is as clear and uncontroversial as the Joint Chiefs of Staff appear to assume. Mr. McNamara himself apparently found them unconvincing as recently as a year ago. Under some circumstances, and in certain future contexts, an ABM system promised several limited advantages; on balance, however, they were apparently outweighed by the disadvantages. Under the best of circumstances, the ABM seemed prone to obsolescence (as new offensive missiles appeared), uncertainly effective,¹ enormously expensive and politically inexpedient. The obvious question is whether various technological developments in the past year, as well as new uncertainties about Soviet and Chinese behavior, justified a reshuffling of priorities and a definite decision to plunge into a new strategic environment. Even for those with access to all the available

information it must have been an agonizing choice: the stakes are frighteningly high.

It ought to be said, however, that there are a number of very knowledgeable people in Washington who maintain that the foregoing considerations were irrelevant. They contend that the decision was almost completely a response to domestic political pressures.

While the argument is not very subtle, it is also not entirely implausible. With the political costs of the Vietnamese war accelerating, the Johnson Administration may well have felt that it could not risk providing the right wing (both Democratic and Republican) with another security issue in the forthcoming elections. It may be, as some have said, that the Administration overestimated the degree of Congressional pressure for an ABM system. However, it was quality not quantity which was probably decisive: the Congressmen who were most vociferous on this issue were also among those who could harm Mr. Johnson most in the next year. In addition, the Joint Chiefs, whose discontent is frequently noted, had to be pacified; their leverage on the President and the Secretary of Defense went up as their threats to resign became increasingly dangerous in political terms.

That the decision to begin deployment of a "thin" ABM system was not the result of a considered evaluation of all the military and political evidence may perhaps be inferred from the confused manner in which it was publicly justified. While it was said to be aimed solely at the emerging dangers of a Chinese nuclear strike against the United States, and not at the Soviet Union, against which it was patently ineffective, both Mr. McNamara and various military officers indicated that it would indeed have an indirect effect on the Soviet-American strategic balance. By providing point defense for our Minutemen it clearly would cut down the effectiveness of a Soviet strike against them. However, since the Administration was in the throes of a public and private effort to convince the Soviets that the ABM deployment was not aimed at them, and that discussions to curtail ABM deployment were necessary and possible, "clarification" was needed.

A public speech by Assistant Secretary of Defense Paul C. Warnke attempted to provide it. Mr. Warnke argued "that our Chinese-oriented ABM deployment should make it easier, and not harder, for countries in Asia to sign the NPT [nonproliferation treaty]." The ABM, he maintained, would make the American commitment to defend Asia credible, since henceforth Detroit or Los Angeles, etc., would be safe from Chinese retaliation. He also maintained that it would emphasize the "unique disparity" between the United States and China, and thus make it "even clearer" to the Asians that they could safely sign the nonproliferation treaty. He concluded by declaring that the Soviets "knew" that the system was not designed for use against them, and therefore need not respond to it—surely one of the more naive imputations of faith in recent years, especially given the contradictory testimony from other officials of his own Department.

Mr. Warnke's analysis of the possible effects of the ABM is peculiar in that he apparently presumes that it can be deployed while everything else in the strategic and political environment remains static. The Russians will not respond, or will respond by agreeing to arms-control measures, because they believe in our good intentions. The Asians will agree to forego nuclear weapons because their faith in our good intentions will rise. The Chinese, who have no faith in our good intentions, will "finally" realize that we can destroy them and will behave more rationally. And our European allies will,

of course, realize that, as we have from time to time maintained, our efforts to improve our own defense have nothing to do with our commitment to come to their aid; and it is merely a nasty impertinence to insinuate in Gaullist style that we are leaving them exposed and ignored.

Many of our strategic analysts have tended to view strategic problems from a systemic point of view, almost to the exclusion of other vantage points. As a result, particular events or developments have been assessed primarily from the global perspective of the superpowers. Since the strategic configuration which has existed over the last twenty years has, for the most part, reflected conditions of American dominance and relative stability, new developments have inevitably been foreseen as destabilizing unless they were controlled by, or symmetrically limited to, the superpowers.

The response to the problem of proliferation is a case in point. Granted it is potentially very destabilizing, how does one prevent it? The usual answer has been by persuading potential nuclear powers that their efforts will be extremely costly and that, anyway, they will be useless if not counterproductive against the United States or the Soviet Union. That is, the systemic perspective has been maintained: the behavior of small and middle powers has been evaluated almost wholly in terms of its possible impact on the whole system. Since we have favored the status quo, our efforts have been limited to trying to convince others not to rock the boat. The whole syndrome can be perceived in the arguments designed to convince France not to join the nuclear club; they were perfectly logical but also irrelevant. To Paris, and perhaps to many potential nuclear powers, the problem appeared in a wholly different perspective when evaluated in terms of national (i.e. sub-systemic) interests.

Mr. Warnke's speech may be read in this light. Again, it is assumed that other states will perceive the situation in the same way as we do and will be as concerned with international stability as we are. There is no attempt to examine the problem from other points of view. If we do attempt to interpret the impact of the ABM decision from local perspectives, the picture which emerges is not nearly as optimistic as the one drawn by Mr. Warnke.

III

We can begin by discussing China's possible reactions. It is doubtful that anyone seriously believes that the ABM, as currently described, is aimed at China. However, since public justifications have insisted that the essential aim of the ABM system is deterrence or defense against Chinese threats, the argument must be examined.

It should be clear that the political and psychological advantages of China's nuclear weapons are not directly related to American defensive capabilities. There is thus no sense in the simplistic argument that an ABM system will actually induce the Chinese to forego missile development. In addition, the assumption that the Chinese will react to an increase in our defensive capabilities by decreasing their offensive capabilities is not psychologically convincing: the opposite reaction may be more likely.

The usual contention, however, is not that the Chinese will give up their missile program but that a "thin" ABM system will substantially lessen the impact of a Chinese nuclear attack. What is the probability of such an attack? To some, the likelihood is high; the Chinese are more aggressive and less rational than the Soviets and will strike rather than accept humiliation. In effect, a Cuban missile crisis with the Chinese is destined to have a different scenario. To others, the behavior of the Chinese has been as cautious and nonprovocative as that of the Soviets and the probability that they

¹ As one Department of Defense expert has noted: "Any defensive system can really do no more than to raise the entrance price which an attacker must pay in order to destroy a target." Charles M. Herzfeld, "BMD and National Security," *Annals of the New York Academy of Sciences*, 1965, reprinted in *Survival*, March, 1966, p. 74. The best analysis of the ABM problem which I have found is J. I. Coffey, "The ABM Debate," *Foreign Affairs*, April 1967.

would strike the United States seems very low. Acceptance of the latter point of view has to be tempered by several considerations. The first, obviously, is the current internal instability of China, which might lead to extreme or irrational behavior in a crisis. Another point is that China has not yet reached the stage where war—as the fashionable argument goes—becomes increasingly unpalatable and unlikely as energies are concentrated on the accomplishment of domestic tasks. Finally, the Chinese tradition is different from our own, we have miscalculated their response before, their standards of rationality may diverge as much from ours as Japan's did in 1941—and so on. In short, it is not altogether unreasonable to worry about aggressive and irrational behavior by the Chinese. The critical question concerns the relationship between that assumption and the installation of an ABM system.

Reports on Chinese missile capabilities suggest that they might have a small but operational ICBM force in the early 1970s. What damage that force could inflict upon the United States depends on a range of factors which defy simple summation. The "thin" ABM system promises area coverage of the whole mass of this country against a light attack. Thus even if the Chinese were willing to trade payload for range (and reach cities considerably east of the Mississippi), it would do them little good since those cities would be as protected by the ABM as our west-coast cities. They could, in theory, saturate one or a few areas with all their missile strength, but the effectiveness of that tactic would depend on the capability of our ABM system and the actual number of ICBMs the Chinese could launch.

It is difficult to take these calculations very seriously. It is hard to imagine a set of circumstances in which the Chinese would actually strike first with their small ICBM force, and one is inevitably obliged to create scenarios of ever increasing degrees of improbability. They could, in some *Götterdämmerung* fashion, launch all of their force against San Francisco; or they could spread it out in belief that our ballistic missile defense was a "paper wall;" or they could gamble on odd forms of delivery (the proverbial bomb in the cargo hold, or nuclear torpedoes against coastal cities, or small planes launched from ships and carrying small bombs, etc.). But the probability of their doing so is surely very low. And since we cannot prepare for all potential dangers, regardless of plausibility, and since even reasonably prudential calculations suggest that a Chinese ICBM attack on the United States is highly improbable, an ABM system justified by reference to Chinese threats to ourselves does not make much sense. This is the more true because lead times are such that we could still meet the threat if it became less improbable at a later date.

The case seems even stronger if we try to foresee the response Peking might make to our ABM system. It is very unclear at the moment, especially to anyone not privy to whatever information we are collecting about the mainland, just what the Chinese are attempting to develop. They will probably produce some ICBMs, if only to prove that they can do so. However, they are most likely to concentrate on medium-range missiles in order to threaten neighboring states in Asia. This would allow them to delay investing heavily in an ICBM until they are capable of producing an improved second-generation weapon. The Chinese could, in a sense, hope to duplicate the efforts of the Soviets in the late 1940s and 1950s, when, being clearly inferior to the United States in strategic power, they deployed their ground forces and short-range missiles to threaten Western Europe. The message was clear. If we attacked Moscow, confident that we would not be hurt badly, we were warned that Europe would be devastated in the process. An asymmetric balance seemed to exist, and the weaker side

appeared to deter the stronger by threatening an area which the stronger valued but could not easily protect.

Though the analogy is obviously imprecise, the odds definitely favor a Chinese strategy designed to threaten us only indirectly, at least until that day, probably in the late 1970s or 1980s, when the Chinese are able to produce a force capable of achieving nuclear parity or stalemate with ours (and the Soviets'). In the meantime, the ABM system we are committed to install will rapidly become obsolescent. In sum, against the Chinese, our ABM system promises advantages only if the Chinese are foolish enough to launch an attack on us with their first generation ICBMs.

Presumably, then, the ABM system must serve other purposes. The one most frequently cited is the possibility that it will enhance the credibility of any commitment we offer to a nonnuclear country (e.g., India or Japan) threatened by a nuclear power. The idea has a certain plausibility in that, in a world in which all calculations were rational, the possibility of limiting destruction to ourselves ought to convince our friends that we are more likely to live up to our commitments to them. If true, they will not need to develop their own nuclear weapons and can then sign the nonproliferation treaty, for they will be assured that we will counter mortal threats to their existence.

It is difficult to speculate on this point, for the evidence is both slight and ambiguous. The Suez episode of 1956 provides one illustration of a nuclear threat against a non-nuclear state (France), but it is probably not a reliable analogy. At any rate, it did nothing to convince the French that they were better off without nuclear weapons of their own. India's reaction to the Chinese bomb is also ambiguous: at the least, India has begun to consider seriously the possibility of becoming a nuclear power.

Unfortunately, one is left with the impression that the contention that our ABM system will facilitate nonproliferation reflects profound hopes and desires, but not a very realistic judgment about how other states will view their own interests. Improvement in our defenses is likely to be of only marginal significance in affecting Asian calculations. Given the inherently low credibility of our nuclear guarantees outside Western Europe (and it has not been spectacularly high there either), the critical question is not our "damage limiting" capability, but that of the Asians. Japan or India, threatened by a Chinese nuclear attack, will undoubtedly prefer an American guarantee to nothing at all. But it is possible (even probable?) that they will view it as only a temporary umbrella while launching a crash program to develop their own nuclear weapons.

The only way to short-circuit the process may be to provide threatened states with an effective ABM-defense of their own. If we really want them to forgo developing nuclear weapons, we must provide a direct defense of their territories. This could be accomplished in several ways, but some combination of an explicit American guarantee, the provision of a reasonably effective area ABM system (preferably at least initially under our control), and perhaps even the promise of a small, offensive nuclear force if a threat of a specified nature arises—all these may be necessary to make our guarantee credible and thus inhibit the process of proliferation.² It is an extreme policy, and

² The worst danger of a guarantee policy is that it might commit us to involvements we would prefer to avoid; the decisive question, which cannot be discussed here, is the extent to which we really have a viable option of noninvolvement open to us. The idea of a seaborne ABM force under our control may be worth investigating and might even be reasonably effective against a relatively small and unsophisticated Chinese missile force.

can be justified only in terms of the kind of environment it may be forced to contend with. The costs would be very high, not least in the sense that promising or providing a nation with an ABM system may be the first step toward its acquiring offensive nuclear weapons—on the uncertain but not implausible presumption that an ABM system without a complementary offensive capability is as unsatisfactory as entering a battle with a shield but without a sword. Moreover, the problem of defending against an MRBM is almost insuperable, given their limited flight time, and especially if they are delivered in number. Hence, the pressure for offensive weapons as a deterrent will be heavy.

This suggests that the possibility of signing an effective nonproliferation treaty is bound to decline rather sharply in the near future; that many states will be seeking their own nuclear defenses; and that we shall have to consider new nuclear arrangements if we want to do more than wring our hands piously as the environment becomes more and more dangerous.

IV

What effect may our ABM system have on our relations with the Soviet Union and our European allies? The argument that an ABM system would "continue the Cuba power environment in the world," and thus reinforce our ability to deter the Soviet Union, is superficially plausible until it is placed in context. The assumption that the installation of an ABM system will enhance our ability to deter the Soviets depends on what kind of system we build and how the Soviets respond to it. Some systems and the responses they evoke would decrease our ability and increase the chance of an even more destructive war.

All the denials notwithstanding, our ABM system is primarily designed to counter an apparently growing Soviet threat. In the past, we have tended to assume that the way in which we developed or deployed our weapons systems signaled something to our enemies about our military intentions. It has never been very clear that the Soviets actually read these signals in the desired fashion. They may simply have been following their own technological genie wherever it led them: that is, they may have developed and deployed weapons not in response to what we did but simply as a response to their own technological capabilities.

At any rate, it is difficult to resist some such reasoning in the light of the Soviet decision to begin installing their own ABM system. After all, if they were "reading" us accurately, they should have known that we would respond by building our own ABM system and by increasing our offensive missile capability to penetrate their defenses. They would then be in an even more inferior strategic position and would have expended scarce rubles for very little return in security. Our rearmament in 1950-53 and our reaction to the "missile gap" are only the most obvious illustrations of our unwillingness to remain behind.

Yet the Soviets have apparently rebuffed all efforts to reach an agreement prohibiting ABM deployment—almost as if our response left them indifferent. The normal explanation offered by Western analysts is the extreme defense-mindedness of the Soviet Government and people. Marxist theory, a history of invasions and fears of encirclement apparently justify what seems to be an excessive concentration on defense—a phenomenon the Anglo-Saxon powers have always found, for obvious reasons, difficult to comprehend. Nevertheless, defense-mindedness alone does not seem a sufficient explanation for Soviet behavior.

Another rationale is that, as a relatively weaker power, the Soviets may feel considerably more threatened by the proliferation of small nuclear forces than we do. The French and Chinese nuclear forces, and the possi-

bility of a West German force, not only have the potential of inflicting considerable damage on the Soviet Union but also—given Soviet history and predilections—might appear more likely to be actually used than we presume. To a weaker state, weaker nuclear forces appear more dangerous: the attacking smaller state could no doubt be destroyed in retaliation, but in the meanwhile it might have hurt the Soviets grievously and exposed them to American retaliation. If one presumes that they have reordered their hierarchy of threats and have upgraded the dangers of living in a "world of nuclear powers," the installation of a primitive ABM system does not look quite so "irrational." That it simultaneously worsens relations with the United States could be accepted as a reasonable price to pay.

Still, this argument could be completely wrong. The Soviets may still see us as the prime threat, and the ABM system may be designed to deter us and to limit damage in the event of a major war. The geographical placement of their ABM sites would seem to confirm this. In that case, the rationale for the Soviet decision remains very unclear, and the disagreements on this issue among Soviet leadership groups very understandable. To many Western observers, however, the Soviet decision seems to be a manifestation of a kind of intellectual lag in strategic thinking which has persisted for two decades. The Soviets have seemed to be several years behind us not only in weaponry but also in drawing the political, psychological and military implications of various technological developments. Current ABM systems thus seem more effective when compared with the capabilities of an earlier generation of missiles. The Soviets may in fact have much greater faith in the technological capacities of their ABM than we tend to credit them with—a circumstance which could be dangerous.

What effect will the mutual emplacement of ABM systems have on the strategic balance between the United States and the Soviet Union? There is no clear and unambiguous answer. It will obviously depend on the kind and extent of the systems installed, and, perhaps even more, on each side's subjective estimates of the likelihood of war or probable behavior of its antagonist in major crises.

It can be said, though, that ABM defense—at least a less than perfect defense—is of more relative utility to the aggressor than to the defender, whose retaliatory force must strike back in a weakened condition against a fully alerted defensive force. And since there is no situation in which striking first is not of some relative advantage, defensive forces can have a very destabilizing impact on any strategic balance to the degree that they make it appear as if striking first is becoming a more and more "attractive" possibility to either or both sides. This is especially true if one side is aware that it holds the weaker cards in any strategic exchange and is less than firmly convinced of the peaceful intentions of its adversary. Its propensity to gamble on striking first in a crisis may then be fairly high. This is a familiar syndrome and it suggests why many analysts argue that installation of an ABM system will force a return to the dangerous and unstable years in which we were troubled by the "consequences of expecting surprise attack."

The way in which each side deploys its ABM system is thus of great significance. But as long as the Soviets remain the weaker side, their decisions are somewhat less important than ours. That is, we possess a larger margin of error and therefore can be more flexible. If our system is designed only or primarily to protect our retaliatory missiles, the decision may not be too destabiliz-

ing; the Soviets will still retain the capability to destroy our cities in retaliation, just as we would theirs. However, the area system we are on the point of installing is, for the moment anyway, designed to protect cities from weak missile attacks. It is not intended to protect our Minutemen. It looks as if it is designed to handle a Chinese attack or some sort of accidental firing by virtually anyone. But it may not be read that way by Soviet leaders.

Unfortunately, many hints and suggestions are already appearing that the system ought to be expanded. We cannot have it both ways: if it is to deter the Chinese, extension of the system is unnecessary, for they do not have a technological capability to endanger our missile sites. If it is against the Soviet Union, official spokesmen are not only lying about our true intentions but also have begun installation from the wrong direction: obviously protection of missile sites is the first task.

These circumstances suggest that it is a fair presumption that our "thin" system will shortly begin to put on weight. Whether it is in reaction to Soviet offensive or defensive moves, or whether it is done in response to other considerations (e.g., domestic political pressures), is not especially important. In either case we will have begun a major new phase of arms competition with the Soviet Union. Whatever else one can say about the resulting situation, it is unlikely that it will be very stable or that it will actually reduce damages in a war. In effect, an ABM system guarantees decreased casualties only if both sides refrain from simultaneously increasing their offensive capabilities, or if the system achieves virtual perfection. Both are unlikely. Moreover, by another familiar dynamic—the "self-fulfilling prophecy"—we may actually increase the likelihood of war by acting as if it is more and more possible. Our ability to deter the Soviets may decline as we begin to threaten them in a more dangerous fashion, and our ability to defend more successfully (to lower casualties) may also decline as offensive force levels increase.

The decision to expand the "thin" ABM system may not be inevitable. The burden of the foregoing argument is that it ought to be resisted as long as this remains feasible. The point is not that installation of a larger ABM system is wrong in all circumstances; rather, that, on balance, it seems wrong in the set of circumstances determining strategic calculations at the moment and for the next few years. Compared to us, the Soviet Union is clearly the weaker power. The choices before it on the ABM issue are not only fewer but also starker. They have to respond to our actions, whatever the cost, unless they willingly accept an acknowledged state of conspicuous inferiority. We are not so narrowly constrained (except domestically); as the stronger power we need not meet every Soviet increase in strength with a symmetrical increase in our own force structure.

The underlying rationale for restraint on our part is twofold. On the one hand, given our current superiority and given our lead-time advantages, we do have some time in which we can safely delay expansion of the ABM system—at least until we believe that the Soviet ABM system represents a significant threat to our retaliatory force. On the other hand, restraint now represents what may be our last significant opportunity to delay the emergence of an environment in which stability is increasingly tenuous. Insofar as possible, we should not only refrain from expanding our ABM system but should also limit the expansion of our offensive forces to whatever minimum seems safe. A too extensive expansion of our offensive force, so that it appeared capable of a credible first-strike attack, could be as destabilizing as the

installation of the wrong kind of defensive system.³

It is still much easier to increase the striking power of offensive forces than the damage-limiting capabilities of defensive forces. It is possible, therefore, to limit our response to increasing our offensive capability to penetrate the Soviet ABM system; our cities would still be hostage to a Soviet strike and the Russians would not necessarily have to increase their own retaliatory force substantially. We could still penetrate their defenses and they could still penetrate ours, defense expenditures would not be extravagant, and some element of stability—albeit the uncertain stability of a nuclear balance—might still persist.

v

Something ought to be said about the presumed impact of our ABM system on our European allies. Official spokesmen have been very quiet in this aspect of the decision. When pressed, they have contented themselves with platitudes about common interests and the like: anything we do to improve our defenses must, by definition, improve Europe's defensive situation also.

The Europeans do not see it this way. Many of them, and not only Gaullists, see the ABM as increasing their vulnerability. They stand wholly exposed between our missiles and Soviet missiles. Moreover, the British and French nuclear forces are inevitably downgraded as deterrents, for the ABM systems have a much higher probability of success against small strikes. Some of our commentators have seen this as a virtue, since it presumably would inhibit potential nuclear powers from joining the club and perhaps even induce the French to bring their force under our umbrella.⁴ Unfortunately, this is likely to be true only if the French and other potential nuclear states have developed or will develop their nuclear forces to garner military advantages vis-a-vis the superpowers. That is not the case: their nuclear forces have been, and will be, designed to extract political and psychological advantages from the superpowers and to serve a military purpose only on the local level.

Great Britain and France are not going to dispense with their nuclear forces, or turn

³ After this article was written, Secretary McNamara, in his farewell report, announced that the Soviets are apparently not installing a full-scale ABM system (though they have substantially increased the size of their ICBM force). He said that the Galosh system around Moscow had not been expanded or extended to other cities and that the Tallinn system across the Soviets' northwestern approaches is no longer believed to have "any significant ABM capability." It is difficult to take a charitable view of why a different impression had been given earlier, for serious doubts about the reliability of the evidence concerning Soviet ABM installations have been justified from the beginning. At any rate the arguments in this article are reinforced by the Secretary's admission; there is even stronger reason to slow down (if not halt) our own installation of an ABM system; thus far no move has been made to do so.

⁴ Thus one writer argues that "possession of ABM systems by the great powers could deter non-nuclear countries from obtaining nuclear weapons while at the same time increasing the deterrent value of the great powers' nuclear forces." (Lewis A. Frank, "ABM and Nonproliferation: Related Issues," *Orbis*, Spring 1967.) This piece seems to me a classic example of the tendency to over-emphasize the degree to which decisions by the United States and the Soviet Union about their forces will affect the decisions of non-nuclear states.

them over to our control, solely because of developments in ABM technology. On the contrary, our defensive efforts will probably succeed only in exacerbating present disagreements. Our minimal effort to consult our allies before making decisions is not conducive to good relations. Worse yet, they may respond by seeking their own ABM systems. This would probably signal the end of the nonproliferation treaty, for signing it would preclude independent development of the necessary technology. While the Europeans may not rate the probability of Soviet military action very high, they will not be able wholly to ignore the military significance of a new arms race between Washington and Moscow. Moreover, the task may be so difficult (since the direct threat against Europe consists of a large number of medium and short-range missiles against which the defensive problem is fantastically difficult and expensive) that they will prefer to decrease their ties with the United States. It may appear that this is the only way in which they can reduce their chances of being an exposed pawn in a resurgent cold war.

This article has suggested that the deployment of ABM systems may have a number of unfortunate consequences, none of which have been sufficiently stressed—and, perhaps, understood—by official spokesmen. There are undoubtedly ways in which these developments can be avoided or at least mitigated. If they do come about, it will not be because we are prisoners of some inexorable technological process or because the demands of security can be met only by policies which are ultimately self-defeating, but because of very human errors of will and foresight.

Finally, if this writer has not been misguided, two propositions must be emphasized: first, in our own security interests we should under-respond to Soviet ABM deployments, at least in the immediate future; and second, our friends and allies have every right, not to say obligation, to place what we (and they) can do for their security—not what we can do to limit damage to ourselves—in the center of their calculations.

ESCALATING RENTS IN THE CITIES

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. RYAN. Mr. Speaker, I have often spoken on the floor of the House on the need to provide more and improved housing in our cities. These problems were discussed in an article by David K. Shippler, which appeared in the New York Times on February 23.

The exodus of middle-class families from the cities that characterizes present "solutions" to the housing shortage is resulting in further strains on city revenue bases which are already badly depleted. The situation for the poor is even more critical. Rental expenses now account for an average 35 percent of the income of those earning between \$2,000 and \$3,000 per year. This has prevented many low-income families from providing many of the other needs which their families require and deserve.

Until we reexamine our current budgetary priorities—which allot billions to arms and whatever remains for domestic needs—the shortage in housing will continue to grow. I urge my colleagues to keep these needs in mind as we estab-

lish the priorities of the fiscal year 1970 budget over the next few months.

The above-mentioned article follows:

FOR MIDDLE CLASS: NO VACANCY—MANY FAMILIES FIND THEY MUST LEAVE CITY FOR HOUSING

(By David K. Shippler)

A young man sits comfortably in his living room in New Jersey and looks through his picture window at one of the most spectacular views in the world: the skyline of Manhattan, across the Hudson River.

But he would rather forgo the view and live in Manhattan, because "that's where it's happening."

The young man, his wife and their new baby are a family that is typical of many that have been driven out of New York City by the shortage of housing.

Six months ago the couple lived in a \$135-a-month studio apartment at 85th Street and Lexington Avenue, on Manhattan's fashionable East Side.

With a baby on the way, they began looking for a larger place in the city, renting up to \$230.

ROOMS WEST OF THE HUDSON

"We looked for about two months," the young man said, "in Brooklyn, Queens, the Bronx, Yonkers and Manhattan. We couldn't find anything."

Now they pay \$268 for a spacious, one-bedroom apartment in one of the modern towers on the west bank of the Hudson. They have a terrace, wall-to-wall carpeting in the halls, a doorman, central air-conditioning and a swimming pool.

And with quick bus service through the Lincoln Tunnel it takes them five minutes less to get to Times Square than it did when they lived on the East Side.

The apartment squeeze produces much cocktail-party conversation among New Yorkers these days. It causes long lines of people to wait by newsstands throughout the city for newspapers with classified listings of precious apartments.

And it has permitted landlords to raise rents in uncontrolled apartments, producing one of the major political issues in this mayoral election year.

ONLY 1.23 PERCENT RENTAL VACANCIES

The Census Bureau expressed the problem statistically when it found, as of last spring, that only 1.23 per cent of rental apartments were vacant, the lowest figure since the years following World War II. The vacancy rate of new apartments never under rent control had dropped from 4.37 per cent in 1965 to 0.73 per cent in 1968.

In the face of rising demand, rents have risen sharply in many of the 600,000 apartments not under rent control. A study ordered by Mayor Lindsay in response to tenant complaints showed the median increase to be 26.5 per cent with each new lease. The Mayor then ordered the real-estate industry to regulate itself or face regulation by law.

Rising rents, however, do not appear to be the only force that is driving the middle class from the city. The question of value received also plays a part. Many families refusing to pay city rent increases in the city are willing to pay them in the suburbs, because there they get larger apartments, lawns, trees and good schools and they are less fearful of crime.

One man, for example, paid the same rent in Yonkers that he had refused to pay in the Bronx. When his \$211 apartment overlooking the Hudson in Riverdale was raised to \$240 a month, he searched the city for something less expensive. He ended up two months ago in a \$240 apartment in Yonkers, with no view of the river.

There is no statistical evidence that the city, on balance, is losing more of the middle class than it is gaining. The city's Economic Development Administration, which

keeps track of such things, says it just does not know.

Realty men report that middle-income families are buying brownstones in some city neighborhoods, renovating them and moving in. Some agents who rent to middle-class people estimate that 15 to 20 percent of their leases are signed by those who once lived in the city and are coming back.

One theory about this return is that expenses in the suburbs are rising so quickly that the exodus is tapering off, and perhaps even being reversed. Another is that many of those returning are couples whose children have grown up and moved away, making the suburban house feel empty, and enhancing the attraction of a city apartment.

In any event, for the sizable middle class in New York, rents are rising faster than wages, but most families earning \$10,000 to \$15,000 a year still pay less than 15 per cent of their income for rent, and 93.8 per cent pay less than one-fourth their income, customarily regarded as a reasonable level.

These are figures from studies by the Census Bureau, based on a sample of 36,000 families (one-third of whom refused to report income). They indicate that, because of rent control, middle-income families can afford the rents almost anywhere in the city, except in some parts of Manhattan—but very few apartments are vacant.

Consequently, the strongholds of the city's middle-income families are not in Manhattan, but in the outlying semisuburbs of Queens and Brooklyn.

The number of families earning \$10,000 to \$15,000 a year, according to census figures, has shrunk slightly in Manhattan—from 41,000 in 1965 to 39,500 in 1968—while it has risen substantially in Brooklyn and Queens.

The number grew from 39,000 to 49,000 in Brooklyn and from 41,000 to 47,000 in Queens between 1965 and 1968. It also rose slightly in the Bronx.

Some New Yorkers feel that Manhattan is just a place to work—that Brooklyn or Queens or the Bronx is the place to live. Others try to get as close to the heart of things as they can, and that, they feel, is Manhattan.

"If I'm going to move to Queens, I might as well move to Westchester," one young husband said.

"Outer Brooklyn has the disadvantages of both the suburbs and the city," said a man who prefers the city. He has bought a brownstone in downtown Brooklyn and has moved his family in. "Living in Scarsdale does not attract me," he said.

Manhattan is an expensive place for people with children. Rents have been rising more quickly in Manhattan and the Bronx than in the other boroughs and it is probably as a result of this that three-fourths of the households in Manhattan consist of only one or two people. In Staten Island, by contrast, just under half of the families are that small, census figures show.

PRESSURE ON THE POOR

Those who are gouged by rents, according to the census statistics, are the poor. Two-thirds of the families earning \$2,000 to \$3,000 a year pay more than 35 per cent of their incomes for rent.

The term "middle class" is difficult to define by income, because it connotes not just earning power, but also a style of life, a set by values and tastes, a level of education and a class of occupation.

For the purposes of eligibility in publicly assisted housing, middle income is usually considered to be between \$5,000 and \$10,000. But the city's housing administration broadened its definition for a study last summer, and called families earning between \$6,000 and \$25,000 "middle income."

The key bracket seems to be the \$10,000-to-\$15,000 range, since families at that level are usually not able to afford luxury apartments

in the city, but can afford a move to the suburbs.

Many in that bracket are going into cooperatives here, and a large number of rental buildings in Manhattan have been converted recently to cooperatives.

Unfortunately for the middle class, almost all new construction, especially in Manhattan, costs so much that it rents for about \$100 or more a room a month, and is classified as "luxury."

This means that new middle-class housing must have public assistance—usually low-interest, long-term mortgage loans, tax abatement—as provided, for example, by the Mitchell-Lama state law—and some discount on the cost of land. Even with such support, the housing now being planned will rent for about \$50 a room a month, beyond the reach of some middle-income families with several children.

Despite what Mayor Lindsay has called a "record-breaking year" in starting construction of Mitchell-Lama middle-income housing in 1968, the number of new apartments—6,206—seems small to critics of the Lindsay administration when they compare it with the total of 2,096,058 rented apartments in the city.

About one-fifth of the 6,206 will be set aside for low-income families, leaving 4,966 middle-income units. Other programs began construction of 2,346 middle-income apartments, making a total of 7,312.

The Mayor, confronted with disgruntled and sometimes hostile middle-class voters this election year, has interpreted the numbers as signifying a major breakthrough. But more than half the Mitchell-Lama units were planned during the administration of his predecessor, Mayor Robert F. Wagner, and have taken more than four years to build.

Many of them are going up in urban renewal areas next to low-income housing in a move to integrate and stabilize neighborhoods that the middle class is now fleeing. Housing officials do not believe that housing alone can keep the middle class here, but they feel it is a necessary start.

What will really keep the middle class in the city, they believe, is the kind of thing that influenced the young man who bought the brownstone in Brooklyn. "I'm much more alive as a human being here," he said.

SUPERINTENDENT FOLEY RETIRES

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MONAGAN. Mr. Speaker, all who know the school superintendent of Naugatuck, Conn., realize how much the proper functioning of the schools there has owed to the determination and leadership of Superintendent Raymond K. Foley. It is, therefore, with the deepest regret that friends of this system have learned of Mr. Foley's plans to retire in June.

Through the years Ray Foley has contributed lavishly of his abilities and talents not only to the Naugatuck school system, but to the community in general. In so doing he has carried on in the tradition of his noted father, the famous Pete Foley. In these times when the demands upon our public administrators are so great and the threat to the continuation of our system is so serious, the departure of Superintendent Foley from active administration is a substantial

loss. However, it cannot be denied that he is entitled to rest and repose and although we see him leave with regret, we must wish him well and hope that he will have satisfaction and peace of mind in the years which lie ahead.

CARNAGE AT THE WORKPLACE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. O'HARA. Mr. Speaker, in a recent edition of the United Steelworkers of America publication, Steel Labor, there appeared an excellent article on the problem of occupational safety and health. Emphasizing the continuing "Carnage at the Workplace," as the article was entitled.

I insert this hard-hitting article at this point in the RECORD:

CARNAGE AT THE WORKPLACE

"While we sit here talking this morning, from now until noon, 17 people in this country are going to be killed while they are working on their jobs."

The words were those of Labor Secretary W. Willard Wirtz; the time, shortly after 9:30 a.m. on Thursday, Feb. 15, 1968. In room 4232 of the Senate Office Building in Washington, the Senate's Subcommittee on Labor was holding hearings on the proposed Occupational Safety and Health Act of 1968.

The on-the-job carnage in the United States—55 workers killed every working day, 8,500 others permanently disabled, 27,200 more being less seriously injured—continues for only one reason, according to the Secretary of Labor. "That is," said Wirtz, "because the people in this country don't realize what is involved. They can't see the blood on the food that they eat, on the things that they buy, and on the services they get."

In reporting the grim statistics prepared by the Labor Department and quoting from sample letters referred to his office from accident victims, Sec. Wirtz noted with regret that he found himself testifying before only two members of a subcommittee that presumably included those Senators with the strongest beliefs on the subject at hand.

The apprehension then expressed by the Labor Secretary was well founded. In the year that has passed since his testimony, Congress has failed to act. During that time, calculated from the average daily on-the-job fatalities and injuries cited in Wirtz' testimony, 14,000 to 15,000 American workers well may have died from occupational injury alone. In that year's time, over two million probably have been disabled and another seven million hurt—a great many needlessly.

The Occupational Safety and Health Act died last year in the Senate Committee on Labor and Public Welfare. While a watered down version of the bill was reported out by the House Committee, it was never acted upon on the House floor.

Sen. Ralph Yarborough (D-Texas), one of the Senators in attendance during last year's hearings on the measure, has vowed, as the new chairman of the Committee on Labor and Public Welfare, to give the bill top priority on the committee's agenda for 1968. Yet, the proposal's chances in the 91st Congress are highly uncertain. Originated by the Johnson Administration, the bill, even if adopted, also requires the approval of President Nixon. A Presidential veto would certainly kill the measure.

The prospects for success, nevertheless, as

several witnesses noted in the 1968 hearings, can be materially improved if the real facts of today's on-the-job slaughter can be impressed upon the American people. Special interest opponents of the measure, at the same time, can again be expected to mount a concerted propaganda campaign designed to confuse the true picture of on-the-job injury and death.

While cold statistics cannot convey the depth of the personal suffering stemming from inadequate safety on the job, they can point up the vast and not generally realized magnitude of the problem. Consider the following figures and facts:

Accidents in 1966 cost 255 million man-days of productivity, more than 10 times the 25.4 million days off the job because of strikes that year.

More persons are injured each year in the workplace than on the nation's highways.

During the past decade, the injury frequency rate for manufacturing in the U.S. (number of disabling work injuries per million employee-hours of exposure) has been increasing rather than showing improvement.

Safety breakdowns on the job cost American workers some \$1.5 billion in lost wages each year and cost the national economy \$6.8 billion a year in lost production.

In addition to the annual accident toll, more than half a million workers are disabled yearly by occupational diseases from the effects of asbestos, beryllium, carbon monoxide, coal dust, cotton dust, cancer-producing chemicals, dyes, pesticides, radiation, and other occupational hazards such as heat, noise, and vibration.

The rate of death and injuries among workers on the job is 50 per cent higher than the rate away from work—and "away from work" includes the hazards of commuting to and from the place of employment.

Almost 85 per cent of the total labor force is currently exposed to the risks of incurring one or more disabling injuries during a working lifetime; three to five per cent will actually experience some form of seriously disabling work injury, including the loss of limb or life.

Over the years, Congress has enacted legislation, often inadequate, designed to meet specific hazards in certain industries, such as those encountered in coal and nonferrous metals mining and in longshoring. Not until last year, however, has any President asked the Congress to consider legislation to provide a comprehensive nationwide system of occupational safety and health standards covering all industries.

Because of the typical objections to safety measures—the alleged inconveniences to employers, the alleged costs involved—such proposals are never easily enacted. A public clamor for federal action and broad national publicity has generally been required to get Congress to move.

Such publicity attended the Nov. 20 Farmington, W. Va., coal mine disaster that entombed 78 men, giving much-needed impetus to proposals for strengthening the mine safety law that Interior Secretary Stewart L. Udall had submitted to Congress early in September. Despite Udall's contention then that the U.S. Bureau of Mines had abundant evidence that many of the nation's coal mines were unsafe, Congress adjourned without acting on his suggestions. Said one department source, "It takes a major mine disaster to get things moving on coal safety."

While airplane crashes and spectacular auto accidents, too, make the headlines in newspapers across the country, occupational accidents and diseases all too often are buried in the company files. Only because the magnitude of on-the-job death and disability is so little realized did Congressmen last year escape massive public pressure for action on the broad safety standards bill.

Heavy special interest pressure, on the other hand, was mounted in 1968 against passage of the Administration's Occupational Safety and Health Act. "The spokesmen for American business, the U.S. Chamber of Commerce and the National Association of Manufacturers," declared Esther Peterson, then Assistant Secretary of Labor, in a hard-hitting address before the Labor Section of the National Safety Council, "marshaled their forces for one of the biggest battles against legislation in behalf of the people since Medicare was proposed."

Moreover, she charged that big business "dominates the National Safety Council," which failed to appear to testify on the bill, as scheduled, during hearings before the House Education and Labor Select Subcommittee last year.

Calling upon the labor representatives in attendance to "speak out loud and clear on your own," Mrs. Peterson said that the NSC Executive Committee overruled the conclusions of a special labor-management committee which were highly favorable to the Administration's safety proposals and adopted instead "a compendium of weak and qualified phrases," skirting the issue of the need for immediate federal action in the establishment of standards.

The original Administration safety bill, in addition to establishing government programs for safety research, training, and education, would have allowed the Secretary of Labor to promulgate safety standards, enforceable through federal inspection and penalties, to cover businesses involved in interstate commerce, which employ about two-thirds of America's 75 million workers. The proposal also called for federal grants to the states for research and development in the field of safety and health hazards. Much of the debate during the Congressional hearings on the measure centered on the standard-setting procedure and the issue of federal-vs.-state jurisdiction in the safety field.

The bill that emerged from the House Committee was a greatly rewritten version that would establish safety standards "under a consensus method by a nationally recognized standards producing organization" or through advisory bodies composed of representatives from business, labor, state health and safety agencies, professional organizations of technicians, and standards producing organizations. Additionally, states would have the opportunity to retain occupational safety responsibility by developing plans of their own with standards "relating to one or more safety or health issues" that "are or will be substantially as effective in providing safe and healthful employment" as the federal standards.

Ralph Nader, who blew the whistle on the auto industry's disregard for safety and has represented the interest of the American consumer on a variety of other matters, commented on the weakening of the original safety bill when he testified before the Senate Subcommittee on June 28 and July 2. "I am quite aware," he said, "of the misuse of states rights assertions to cover up special interests, to cover up neglect and to cover up callousness." Pointing out that an average of only 40 cents per worker per year is spent for industrial safety and health by the states (Texas and Oklahoma spend about two cents per worker annually), he maintained that state "standards are most often written by the people that are supposed to observe them; namely, industry."

"I am concerned," Nader continued, "about the prospect of legislation being enacted with the standards-setting mechanism largely taken over by industry groups such as the U.S. Standards Institute of America." Strongly backing the provision of the original bill which would give the Secretary of Labor authority to establish safety standards on his own, without first obtaining "consensus"

on those standards, he stated that such independence in standard-setting was needed "so that all viewpoints can be considered not on the degree of political power behind them, but on the degree of scientific and humane merit."

While urging organized labor to become a stronger and more forceful sentinel for worker safety, Nader centered most of his fire on American industry, which he accused of consciously underreporting occupational accidents. Noting the opposition to the proposed federal legislation from such groups as the American Iron & Steel Institute, which testified at both the House and Senate hearings, he declared, "I think it would be very interesting to look into the opposition here, and see before how many state legislatures those same groups have proposed state safety laws."

The AI&SI, the trade association of the steel industry, in fact, was one of the major opponents of the proposed bill, despite its own contention of high safety consciousness. Praising the safety record of the industry, Leo Teplow, vice president of industrial relations for the institute, argued that such legislation was unnecessary and would be abused.

"In connection with a wide variety of grievances stemming from a change in job, change in temperature, or change in crew size," he stated, "safety or health issues are frequently alleged merely to build up a case." Passage of the proposed legislation, he continued, "would tempt many an employee representative to boost his stock by calling on the federal government, since the very presence of a federal inspector could be used to demonstrate his importance and influence."

Teplow also tried to relate the bill to strike situations in "many industries in this country," noting that management personnel after "are called upon to continue the plant in operation, at least until materials in the pipe line have been processed. . . . Such emergency operations might very well be prevented," he went on, "on the plea that a reduced crew makes the operation unsafe."

Legislative Representative Clinton M. Fair, who testified before the Senate Subcommittee on June 28 in support of the original safety bill on behalf of the AFL-CIO, pointed to the recent death of four construction workers in an accident in Virginia, just across the Potomac from the nation's Capital. Noting that Virginia, like 39 other states, had no safety standard at all with respect to concrete construction, he declared, "I submit the record is clear that to continue to leave to the states sole jurisdiction over the occupational health and safety of 75 million workers would perpetuate an intolerable injustice."

The fact that certain states show better safety records than others strengthens rather than detracts from such a statement, points up testimony presented by Sec. Wirtz. "In those states which spend substantial amounts of money in regulatory and promotional programs in the field of occupational safety and health," he said, "the injury rate is about one-fifth of what it is in those other states in which there has been no substantial attention given to the problem." The comparison "shows what can be done if we just care enough about it to live up to our own humanity," stressed the Labor Secretary.

The Congress, in 1968, apparently did not care enough. It certainly did not live up to its responsibility to deal with this problem of vast importance to 75 million American workers. With the 91st Congress now in session, however, Sen. Yarborough and others have pledged to renew the fight. Congressman James G. O'Hara (D-Mich.), joined by 33 co-sponsors, already has introduced a safety bill, H.R. 3809, tougher than that which last year emerged from the House Education and Labor Committee.

In 1968, the Legislative Department of the United Steelworkers sent a letter to every USWA local union in the country urging communication with its Congressman and Senators on the safety measure—one of the few issues about which such a request was made. The department, which can be helped immeasurably by a rising tide of public pressure on the subject of occupational safety, again this year will put forth every effort in lobbying for the strongest possible bill.

At the same time, a four-man committee, recently appointed by USWA President I. W. Abel, will soon report on a study concerning the possible revision of the union's structure in the related fields of safety and workmen's compensation. Chaired by District Director Charles Younglove and including District Directors Harry O. Dougherty, Bertram McNamara, and Lawrence F. Sefton, the group will submit to the International Executive Board its recommendations for strengthening the union's capacity to meet the current challenges in these crucial areas.

THE MEDICAL DEVICE SAFETY ACT OF 1969

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. FOLEY. Mr. Speaker, the gentleman from Washington (Mr. ADAMS) and I last Thursday introduced legislation—H.R. 7315—entitled "The Medical Device Safety Act of 1969," which would require premarketing clearance of certain medical devices which are not generally recognized as safe and effective by qualified experts, such as organ substitutes and certain contact lenses, and the establishment of standards to insure the safety and performance of certain classes of devices—such as bone pins, catheters, and diathermy machines.

For those devices requiring premarketing clearance, manufacturers would be required to submit data to establish safety and reliability. This evidence would be evaluated by a team of experts within the Department of Health, Education, and Welfare, with necessary advice from nongovernmental consultants.

For those devices requiring conformity to standards, the standards would be adopted by the Department of Health, Education, and Welfare after consultation with nongovernmental experts and existing standardmaking organizations. It is expected that such standards would be modified periodically with advances in scientific and clinical knowledge.

Administrative review, including the right of a hearing, would be available to anyone adversely affected by such a ruling.

The proposed premarketing clearance procedures would not generally apply to devices which are ordinary and simple patient care items; which have withstood the test of time on the market and are generally recognized as safe and reliable; which are made to the specifications of a physician's prescription; which are custom made for use by an individual specialist, or which are in the process of scientific development.

The law would be administered by the Department of Health, Education, and

Welfare, with the advice and guidance of other governmental agencies and of qualified nongovernmental groups and individuals.

The need for this legislation derives from the revolutionary advances in the development of medical devices, which have taken place since the original enactment of regulatory legislation in this field over 30 years ago. These achievements in medical technology have introduced a broad array of devices that are new, not only in purpose and usefulness, but often in the very materials used in the manufacture. Surgical implants, contact lenses, artificial kidneys, and synthetic arteries are examples of the significant advances that have been taken place in recent years. The current progress in the development of artificial hearts is still another momentous forward step.

This research and innovation must be encouraged to insure the further development of lifesaving devices. At the same time, the consuming public as well as the physician is entitled to the assurance that a particular device has been adequately tested and proved safe and reliable. In the case of devices, such assurance cannot be given under existing law. Presently, Federal law permits the Government to take action only after the device has reached the market, and frequently only after injury has occurred. Appropriate legislation, with sufficient safeguards to protect research, innovation, and development, should be approved now to close this gap.

Mr. Speaker, I include the full text of a letter—exhibit 1—I received from the Food and Drug Administration on June 11 last year at this point in the RECORD. This letter illustrates some examples of injuries caused by improper design, malfunctions, and poor or inadequately made medical devices.

Mr. Speaker, I also include articles entitled "Designers of Medical Instruments Face Serious Questions on Safety," from the February 17, 1969, issue of *Electronics*, exhibit 2; "Accidental Electrocutions Claim 1,200 Patients a Year," from the January 27, 1969, issue of *Electronic News*, exhibit 3, and "Electrical Risk in Hospitals Is Held Rising," from the February 17, 1969, issue of *The Washington Evening Star*, exhibit 4, at the conclusion of my remarks along with a brief section-by-section analysis of our proposal—exhibit 5.

We are particularly concerned to add diagnostic devices to the subject matter of our proposal because a large number of hospital patients are accidentally electrocuted every year while receiving routine diagnostic tests, as Mr. Ralph Nader disclosed last Wednesday before the National Commission on Product Safety. In this regard, I also include an excerpt from an article entitled "1,200 Patients Get Electrocuted Yearly, Hearing Told," from the *Washington Post* of February 20, 1969—exhibit 6—at this point in the RECORD.

Mr. Speaker, the President's consumer message of 1967 recommended legislation of this general nature. I surely hope that the Committee on Interstate and Foreign Commerce will examine this matter in public hearings at their earliest opportunity.

EXHIBIT 1

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,

Washington, D.C., June 11, 1968.

Hon. THOMAS S. FOLEY,
House of Representatives,
Washington, D.C.

DEAR MR. FOLEY: Both Dr. Lewis of our Bureau of Medicine and I were pleased to receive your letter of April 8, 1968.

For approximately two years, representatives of FDA's Bureau of Medicine have been investigating and interviewing physicians who have knowledge of injuries associated with devices. We have gathered many examples of injuries which have resulted from improper designs, malfunctions, and poor or inadequate tested devices. Some of the more serious occurrences are as follows:

In one report from a Midwest hospital three patients died during electrocardiographic tracings. Afterwards, the technician, when questioned, recalled receiving a shock when plugging in the machine. Examination of the machine indicated that the wiring was faulty resulting in the direct application of the line current to the patients. This may have been responsible for electrocution. As a result, some physicians have their own electronics technicians or engineers check all wiring before these machines are used.

One particular make of anesthesia machine has caused deaths because of poor design. This type machine utilizes a liquid anesthetic which is vaporized prior to inhalation by the patient. The model in question was so designed that it was possible for the container to be overfilled. This resulted in the patient breathing in a lethal concentration of the liquid anesthetic. This happened several times, and the machine has since been modified.

We have received reports that artificial heart valves have been manufactured with surface defects. These defects resulted in excessive clot production and propagation, and in some instances the outcomes were fatal. As a result, the manufacturer improved quality control, but unfortunately for some, too late.

Another report involves a hemodialysis, or artificial kidney machine. If the pump on this machine did not function properly it triggered an alarm. This alarm mechanism automatically threw the particular pump out of the circuitry. However, the technician in charge pressed an override switch which he had seen demonstrated previously by the installer of the machine. This resulted in the pump going back into action. Three out of four patients on the machine died after receiving distilled water intravenously. This could be construed as an indication of inadequate instruction, poor labeling, or perhaps poor engineering.

Other examples include certain types of hip prostheses which sustained severe mechanical disruption and caused tissue reaction. This necessitated correction by additional surgery. There are also numerous instances of metal implants of various types which broke or became corroded.

I hope that these examples are of the type in which you express interest. Please let me know if I can be of further assistance.

Sincerely yours,

MORTON M. SCHNEIDER,
Office of Legislative and Governmental Services.

EXHIBIT 2

[From *Electronics*, Feb. 17, 1969]

DESIGNERS OF MEDICAL INSTRUMENTS FACE
SERIOUS QUESTIONS ON SAFETY
(By Owen Doyle)

(NOTE.—Many engineers and physicians say hospital electrocutions are increasing; the Government may step in if action isn't taken soon to improve control of leakage currents and other sources of danger.

Hospital electrocutions are on the rise, according to many engineers, doctors, and others. Statistics aren't available, but the safety of electronic medical instrumentation is being questioned more and more. And instrument designers are getting part of the blame. The out-and-out dangerous instrument is rare, though not extinct. But some devices rely too much on operator skill. Others lack fail-safe protection or aren't designed to work safely with other instruments.

The problem has already reached Congress. The Medical Device Safety Act, which died in committee last session, will be introduced again this year. And if Congressmen don't see results from the efforts of instrument companies and hospitals to reduce the risks, one headline-making tragedy may be enough to get a safety act passed and bring the Food and Drug Administration into the act.

Of course, the danger of electrical shock has always been present in hospitals. But the chance of electrocution has gone up rapidly in the past decade. Ironically, the risks have risen for the same reason that the quality of some types of medical care has improved: the insertion into the body of catheters that transmit data on physiological parameters is becoming routine. And the heart, the organ most sensitive to small electrical currents, has been the organ most probed. The catheters bring vital information from the body, but they can also bring current into the body.

Before the appearance of the cardiac catheter, dangerous currents were measured in milliamperes. But when there's an open road to the heart, as little as 20 microamps can be lethal. The problem facing physicians and engineers is to close the road to leakage but keep it open to data.

Inserting a catheter into a heart chamber is simple and painless. Usually, the physician inserts a long hollow needle into an artery or vein in the arm or leg, then feeds the catheter through the needle until the tip reaches the section of the heart where measurements are to be made. The most common parameter measured is total pressure of the blood at a specific heart site, but other types of catheters are becoming available for measurements of parameters other than pressure, such as blood pH, concentration of oxygen or carbon dioxide in the blood, and metabolic rate.

After the thin plastic tube is inserted, it's filled with a saline solution and connected to the chamber of a pressure transducer. A strain gage lies at the bottom of the chamber, so the fluid directly transmits the body pressure to the strain gage. The salt, required to make the fluid compatible with blood, also makes it an excellent conductor. A few stray millivolts between the fluid and ground can send lethal currents flowing into the heart wall.

The lack of statistics can be attributed mainly to two factors: hospitals, naturally enough, are reluctant to talk about the subject, and in many cases the evidence that death is due to shock from leakage currents is circumstantial. Patients with catheters in or probes on their bodies are often very ill. Unless the current is high enough to burn or produce sudden rigidity there is no way to prove electrocution. A small current flowing in the body does nothing that shows up in an autopsy. Dr. John Bruner, a Massachusetts General Hospital anesthesiologist, points out that death from fibrillation induced by current from a catheter is indistinguishable from death by "natural causes."

Based on how currents get into the body, electrical shock can be broken down into gross and microamp types.

Gross shock occurs when the current passes through the skin. Skin resistance can run as high as 1 megohm, depending on the amount of dirt, sweat, body oil, and other substances. A patient's body is clean, however, and when electrodes are to be attached to a patient the

physician usually scrapes away the layer of dead cells on the skin's surface. As a result, skin resistance under an electrode, such as the type used with electrocardiographs, is typically less than 1,000 ohms. A current of around 20 milliamperes flowing through this resistance can cause fibrillation.

In a common type of ECG setup, two electrodes are placed on the patient's chest and a third, attached to the ECG's ground terminal, is placed on his leg. If a patient with electrodes attached were to touch something above ground potential, a dangerous level of current could flow through him.

Although it usually causes fibrillation, gross shock can be lethal in two other ways. If the current comes in through the skull, it may attack the brain's respiratory control center. Elsewhere, it can paralyze the muscles used in breathing.

The lethal current that gets into a catheter is usually leakage, generated because of poor grounding. But currents can also be produced if electronic instruments are poorly designed or wrongly used, or if a component in an instrument fails. Also, some instruments, perfectly safe when operated by themselves, generate dangerous currents when used with other equipment.

In some hospitals the power ground is used as the instrument ground, says Paul Stanley, a physicist at Purdue University and an instrumentation-safety activist. Stanley points out that a power ground is often just a thin-walled conduit whose resistance may be as high as 0.006 ohm per foot. If, for example, 100 milliamperes were to flow through this ground, the instrument end of the ground could easily be 100 millivolts above the other end.

Another reason it's dangerous to use a power ground as an instrument ground is that when there's a break in the cable's ground lead or when the ground pin snaps off the plug, the instrument continues to work, even though it can now be a source of leakage. And says Dr. Bruner: "The plugs and cords we get on instruments now are totally inadequate."

J. A. Hopps, a senior research officer in Canada's National Research Council, explains the problem this way: "Accidental current is normally controlled by grounding the equipment chassis. . . . In many hospitals the existence of any sort of ground system is suspect. Older hospitals may have no ground wires at all."

The voltage that drives the leakage current can come from various sources. The electrical appliances found in hospital rooms—television sets, radios, lights, motorized beds—could be faulty. The beds seem to be the worst offenders. Many investigators have spot-checked beds in their hospitals and reported that 70% to 90% of them were poorly grounded. Says Dr. Harold Laufman, director of the Institute for Surgical Studies at New York's Montefiore Medical Center: "We don't have a good hospital bed. They can make them in French provincial, they can make them in colonial, but they don't seem to be able to make them safe."

TRANSIENT TROUBLE

Joseph Neuland, manager of Beckman Instrument Inc.'s clinical instruments operations, points to another danger spot: the shock hazard due to component failures in an instrument's power-supply circuit. Just about every medical instrument has either dual supplies or a single supply with a positive and negative output potential. If there is a failure, says Neuland, a large transient current can flow through the input leads and into the patient. And simply turning some instruments on or off can cause large transients. Neuland's solution is to build failure sensors into power supplies; this is being done by some manufacturers.

Neuland points out two other situations that could be hazardous. There is too much

60-hertz leakage from the power lines to some instruments in their normal operating state. This, he says, could be solved by properly shielding transformers.

And, according to Neuland, many of the amplifiers connected between a probe and an instrument have capacitors to cancel out the effect of large electrode-offset potentials. These potentials can go as high as 500 millivolts, says Neuland, so there's often a lot of energy stored by the capacitors. Under certain conditions, he says, this energy can be discharged through the patient to ground. So anyone designing blocking capacitors into an instrument, says Neuland, must make sure that the discharge current is carefully controlled.

The blame for these hazardous conditions, however, can't be placed entirely on one group. Says Hopps: "The responsibility must be shared by the equipment manufacturer, the hospital designer, and the medical user. The manufacturer's culpability generally derives from an inadequate comprehension of medical procedures and physiological factors. . . . In his desire to achieve versatility, he may unwittingly sacrifice protective features. He may assume that the user has technical competence to operate the instrument safely, and this is the most erroneous assumption. . . . and a manufacturer usually considers his product a discrete unit rather than part of a patient treatment system."

Others are not so understanding about the manufacturers' efforts. Says Dr. Laufman: "There's been a lot of gimmickry and misrepresentation in this instrumentation business." Harve Hanish, president of Blocom Inc., a medical instrumentation house, is no more sympathetic. He feels that there hasn't been nearly enough improvement in medical instrumentation, and not just in the safety area, over the past few years. He charges that the instrument industry is suffering from the "Detroit syndrome." Manufacturers appear compelled to bring out new models every year, not changing the electronics, just making the cases fancier," he says.

David Lubin, administrative engineer at Baltimore's Sinai hospital, also finds fault with the instrument makers: "Most electrical equipment purchased today is factory-equipped with grounding facilities in the power cord and attachment plug. The catch lies in the fact that too often the devices furnished with electrical equipment to provide grounding for safety are weak, easily broken, and poorly designed for rough handling. They aren't proper because they're not foolproof, not fail-safe, not reliable."

But others also come in for criticism from Lubin: "The blame cannot be placed entirely on the manufacturer or entirely on any one condition. The situation as it exists today is the result of a combination of factors that involve the newness and subtlety of the hazard, the complacency and apathy of hospitals, an almost total lack of standards relating to specific devices for specific hospital applications, confusion in some codes, and the unfortunate fact that connection devices that will work on light-duty, generally non-hazardous items such as electric clocks will also work on critical medical instrumentation."

Richard Lloyd, assistant to the president of Underwriters Laboratories Inc., proposes some immediate changes in the design of instrumentation systems. Lloyd would:

Require a ground-fault detector.
Require that isolating transformers serve one patient area only and be provided with a grounding shield between primary and secondary windings.

Restrict the size of the isolating transformer, the length of the circuit, and the type of insulation used on the conductor to keep leakage down.

Require surge or overvoltage protection on all circuits entering or leaving the patient area.

Require the use of double-insulated equipment where grounding doesn't provide the necessary protection.

Consider the use of ground-fault circuit interrupters on medically nonessential circuits.

A LONG LOOK

Stanley, while naturally urging immediate changes where they can be made, feels that now is the time for a sweeping attack on the problem of shock in hospitals. Says Stanley: "Committees formed by Federal agencies, professional societies, safety organizations, and industry are scrambling to establish standards aimed at making cardiac monitors, pacemakers, defibrillators, and all kinds of still-uninvented devices safe for use in the hospital and clinic. The effort is commendable, but the word scrambling is used advisedly. Decisions reached and rules codified without careful analysis could stifle the development of new concepts if the decisions and the rules are too strict; if standards are too liberal, they provide little of the safety they are intended to ensure. And whether too strict or too lenient, codes once printed are difficult to change."

The program Stanley proposes would first involve defining the problem. "There should," he says, "be careful study to determine how real the dangers are. Are electrical fatalities caused by medical instrumentation on the increase? Is the rate of increase as large as some fear?" Once these questions are answered, says Stanley, it would be possible to make sure that safety is designed into systems, to establish adequate controls over existing problems, and to begin review programs so equipment design could be continuously brought up to date.

He also suggests re-evaluation of the body's sensitivity to electric shock, particularly in regard to maximum safe currents, and studies to determine whether the pathological heart is more susceptible to electric shock than the healthy heart and how various medications affect fibrillation thresholds.

A CONGRESSMAN'S WIFE

Stanley isn't specific about who should undertake or pay for such a program, but there's a good chance the Government will enter the area of medical-instrumentation safety.

The Medical Device Safety Act would authorize the FDA to pass on the safety and efficacy of medical instrumentation and to set standards for devices that are implanted in body cavities, placed in contact with mucous membranes, or delivering energy to the body. Exempted would be devices that have been around long enough to have proved themselves, such as fluoroscopes; instruments under clinical investigation, and those custom-made for a licensed practitioner.

Whatever the chances of the bill this year, it seems likely that some kind of legislation will be adopted in the next few years. "I don't like to see the Government get involved in this," says one physician, "but I'm afraid it's going to have to happen. Hospitals and manufacturers have had their chance and just don't seem to be able or willing to do anything about the safety problem. Congress isn't under that much pressure now to pass any kind of bill. But let one congressman's wife get burnt while she's in the hospital, and we'll have our standards the next day."

EXHIBIT 3

[From Electronic News, Jan. 27, 1969]
ACCIDENTAL ELECTROCUTIONS CLAIM 1,200
PATIENTS A YEAR

At least three patients in United States hospitals are accidentally electrocuted each day.

The total number of electrocutions annually is about 1200.

According to Dr. Carl W. Walter, a surgeon at Peter Bent Brigham Hospital, Boston, who

supplied the figures, most of the patients killed were not in terminal condition but were undergoing "routine diagnostic tests," or "routine treatment."

Dr. Walter's figure of 1200 accidental electrocutions annually was quoted last week at the Reliability Symposium held in Chicago. Speaking at a session on "Reliability of Medical Instrumentation," John A. Hopps, Radio & Electrical Engineering Division, National Research Council, Canada, said:

"Internal electric shock is a subtle hazard that has often escaped recognition. As a result, many patient deaths were attributed to other causes. Even with an increasing awareness of the problem, it is not surprising that many of the accidents which lead to fatalities are not reported. It has been estimated that about 1200 patients a year are electrocuted during hospital treatment in the U.S.A."

In a telephone interview last week, Dr. Walter said he received the figures from an actuary for a national United States insurance company which made a computer study of the situation.

"It raised quite a stink when the firm realized I had the figures," Dr. Walter said.

Dr. Walter said many hospitals are unaware of the cause of death in the electrocution cases. He said it was this fact that prompted the insurance company to do the study.

There are a variety of reasons for the deaths, according to Dr. Walter and Harold Greenberg, operating manager, Orion Research, Inc., Cambridge, Mass., who chaired the session at the Chicago symposium.

Mr. Greenberg said most of the deaths can be attributed to hospitals linking incompatible types of equipment together.

Dr. Walter added that was only one of the causes. He said another cause was the high leakage current from equipment and poor circuit design.

"There are two prominent United States manufacturing firms that are presently selling machines that are highly dangerous," Dr. Walter said.

Another cause of accidental electrocution, according to Dr. Walker, is hooking the patient to medical instrumentation for long periods of time, such as in an intensive care unit.

"The patient frequently is in the ground loop," Dr. Walter said. "All he has to do is touch a metal faucet or another piece of equipment and that's it," he added.

Dr. Walter said another cause of electrocution is errors by hospital personnel who, as a rule, have no training in electronics. Dr. Walter added the average hospital has absolutely nobody qualified to operate electronic equipment.

"Sometimes the firms who supply the equipment are careful about training personnel to operate the gear and follow the maintenance of the equipment very closely. However, most firms are not that careful," he added.

There are very few hospitals throughout the United States that maintain experts in electronics to operate complicated instrumentation, Dr. Walter said.

Mr. Greenberg said there might be three or four who maintain experts but as a whole hospitals don't hire experts. He said most hospitals will look for a doctor with some experience in electronics and assign him the task of looking after electronic equipment.

INCREASING PROBLEM

Leon Pordy, M.D., assistant clinical professor of medicine, Mount Sinai School of Medicine, said the problem of accidents occurring through the use of electronic equipment is "an increasing one." Reason: "We're using more and more electronic equipment. In the past this equipment wasn't available, but now patients in an operating room are wired up for 16 different things." He noted, however, that as the problem increased, so

did everyone's awareness. "Every precaution is now taken to avoid accidents. In our own work, the first consideration is that the patient is not grounded."

Dr. Pordy said that "suppliers of electronic equipment have the first responsibility to make sure their equipment is safe. And doctors have the second responsibility to make sure the equipment is used properly."

Dr. George Myers, professor of electrical engineering, New York University, agreed the use of electronic equipment presented problems but said he had "no personal knowledge of the extent of the problem." He did note however, that one potential cause of accidents is poor wiring in some of the older hospitals.

There is no common ground for the various electrical outlets in these hospital rooms, which could cause leakage currents to flow through the patient's heart. This can cause fibrillation, uncoordinated beating of the heart, which leads to death in a matter of minutes. The heart feels like "a handful of worms, just squirming."

Dr. Bertram Spector, vice-president of research, New York Institute of Technology, noted that slipups and accidents can always occur in the use of electronic equipment. What is needed, he added, is a "commitment by hospital administrations to educating their staffs on the proper use of the equipment."

CONFIRMED DEATHS

A faculty member of Columbia University's College of Physicians and Surgeons, who declined to be identified, confirmed that deaths have been caused by electronic equipment. But the extent to which electronic equipment is directly responsible is difficult to assess. He said that he had heard the figure of 1200 accidental electrocutions a year, but has not seen the medical data on which the figure is based.

Electronic equipment, he stressed, must be designed to prevent injury to patients—and to doctors. There have been cases, he added, where doctors received shocks from equipment and were hospitalized. Manufacturers are improving their equipment to some degree. In addition, hospitals need to test equipment on arrival and then maintain it regularly. And hospitals must also design the building's wiring to prevent accidental grounding of patients. Some hospitals are already doing this, he noted.

The National Fire Protection Association and the Underwriters Laboratory, among other organizations in the United States, have committees which are drawing up a list of requirements to make medical equipment safer, he said.

"We have documented that 40 per cent of incoming equipment is defective." So said Seymour Ben-Zvi, director of scientific and medical instrumentation at Downstate Medical Center, State University of New York.

Mr. Ben-Zvi said Downstate has an elaborate testing program and has found "many instances" where problems of electrical safety have been overlooked.

He described a defibrillator which through a vacuum relay problem was capable of discharging high voltage into a heart patient before the physician had signaled for it.

SCARCE STATISTICS

Martin Friedlander, an engineer at Columbia Presbyterian Medical Center, said he didn't like "scare statistics. I'd much rather approach things calmly and try to do something about it."

"You have to compare any kind of shock hazard with the incidence of the same sort of thing in the home. I understand that most of the people in this country who die in accidents, die in the home," said Mr. Friedlander.

"I don't think it's a major hazard to the American hospital patient; I wouldn't say that at all."

He went on to describe equipment techniques being developed at the hospital to increase patient safety.

Richard Merris, sales manager for Dallons Instrument, a division of International Rectifier Corp., El Segundo, Calif., said the 1200 figure sounded "about right" but pointed out that these cases are caused by ac current leakage from "all types of electrical equipment," not just medical electronic instrumentation.

The ac current reacts more on some patients than others and causes fibrillation of the heart muscles.

Mr. Merris said the problem has become a factor in selling instrumentation to hospitals and Dallons has solved the problem by having its monitoring equipment which is directly connected to the patient all approved by Underwriters Laboratory.

"Unfortunately, there is no requirement at present for UL approval on such equipment and many smaller companies are not going to the trouble or expense of seeking approval," he said. He added that a uniform requirement for approval would be one method of fighting the problem.

Mr. Merris said deaths from ac current leakage rarely happen in intensive care units, where electronic monitoring equipment is most frequently used. If fibrillation were to occur in a patient under intensive care, an alarm would immediately be sounded telling the hospital staff that his heart action was abnormal.

The problem, he said, is more with "the poor guy in a room with a stomach pump" or other standard electrical equipment. If accidental electrocution occurs in such cases, "he may lay there for an hour before anyone notices."

Richard Cramer, president of Ivac Corp., manufacturers of electronic monitors for intravenous feeding control, said one of the most acute dangers is the use of separate instruments for diagnostic procedure on the same patient at the same time. He said that in such cases, where physiological diagnosis is being made by introduction of an electric current into the patient's body, the addition of another current from another instrument could create a lethal electrical loop.

With most instruments, especially monitors, the only danger is that common to any appliance, he said. That is the possibility that patient or nurse may touch the machine at a time when there is some leakage of power. Precautions used by Ivac are the use of isolation transformers and of self-destruct fusing devices which cannot be replaced except at the factory.

Hewlett-Packard Co. says many accidents are due to poor isolation between the instrument and the patient's body. The company recognized the problem several years ago, and built isolation into its heart pacemaker in 1965. The first measuring instrument to be isolated was the 1500 Series electrocardiograph in 1967.

The company is now in the process of isolating its entire medical instrumentation line, but conversion has not been completed.

An H-P spokesman pointed out the extreme necessity of good grounding, with all equipment returning to the same ground point. All H-P instruments use 3-wire power cables, with separate grounds.

The spokesman also pointed out that the most dangerous voltage to human life is in the 700-800V range. This is the voltage which sets the heart into uncontrolled defibrillation, while higher voltages cause tensing only, with the heart frequently returning quickly to its normal rate after voltage is removed.

A spokesman for the American Hospital Association in Chicago, which represents about 96 per cent of all United States hospitals, said the group had no independent data of its own on such deaths. He said the group could not comment on Dr. Walter's figure.

Throughout the survey, no one denied the figure of 1200 deaths or offered a lower estimate.

EXHIBIT 4

[From the Washington (D.C.) Evening Star, Feb. 17, 1969]

ELECTRICAL RISK IN HOSPITALS IS HELD RISING (By Judith Randal)

NEW YORK.—Electrical hazards are exceeded only by the misadministration of drugs and falling out of bed as the leading cause of hospital accidents, according to three experts who say the risk continues rising with the increasing use of sophisticated devices by hospitals.

Speaking here at a weekend conference on medical electronics, the three—Dr. Carl Walters, a surgeon at Peter Bent Brigham Hospital in Boston; David Lubin, administrative engineer of Sinal Hospital in Baltimore, and Paul E. Stanley of Purdue University School of Engineering—said hospitals tend to be apathetic about the problem and equipment manufacturers indifferent.

They called for stiff quality standards and the machinery for enforcement.

Stanley, who is a professor of aeronautics and astronautics as well as an expert on hospitals, said part of the trouble is that medical instrument manufacturers believe their responsibility ends when someone plugs a device into the wall.

Among the dangers, the experts said, are cheap molded plastic plugs for even the most delicate and expensive machines, crudely put together wall outlets, shoddy cables and equipment of all kinds that is not properly grounded.

Even low voltages can be dangerous—it's the amperes that kill. For this reason, they said, hospital electrocutions are on the rise. If a very sick patient is linked by electrodes to a monitoring system, it's often difficult if not impossible, to tell whether he died of his disease or of a shock from the equipment.

The dangers are particularly acute in surgical recovery rooms and coronary care units, the panel told reporters at a news briefing. In the Boston area alone, said Walters, there were three recovery room fires traceable to electrical accidents last year. In one, 12 unconscious patients had to be hurriedly evacuated.

The experts also agreed that many physician specialists know how to use equipment, but are not familiar with its workings should something go wrong.

"A salesman comes in and the specialist trusts the salesman," Lubin said. "But no circuit diagram or manual comes with the machine."

Lubin also said physicians and hospitals are often poorly informed about when electrical equipment should be cleaned because manufacturers are reluctant to admit that poor design permits it to become dangerously dirty in the first place.

Walters agreed. He had, he said, just been asked to look at some devices at New York Hospital and culture the bacteria he might find in them. What they needed, he said, was "not a culture, but a shovel."

Another danger, he said, is the protruding dials and knobs on electronic devices. These fall off all too easily, he explained, and in a crisis, when everyone's attention is focused on the patient mistakes are easily made.

EXHIBIT 5

BRIEF SECTION-BY-SECTION ANALYSIS

TITLE I—AUTHORITY TO ESTABLISH STANDARDS

Section 101 amends Chapter V of the Federal Food, Drug, and Cosmetic Act by adding a new section relating to the standards for medical devices.

Section 513(a) authorizes the Secretary of Health, Education, and Welfare to establish

standards for devices when such action will protect public health and safety.

Section 513(b) requires that the Secretary, in developing standards, shall consult with and give appropriate weight to standards published by other Federal agencies and National or international standard-setting agencies, and shall invite participation of others representative of scientific, professional, industry, and consumer organizations.

Section 513(c) establishes the procedure for issuance, amendment, or repeal of standards related to those now incorporated in the Federal food and drug law (announcement and hearings on proposed rule making), but authorizes also the use of a referral to an independent advisory committee, outlined in Section 513(d) below.

Section 513(d) authorizes those who would be affected by a standard to request a review of a proposed standard, or any matter involved in such a proposal, to an independent advisory committee for consideration.

Section 102 makes conforming amendments in section 501 of the present food and drug law by amending the section defining "adulterated drugs and devices" to include devices which do not meet a standard set forth in accordance with Section 513 above, where such a standard exists.

TITLE II—PREMARKET CLEARANCE OF CERTAIN THERAPEUTIC DEVICES

Section 201(a) amends section 501 of the present food and drug law by deeming a device "adulterated" if it is unsafe, unreliable, or ineffective with respect to its use or intended use.

Section 201(b) amends the present food and drug law by adding a new Section 514, "Premarket Clearance for Certain Therapeutic Devices."

Section 514(a) sets forth conditions for when a premarketing clearance is required. States that a device is to be deemed unsafe, unreliable, or ineffective for purposes of applying section 501(f) above when—

(1) The device is not generally recognized by experts, qualified by scientific training or experience, to be safe, reliable, or effective for use under the conditions prescribed, suggested or recommended; and,

(2) The device is intended for or is used within the human body, intended to be used for subjecting the human body to some process, or after investigation is found to be ineffective, unsafe, or unreliable.

Unless (1) a new device application has been filed, or an approved application exists; (2) is exempted as outlined in 514 (j), (k), or (l) below, or (3) is used solely in animals other than man.

This section also requires that the Secretary shall maintain and publish a list of devices which are generally recognized as safe and effective for their uses.

Section 514(b) describes the contents and procedure for new device applications to comply with the clearance procedure set forth in 514(a) above. These applications must contain—

(1) Information and data to show the safety, reliability, and effectiveness of the device,

(2) Composition, properties, and principles of operation,

(3) Methods and controls used in manufacture,

(4) Identification of the applicable standard and information to show that the device meets the standard,

(5) Samples of the device,

(6) Specimens of labeling, and

(7) Other requirements the Secretary may require.

Section 514(c) requires the Secretary to act on application within 180 days after filing by approving, denying and affording an opportunity for hearing, or suspending the time limit pending the report of an advisory committee.

Section 514(d) establishes the bases for approval or disapproval. Disapproval would be made where—

(1) The device is not safe or reliable under conditions prescribed,

(2) Manufacturing or processing controls do not meet good manufacturing practices,

(3) Lack of substantial evidence that the device has the effect it purports,

(4) Has false or misleading labeling.

Also defines substantial evidence to mean evidence from adequate and well-controlled investigations, including clinical investigations.

Section 514(e) authorizes the Secretary to withdraw approval of an application where—

(1) Other data, or later evidence, indicates that the device is unsafe or unreliable,

(2) New information shows the device to be ineffective,

(3) The application contains untrue statements of material fact,

(4) There is a failure to maintain records, as required elsewhere in the bill (see new section 515).

(5) Good manufacturing practices are not employed as required elsewhere in the bill (see new section 501(g)).

(6) On the basis of new information, the labeling is false or misleading.

Where an imminent health or safety hazard is involved, the Secretary is authorized to suspend approval immediately and to provide for an expedited hearing into the matter.

Section 514(f) provides the Secretary with authority to revoke adverse orders when the facts so require.

Section 514(g) requires that the Secretary's order be served in person or by registered or certified mail.

Section 514(h) authorizes the use of a referral committee for an opportunity for a hearing on an application or the Secretary's action to obtain the committee's report and recommendations. This procedure may be employed when filing an application or at any time prior to the expiration of the time for the Secretary to make a determination on an application. The committee would be appointed by the Secretary. This procedure also applies to Section 513(d) relating to standards as outlined above.

Section 514(i) provides applicants with the right of appeal and to obtain judicial review.

Section 514(j) establishes exemption for devices used solely for investigational purposes by persons qualified to conduct such investigation. The exemption would be conditioned upon—

(1) The existence of an adequate plan of investigation

(2) A written agreement that the use of the device will be under the supervision of the investigator in cases where the device is for human use

(3) That records and data obtained from the investigation are kept and available

(4) Other conditions determined by the Secretary to assure public health and safety.

The exemption is conditioned also upon notification to those who use such a device that its use is for investigational purposes, and that consent be obtained.

Section 514(k) also exempts from the application procedure under section 514 any device which fully conforms to an applicable standard established under section 512, or meets standards about to be announced or implemented, devices made upon order by a practitioner, where such a device is not generally available in finished form or in existing commercial channels, or where the device is for the use of a named patient, or for the sole use of a practitioner in the course of his professional practice.

Section 514(l) provides exemptions for devices licensed by the Atomic Energy Commission, or for devices where the application of the procedure in this section is not necessary for the protection of the public health.

Section 202 makes conforming changes in existing law to include under the section on "prohibited acts" certain aspects of the new section 514.

TITLE III—REQUIREMENT OF GOOD MANUFACTURING PRACTICE

Section 301 amends present law to provide that a device is "adulterated" if the methods and controls used to manufacture the device do not conform with good manufacturing practice to assure that such a device is safe and reliable and that it has the characteristics it purports to have.

TITLE IV—RECORDS AND REPORTS: INSPECTION AND REGISTRATION OF ESTABLISHMENTS

Section 401 amends present law by adding a new section 515 requiring that manufacturers, processors, and distributors of devices subject to standards keep records and make reports to the Secretary relating clinical experience and other data which bears on the safety, reliability, and effectiveness of such devices. The Secretary is also authorized to have access to such records.

Section 515(a) sets forth the above requirements.

Section 515(b) exempts from these requirements the following:

- (1) Pharmacies operating in conformance with applicable local laws,
- (2) Practitioners, licensed by law, who manufacture devices solely for use in the course of their professional practice,
- (3) Persons who manufacture devices solely for use in research or teaching, and not for sale,
- (4) Persons, with respect to any device, no part of which has been in interstate commerce and which is not intended for interstate commerce,
- (5) Other classes, as determined by the Secretary.

Section 402 amends varied parts of existing law to provide the inspection provisions now relating to drugs to devices covered under the act.

Section 403 amends various sections of existing law relating to the registration of drug manufacturers to include the manufacturers, processors, and distributors of devices covered under the act.

TITLE V—GENERAL PROVISIONS

Section 501 establishes a new section 707 which provides for the creation of an Advisory Council on Devices within the Department of Health, Education, and Welfare to advise the Secretary on policy matters in carrying out the provisions of the bill. The members would be selected with a view toward their special knowledge of the problems involved in regulating various kinds of devices.

Section 502 makes the provisions of the bill effective upon the date of enactment with the exception as shown in 502(b), (c), and (d):

Section 502(b) makes the effective date (except as provided in 502(c) below) of the definition of an "adulterated device" on the 1st day of the 13th month following enactment (one year from enactment), or sooner if, upon application, the Secretary issues an order with respect to such application. The effective date in latter case would be the date of the order. This effective date is the date on which the "safety, reliability, and effectiveness" requirement is imposed.

Section 502(c) relates to devices already in existence. The safety, reliability, and effectiveness requirements shall become effective on a "closing date," the 1st day of the 31st month after enactment (2½ years after enactment), unless an application is filed sooner. If an application is filed sooner, the effective date is the date of an order with respect to such application. Under certain conditions, this date may be extended by the Secretary to the end of the 60th month following enactment (5 years after enactment), or to any date between the 31st and end of the 60th month.

Section 502(d) requires registration of manufacturers, processors, and distributors prior to the 1st day of the 7th month (6 months after enactment).

EXHIBIT 6

[From the Washington (D.C.) Post, Feb. 20, 1969]

ABOUT 1,200 PATIENTS GET ELECTROCUTED YEARLY, HEARING TOLD

(By Morton Mintz and Nate Haseltine)

About 1200 hospital patients are accidentally electrocuted annually while receiving "routine diagnostic tests" or treatment because of faulty equipment, safety investigators were told yesterday.

The source of the information was Dr. Carl W. Walter, clinical professor of surgery at Harvard Medical School and a surgeon at Peter Bent Brigham Hospital, Boston. The disclosures were made by consumer advocate Ralph Nader in testimony before the National Commission on Product Safety.

Dr. Walter said in a telephone interview that many of the electrocutions happen during diagnostic procedures in which the patient is hooked up to electronic systems. Almost invariably, he said, the deaths are listed as cardiac arrests—and "who's to prove electricity did not cause the heart stoppages?"

For that reason, he said, there have been few law suits over the deaths, and the hazards have been little publicized.

The Boston doctor said that most hospital electrocutions happen when untrained hospital employees link together incompatible electronic units. But other such deaths, he said, are caused by surges of high voltage leaking from equipment, poor circuit design and connecting patients to electronic equipment for long periods of time—as in intensive care units.

Dr. Walter said he obtained the figure on electrocutions from an actuary for a national insurance company who he would not name. The number, he said, is close to his own estimates.

But Nader said that Dr. Seymour Ben-Zvi, director of scientific and medical instrumentation at Downstate Medical Center in New York City, has documented evidence of defects in 40 per cent of the equipment coming into the Center.

Nader criticized the insurance firm whose actuary supplied Dr. Walter with the information. "Unfortunately," he said, "this company has followed the ghoulish practice of the insurance industry in not publicly releasing this data so as to promote remedial measures."

THE GRAPE BOYCOTT: PAST, PRESENT, FUTURE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BOB WILSON. Mr. Speaker, with all the emotional furor that has been raised over the condition of California farmworkers, and California grape pickers in particular, the following balanced article from the January 18 issue of California Farmer helps put the California grape dispute into sharper, clearer focus:

THE GRAPE BOYCOTT: PAST, PRESENT, FUTURE

On October 30, 1968, the California State Chamber of Commerce office received a phone call from a Chicago food firm. The firm wanted facts and figures to fight the grape boycott.

This was not an unusual call. The food firm reported boycott sympathizers had indicated overt action because the store would not agree to remove California grapes. What

was unusual was that the boycott sympathizers wanted the no-sale agreement for 1969.

This call emphasizes an important point, according to an editorial report in the Chamber's magazine, *Pacific*. The nationwide boycott of California table grapes is not going to fade away.

The Chamber's report brings out some other points of interest. A UFWOC leaflet claims "tens of thousands of grape workers have gone out on strike." But the Division of Labor Service, California Department of Employment, reports there were no new bona fide labor disputes in 1968 on California's 70,000 farms. In fact, there were only two bona fide disputes in 1967, involving not tens of thousands, but 275 workers. There were eight disputes in 1966 involving 427 workers. This was for all agriculture, and not just grapes.

While UFWOC makes wild claims of tens of thousands of members out on strike, their own reports filed with the U.S. Department of Labor indicate dues income of \$84,424 in 1967. With dues of members at \$3.50 per month, a membership of about 2000 is indicated. This is less than 2 per cent of farm workers in the State.

California farms averaged 170,000 workers in 1967 with a peak in September of 246,000. There are 3 million farm workers in the U.S., so the potential at \$3.50 per month is \$10½ million or \$126 million per year, an amount worth the effort.

UFWOC leaflets distributed in the East depict a starving child and charge that farm laborers "suffer want and deprivation." State Senator John Harmer said he would resign from the State Senate if the UFWOC would produce "starving children" as pictured in union fliers.

The Chamber notes it is the retailer who is caught in the middle. This is not new to the grocer. Ten years ago there were efforts to get grocers to stop handling apples from Sebastopol and there were demands to discontinue the S&W product line.

One Sacramento grocer this year had three unions at one time demanding product removal. The farm workers' union wanted grapes removed, the cannery workers wanted Campbell soups removed and the confectionery union wanted one supplier's bag candy removed.

The position taken by the California Grocers Association is: "The decision of buying or not buying merchandise for sale must be left to the consumer and markets will continue to handle all products until such time as customers no longer buy the item."

Turning to another source of boycott material, the South Central Farmers Committee reports that 90 per cent of the 5,000 workers who have regularly picked the entire grape crop in the Delano area are residents of the area and not homeless migrants as often pictured.

A check of the records will show that 70 per cent of the growers' employees in 1967 lived in Delano, 13 per cent in McFarland, 6 per cent in Bakersfield, 1 per cent in Richgrove and 10 per cent had addresses outside the immediate community. The harvest season lasts September through December and many of the workers are housewives, students and casual workers who only work part time to supplement income and are not solely responsible for family support.

Between harvests Delano growers employ 2,500 workers to prune, irrigate, cultivate, fertilize, strip, tie vines, erect or replace trellises, weed, spray, girdle or thin. For many, mostly family heads, Delano vineyards provide almost year-round employment.

Time magazine (March 22, 1968) reports that UFWOC is receiving \$10,000 per month from the AFL-CIO and \$7500 per month from the United Auto Workers. With contributions from other locals, church groups and student organizations the UFWOC spends

about \$500,000 a year on its efforts. This heavily financed propaganda would have the Nation believe the Delano grape picker is the lowest paid; that they are poor, forgotten, homeless migrants. Growers feel Delano was selected for precisely opposite reasons.

Delano grape pickers are among the highest paid farm workers in the United States. Therefore it appeared to organizers that they would best be able to pay dues.

The so-called "union," which is actually only an organizing committee with the task of determining if there is enough interest to form a farm workers' union, needed a well settled, non-migrant work force. Migrants do not stay in one place long enough for convenient recruiting or dues collection. Delano fitted the union requirement because 90 per cent of the harvest crews come from the area and 50 per cent of these find year-round employment.

Growers find themselves in a tight financial spot. Their costs have doubled while prices stay the same. The Federal-State Market News Service records reveal that table grapes averaged \$60 per ton 10 years ago. Last year the average price was \$61.90 and the 10-year average was \$56 per ton.

Over this same period a tractor, most commonly used in the vineyard, has jumped in price from \$10,000 to \$17,000. Property taxes which averaged \$16 per acre 10 years ago now average \$30. Shipping cartons which cost 35 cents 10 years ago now cost 45 cents. The story is the same with all other costs involved.

Growers will continue to oppose unionization as long as they are threatened with strikes, a weapon which makes collective bargaining over a perishable commodity a one-way street for unions. Is this a false fear? Check with the pineapple growers in Hawaii who lost \$7 million as their crop rotted in the field during a 61-day strike.

While UFWOC claims workers are on strike, the 70 table grape growers in the Delano area had no difficulty recruiting the 5000 workers who have regularly picked the crop over the years.

Picketing activities have been conducted primarily by paid professionals and volunteers from student groups, campus militants, social reform organizations and cooperating clergymen, many of whom were recruited by the Migrant Ministry.

Having failed repeatedly to "sell" grape pickers on the value of union membership, leaders of UFWOC, now in desperation, are threatening naked force to accomplish their ends. UFWOC is telling growers their grapes will be boycotted unless they sign contracts on behalf of their workers, whether the workers want to join or not. Having failed to recruit workers on the merits of the union effort, UFWOC is seeking to compel workers to join through coercion.

Who is behind Cesar Chavez? He makes no secret that he received most of his organizational training under Saul Alinsky, the activist.

The California State Senate Fact Finding Subcommittee on Un-American Activities in 1967 did not say that the strike was directed by Communists. But it did say it was turned into a civil rights movement and operated as a cause and not a labor dispute.

The report notes this view is amply supported by the activities of known members of the Communist Party who were on the scene and siding with the strike almost from its inception; by favorable accounts that consistently appeared in the Communist press; by participation in strike demonstrations by such organizations as the DuBois Clubs of America, Students for a Democratic Society, Progressive Labor Party, Vietnam Day Committee, Trotskyite groups and other organizations moved by similar objectives and by the reports of all law enforcement agencies connected with the project.

D.R.

DO NOT FORGET THE OLD LEFT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. ASHBROOK. Mr. Speaker, the February issue of Nation's Business put forth in its editorial some observations on the New Left and Old Left which are worth remembering. The editorial begins by stating that

We're so preoccupied with the threats of the New Left these days, some people have forgotten there's an Old Left—the USSR.

When we remember that it was the Old Left or the U.S.S.R. and not the New Left which invaded Czechoslovakia last August, the editorial's advice should be well taken.

When we consider that it is the Old Left which has been supplying vast amounts of armaments to Ho Chi Minh to be used against American servicemen and the South Vietnamese, we would forget the Old Left at our peril.

The point would seem to be self evident, yet there are those who would accuse the United States of every excess in Vietnam but conveniently forget the 50-year record of the U.S.S.R.'s inhumanity to man. For this reason I think the Nation's Business editorial provides what should be a basic tenet of foreign policy considerations—the totalitarian nature of the Soviet regime—and I include the editorial in the RECORD at this point:

DON'T FORGET THE OLD LEFT

We're so preoccupied with the threats of the New Left these days, some people have forgotten there's an Old Left—the USSR.

Just because we've coexisted with the Soviet for years and we're seeking treaties and peace negotiations with them now doesn't mean they've become our kind.

If you think the Soviet communist system is getting pretty much like ours, consider some comparable rights:

We have free speech, free press, freedom of worship. Not so in Russia.

We have the right of assembly. Not the Russians.

We have trial by jury and are innocent until proved guilty. In Russia, it's trial by judge, and presumption of innocence does not exist.

We can own private property. The Soviets have no real property rights.

We can bargain for goods and services in our free markets. Not so in Russia.

We can get into business and compete for a profit. It's denied to Soviets.

We have free elections. In Russia only one name per office is listed.

In America you can not only worry about the New Left, you can even be one of the New Left if you want.

The Old Left doesn't even allow a New Left.

SOMEWHERE A STAND MUST BE MADE AGAINST DISRUPTERS ON THE CAMPUS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, under leave to extend my re-

marks in the RECORD, I include the following:

[From the 15-Minute Report for College and University Trustees, Feb. 21, 1969]

DISRUPTERS ON THE CAMPUS: NEW RULES AT NOTRE DAME

"Must universities be subjected, willy-nilly, to intimidation and victimization, whatever their goodwill . . . ? Somewhere a stand must be made," declares the president of Notre Dame.

"Anyone or any group that substitutes force for rational persuasion" at the U of Notre Dame will henceforth be subject to suspension, expulsion, court action, or a combination thereof. That was the message last week from the Rev. Theodore M. Hesburgh, president of the university.

In a letter to faculty members, students, and parents, Father Hesburgh reiterated his belief in the right of legitimate protest. But he added that "the last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. . . . Complicated social mechanisms, out of joint, are not adjusted with sledge hammers."

Father Hesburgh said he had consulted with all segments of the university community and concluded that he had a "clear mandate" to see:

That "our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected";

That "civility and rationality are maintained as the most reasonable means of dissent within the academic community"; and

That "violation of others' rights or obstruction of the life of the university are outlawed as illegitimate means of dissent in this kind of open society."

He then outlined what will happen if those principles are violated:

Disrupters will be given "15 minutes of meditation to cease and desist their activities. If they do not comply, those with university identity cards will be suspended, and those who fail to produce them will be charged with illegal trespass."

Those who refuse to cease their disruptions will then be given another five minutes, after which students will be expelled and "the law will deal with them as non-students."

"I truly believe," said Father Hesburgh, "that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today."

"If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it."

[From the Washington (D.C.) Post, Feb. 24, 1969]

FIFTEEN MINUTES OF MEDITATION

The other day, after outlining the policy of Notre Dame University on student disorders, the Rev. Theodore M. Hesburgh told an interviewer, "All I tried to say is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place." His message to the students at the University over which he presides and his announced tactics for handling any disruptions of University functions ought to be considered carefully by the rest of the Nation's universities and drummed into the heads of those students who seem more intent upon disruption than on orderly change.

The policy Father Hesburgh spelled out is

quite simple. "Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," he said, "will be given 15 minutes of meditation to cease and desist." If, after 15 minutes, the disruption goes on, students will be suspended on the spot and nonstudents will be subject to arrest as trespassers. After another five minutes of further meditation, students continuing to disrupt things will be expelled.

The Notre Dame policy is tough, no question about it. But it is a time to get tough. Nothing is more inimical to the traditions on which academic freedom is based or, indeed, to the principles of a free society than the use of illegal force to impose some individual's or some group's views on others. And that is precisely what the latest round of student disorders is all about, whether they have occurred at Harvard, Wisconsin, Duke, San Francisco State, or the Howard University Law School. It may be that a university which adopts a tough policy will find itself with fewer students but, if it does, they will be students who want to learn as well as reform.

There is, of course, much to be said on behalf of many of the complaints that students are trying to air. Some universities have been notoriously slow to change their operating procedures or their policies to keep up with the just needs and wants of a new generation of students. The dramatic overhaul of many of the policies of Columbia University in the last year underlines the validity of many of the questions that students are raising.

But the fact that there are policies that need changing, personnel who need awakening, and issues that need dramatizing does not justify the forcible disruption of a university's functions. There is nothing wrong and there is much right with students protests that take the form of public meetings, picket lines, handbill distributions, conferences with university or government officials, and a whole host of other nonforceable tactics. But the use of force to break up a class, to seize a building, or to bar access to offices cannot be tolerated. These acts, whether participated in by a minority or by a majority of students, not only impinge on fundamental principles of conduct but frustrate the right of other students to pursue peacefully, if they want to, the education they went to the university to obtain.

Speaking of those among his students and faculty who have participated in or tolerated the disruption of classes, Harvard's President Pusey said the other day, "Each time we thoughtlessly or emotionally allow ourselves to chip away at the painfully erected structure of academic freedom for which time and time again in our role as leaders we have had to man the barricades we not only do ourselves but also our country an irreparable disservice . . . I shall do everything in my power to see that the freedom of this university continues unabated, proof against attacks however well-intentioned or from whatever quarter they may come."

THE BUSINESS OF DEALING WITH POVERTY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. OTTINGER. Mr. Speaker, a year ago, Mr. Hershel Sarbin, senior vice president of the Ziff-Davis Publishing Co., and publishing director of Popular Photography magazine, was invited by Vice President Humphrey to serve as nation-

al coordinator on the President's Council on Youth Opportunity.

Mr. Sarbin worked in liaison with all national task forces of the President's Council, communicating through the photographic medium the efforts and results of the varied programs that were being carried on in deprived neighborhoods.

Last fall, Mr. Sarbin reported on the progress of this program in an address before the race relations section of Town Hall of California. He illustrated his talk, "The Business of Dealing With Poverty," with an NBC documentary film entitled "Child's Eye View," which demonstrated the use of photography in aiding ghetto youngsters. The children, aged 7 to 12, were participants in the New York City Bank Street College Early Childhood Center program.

I believe that Mr. Sarbin's report will be of interest to my colleagues:

THE BUSINESS OF DEALING WITH POVERTY
(An address by Hershel Sarbin, October 31, 1968)

The film you have just seen is merely one illustration of how photography has been used by one creative, resourceful teacher to open an avenue of communication with ghetto youngsters who had literally not been able to express themselves and their feelings about their lives and their environment.

This past summer 5,000 youngsters in more than 40 cities throughout this country were involved in photographic projects as a part of a national Youth Opportunity Program. Many of these young people were school dropouts, with 4th or 5th grade reading capabilities. Most were inarticulate. Some had never wandered outside the ghettos in which they lived.

We learned this summer that film and the camera could make unique contributions in the effort to help the youngsters of the Inner City. The camera itself has capabilities far beyond the recording of an image, and in some strange and wonderful way it creates a climate for observation and communication which did not previously exist for many young people.

For the older youngsters, the teenagers and the school dropouts, the summer's achievements were very significant. The camera helped to show these highly inarticulate youngsters, with low levels of reading capability, that they could control a complicated mechanism as they could control no other part of their lives. They dominated the camera. It recorded what they saw, did what they wanted it to do. What was seemingly the end product, the recorded image which they produced themselves in the darkroom, was not the end product at all. The end product was a sense of pride and accomplishment, and knowing they could learn even when they couldn't read. Many of the young men we worked with this summer are going back to school. Several are seriously considering college, and many are prepared to step into a new world as responsible, employable citizens.

Ghetto children traditionally have a poor self-image. In and out of their environment they have been stigmatized, and there has been little in their lives to give them cause to hold their heads high, to feel a justifiable sense of pride in themselves. Participation in our photography programs gave some of these children this opportunity. They acquired skills which set them apart from their peers, both in their environment and without their environment.

The young people in this summer's photography programs are products of a world in which they have no voice—no control—no motivation. We are finding that photography

is providing them with that voice; helping them to cope with their situations; giving them the initiative to want to do something—to be something, to become a constructive part of society.

What was most significant about this summer's photography instruction programs was not what we taught but what we learned. And the chief thing we learned was that the American businessman has much to learn about the business of dealing with poverty. It is an area in which the business community at large lacks the skill, the discipline, and the education necessary to deal with the realities of the problem. In my own work with disadvantaged youngsters, I have heard the words "motivation and education" used time and again to describe the needs of these young people. Yet it often seems to me that our first and most important task might well be the motivation and education of the business community itself.

Most businessmen and most volunteers from the private sector are simply not prepared for the frustrations, the disappointments, the realities of working with the disadvantaged. There are some fairly basic rules which recognize the realities of working with the disadvantaged, and which must be observed if we are to succeed:

First, if you extend a helping hand, do not ask for thanks. What we do—we do for ourselves and the survival of our society. Remember that the Negro does not want a handout for which he must express his gratitude. He simply wants a piece of the action.

Second, anticipate and adjust to attitudes of suspicion, distrust and hostility from those you seek to help. Most of the black community still thinks what we are doing is only "whitey's game." The burden of proof is on us to show that this is not the case.

Third, contribute in any way you can. Don't look for prestige or recognition in poverty. And be prepared for frustrations that you have never experienced before. The most significant contributions are those made on a one-to-one, man-to-man basis.

Beyond all this must be an overriding, ever-present awareness that to climb out of the ghetto takes a super-human effort. Inexhaustible patience, perseverance and dedication are qualities we must have, but we may not expect these qualities from people whose lives have been filled with despair.

Let's turn for a few moments to motivation—our motivation—as well as the motivation of the ghetto youngster. It should be motivation enough to recognize that what we have in our urban communities is a vast disaster area, inhabited by people whose condition is so desperate that the nation itself will not survive if we do not supply the resources and energy necessary to change it.

But the kind of motivation I'm talking about comes from seeing something good and decent happen to hundreds of young people in just one small part of one program originally designed to provide one summer of enjoyment and enrichment.

I do not think that any of us who worked with these young people will ever get over the discovery that so many of them had untapped abilities and talents, and that inside them was strength, a resourcefulness and a kind of creativity that needed only encouragement and direction.

I do not know of a single businessman or professional volunteer who was not deeply and permanently affected by what happened. Not one of us could ever again turn his back on these young people, for we have been there and have watched it work. It worked in spite of hostility, in spite of distrust, in spite of suspicion, and in spite of many failures.

This is our motivation. It comes from participation, from being there, from working hand in hand and experiencing even a single success with a single youngster.

That is the kind of motivation America needs, and it can only result from a much

broad involvement of the business community, and the community at large, than we have today.

The success achieved in many cities, and specifically here in Los Angeles, was attributable to the talents and the tireless efforts of such people as Bill Frederickson, Martha Cushnie, Clarence Inman, William Elkins, David Saunders, Joe Maldonado and Mike Beltramo—to Max Ponder and John Best of Ponder and Best—to Freestyle Camera, Eastman-Kodak, Bell & Howell and Polaroid and Minolta and other companies who contributed generously of time and photo equipment. Many of these people were in the arena long before us, and we were able to build on what they had developed.

We learned, among other things, that if photography was to have real meaning for ghetto youngsters, it could not be treated merely as a diversion during the summer months. Fortunately, the entire photographic industry recognized that to place cameras in the hands of deprived youngsters during the summer, provide them with a stimulating experience, and then to withdraw the opportunity would lead only to disillusionment for the very people we were trying to help.

Accordingly, right here in Los Angeles, in Chicago, Detroit, Seattle, New York and Miami and in a number of other cities, what was begun so promisingly this summer is being continued with the support of the photographic industry and with the assistance of city administrators. The National Association of Photographic Manufacturers, the Master Photo Dealers & Finishers Association, and the importers of cameras from Germany, Japan and many other countries have responded in the most positive terms.

As I said before, we have barely begun, and it is premature to say exactly where we are going. We know only that an entire industry has been stimulated by what the camera has managed to do to create self-expression, self-awareness, self-pride and even to train many disadvantaged for useful employment in our industry.

Photography is a small corner of the world. But our experience cannot be different than the experience of others.

Everything we do in meeting the problems of the ghetto—educating the inner city youngsters in a more enlightened matter, training hard-core unemployed to assume more responsible roles in our society, providing educational and cultural opportunities—all these things create an awareness of the ugliness of the ghetto environment and make the informed Negro ever more determined to change it. The hope and rising expectations we generate serve to intensify the problem and make the solution more urgent.

We are still novices—real beginners—engaged in the greatest experiment in history. To reverse an ugly phrase I have often heard applied to the black community, we must learn to crawl before we walk. The Negro is ready to walk, but we have barely begun to learn how to deal effectively with the environment into which he, and all our urban disadvantaged, have been cast.

Not long ago Newsweek described an experiment in which white men assumed the role of blacks by donning masks and acting out parts. Well, if it helps white men to put on black masks in order to simulate conditions under which they must deal with the underprivileged, then let us put on the masks. Let us try anything—everything that will generate understanding and a capability which we do not yet have for dealing with the business of poverty as we deal with the business of making money. Probably no pat formula will ever evolve. The material and spiritual poverty which pervades the ghettos of our urban areas will not respond to standard prescriptions.

What is required is full commitment and intense personal dedication—a dedication not yet discernible on the American business

scene. By and large, American business merely pays lip service to full commitment in this area. It is a simple fact of corporate life that while the chairman of the board, or the president and some corporate officers may be in the arena, the message has not been passed down the corporate line, not even as far as middle management; certainly not to the junior executive. I have yet to hear of a corporate recruiter who has said to the promising college graduate, "If you come with our company you will be obliged, as part of company policy, to devote some part of your time on and off the job to helping the less fortunate." Our commitment in meeting the great economic and social problems of the disadvantaged is not so great that we include personal involvement—on some level—in the dialogue which precedes or follows the employment contract.

The few guidelines I have suggested are in no sense complete, or even well-defined. They are merely a product of my own experience. We must feel our way, probing, learning as we go along.

But these guidelines do move in the right direction—away from lip service, away from tokenism, and toward the kind of understanding which is necessary if we are to reach across the gulf of fear and anger and despair—to build a better future for black and white alike.

FRANK J. MYERS TO RETIRE AS INDIANA AMERICAN LEGION ADJUTANT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, on May 1, 1969, Frank J. Myers, adjutant of the Indiana department of the American Legion, will retire and end 18 years of service in that post.

Born in Worthington, Ind., Frank Myers served in the Army during World War I and was Indiana eighth district commander of the Legion before he came to Indiana State headquarters 22 years ago.

His long and faithful service to his State and his country will be forever remembered by all of us who have had the pleasure of knowing him and calling him "friend." We wish him a happy and pleasant retirement, and we salute him as he closes his truly distinguished and outstanding career.

PERSIP BROTHERS HONORED

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. CONTE. Mr. Speaker, I would like to pay tribute today to three outstanding Americans from Pittsfield, Mass., John, Charles, and Alfred Persip. In doing so, I am joining with the 350 friends and neighbors who held a testimonial dinner honoring the Persip brothers on February 15.

The Persips are lifelong residents of western Massachusetts who have given freely of their time and efforts on behalf

of a multitude of civic organizations, including the NAACP and the American Legion.

The testimonial, organized by a group of grateful private citizens, recognized the many years of dedicated public service by John, Charles, and Alfred Persip.

Under the leave to extend my remarks, I would like to include the February 17 article from the Berkshire Eagle on the Persip testimonial:

THREE PERSIP BROTHERS HONORED BY CROWD OF 350

A crowd of 350 jammed Breezy Knoll-Itam Lodge Saturday night for a Brotherhood Week testimonial dinner honoring John, Charles A. and Alfred K. Persip.

They heard a roster of well-wishers literally as well as figuratively sing the praises of the three brothers during a program encompassing speeches, skits, songs and comic turns. The evening ended with dancing.

Mayor Donald Butler told the assemblage he grew up across the street from the Persips, and second to his own mother, used to think of "Grandma Persip" as the maternal authority of the neighborhood. "I hope the day will come when I'm held in a fraction of the respect that the Persip brothers and Grandma Persip have been held in," he said.

Individualized tributes were paid the three brothers by David Gunn, physical education director of Cornwall Academy, who noted, among other things, that each had been active in NAACP. He concluded with the aphorism, "It's not whether you win or lose, but how you play the game," adding, "and you've played the game fairly and squarely."

CREDIT TO HUMAN RACE

Lawrence K. Miller, editor of the Eagle, observed that almost everyone in the area has some kind of relationship with the Persips, "an almost legendary family." He said that while the customary comment is that a Negro is a credit to his race, the Persips are "a credit to the human race, and the human race needs all the credit it can get."

More family background was supplied by Atty. Rudolph A. Sacco, toastmaster, who said that the Persips had lived in the Berkshires since around 1820, settling first in Lanesboro, then moving to Hinsdale and finally, to Pittsfield. They have been members of the Baptist church here since 1851.

Toastmaster Sacco gave brief biographical sketches of the brothers: John, 81, who went to work at 14 and established the reputation of the Persips as "the best caterers in Berkshire County"; Charles, an American Legion leader who has not missed a parade in 47 years; and Alfred, the "baby" at 73 years of age, also a Legionnaire and a well-known gardener.

EARLY DAYS RECALLED

Frank T. Walker, president of the Berkshire County NAACP, presented a purse to the guests of honor and paid tribute to the committee in charge of the dinner: Mrs. Frances Duval, Mrs. Helen Hamilton, Mrs. Grace Hunt, Clifford H. Potter, Stokes Hall and Lafayette Walker.

Mrs. Duval, eldest daughter of John Persip, presented flowers to her father and two uncles. Her brother, Elliott, reminisced about early days and with his father performed an old skit entitled "Sweet William and Bad Bill." Noting that the locale of today's Bousquet Ski Center used to be known as Persipville, Elliott said John "was born down that way because he wanted to be near his mother."

To the tune of "Hello Dolly," Mrs. John W. Talbot sang personalized lyrics for the guests of honor. Mrs. Mabel Hamilton sang "People." The Rev. George L. Middleton of the First Baptist Church gave the invocation; and Carlton Edmonds, the benediction.

ESTONIAN INDEPENDENCE DAY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HOWARD. Mr. Speaker, today we are once again reminded of the bravery and hope of the people of Estonia as we celebrate the 51st anniversary of Estonian independence. This small nation, which covers an area of about 18,000 square miles, and has approximately 1 million people, should be a monument to all of us who cherish our right to freedom and independence.

Since the 15th century Estonians have suffered under foreign domination almost continuously. During all that time, however, these brave people held their heads high and continued to hope for the day when they would be a free and independent nation, directing their own course in world history. The fact that their conquerors were much larger and more powerful than they has never daunted the Estonians. Frequently they were persecuted for their hopes and beliefs, but their spirit of nationalism has persisted, their language and customs are still their own.

Finally, in 1918, when the end of the First World War and the Russian revolution appeared to make their chances better, the Estonians declared their independence. Thereafter, for a brief period of two decades, these people were permitted the freedoms we feel are the basic rights of every man and nation. This was a time of great social, economic, and cultural progress in Estonia. They formed a democratic government, duly elected by the people, and the spirit of freedom was to be found at every level of life in the country.

This freedom was destined to be temporary, however, and in 1939, when war once again engulfed Europe, the Estonian people were forced into a mutual assistance pact with the Soviet Union. This was the beginning of the Soviet reconquest of this small, freedom-loving nation. In 1940, the country was occupied by the Red army forces and became a Soviet Socialist Republic. During the war, they were occupied by both Russian and German troops alternately—suffering equally under both. Toward the end of the war, the Soviets returned to control with more force and fury than ever, and there they remain to this day.

Since that time, the Estonians have lived a rather isolated life, without contact from the free world. More recently, some tourists have been allowed to visit the country, thus permitting them a glimpse of the freedom they so wish to enjoy themselves.

I think it appropriate on this day that we who enjoy that freedom pay tribute to those who are still fighting to regain the independence they felt so briefly, and which cannot even be celebrated in their home country. We salute them and rededicate ourselves to the achievement of peace on earth and freedom of all such nations, and of all men.

ESTONIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. DINGELL. Mr. Speaker, the year 1918 witnessed the end of the bloodiest and costliest war known to man until then. Belligerents and neutrals alike were glad to see the human carnage stop, and they all welcomed the return of peace. To many peoples the peace ushered in a new era; it brought them a prize for which they had been struggling for generations and centuries. In that year they regained their independence, and the Estonians were among these people.

These rugged peasants had settled in their historic homeland on the northeastern shore of the Baltic Sea before the beginning of our era. There they led a strenuous and hardy life. They were one of the smallest ethnic groups in Europe, and they succeeded in maintaining their national identity and freedom. Early in the 18th century their country became part of the Russian empire, and they were subjected to the regime of Russia's oppressive czars. For more than two centuries they endured that detested regime. Then toward the end of the First World War they regained their freedom and proclaimed their national independence on February 24, 1918.

That was 51 years ago, but independent Estonia was again crushed by a Russian regime in 1940. After the happy and joyful two decades of inter-war years, the country became one of the early casualties of the last war. Since then the Estonian people have been suffering under alien regimes imposed upon them by their detested foes, the Communists. They work, live, pray, and struggle for the attainment of their supreme goal, their freedom. In observing their independence day we join them in their prayer, hoping that soon they will be rewarded with their cherished national goal, national freedom.

THE SEC AND SOME CURRENT REGULATORY PROBLEMS

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STUCKEY. Mr. Speaker, the Honorable Hugh F. Owens, Commissioner of the Securities and Exchange Commission, delivered an address on current regulatory problems concerning the SEC before the Connecticut Investment Bankers Association on December 10, 1968. There was a number of bills before the 90th Congress related to the SEC and several have already been introduced in the 91st Congress, thus this subject is very timely. The address is enlightening and worthy to be included in the CONGRESSIONAL RECORD and I would like for

my colleagues to have the benefit of his comments:

THE SEC AND SOME CURRENT REGULATORY PROBLEMS

(Address by Hugh F. Owens, Commissioner, Securities and Exchange Commission, Washington, D.C., before Connecticut Investment Bankers Association, Hartford, Conn., December 10, 1968)

I am honored to be included in this evening's function, commemorating as it does in the State of Connecticut the 65th anniversary of the signing of the first laws pertaining to the supervision of the securities industry. This is an auspicious occasion indeed.

Tonight I would like to discuss several regulatory problems in which the SEC, as well as the various self-regulatory organizations, is vitally concerned. As you are all aware, our securities markets are currently expanding and changing at an unprecedented rate. More than 24 million stockholders now directly own shares in American industry, with another estimated 100 million shareholders indirectly investing in the securities markets through various financial institutions such as mutual funds, insurance companies, bank trusts, pension funds and others. The average daily dollar value of securities traded on all markets now is \$825 million, accounting for an average of 22 million shares exchanging hands every day. This volume has created a strain on the securities markets and has raised important policy questions which require resolution.

One of the major problem areas is how to handle effectively the undesirable aspects of the super-heated speculative fever now existing in our markets without diluting the vitality so necessary to the continued growth and progress of our economy. As a matter of policy, the Commission does not, absent fraud and manipulative practices, view speculation *per se* as either illegal, unethical or opprobrious. The Congress, however, when enacting the Securities Exchange Act of 1934, recognized that excessive speculation was detrimental to the national interest, and provided, therefore, various regulatory controls such as margin restrictions, prohibition and limitations on short sales, and other devices to contain such speculation. I believe that the Federal regulatory agencies responsible for the enforcement of such controls have attempted to use them judiciously to maintain public confidence in the securities markets, and without reservation I can state that it has been the SEC's position to exercise the minimum amount of regulation of the securities markets consistent with the public interest, and the interest of investors and the securities industry alike. While my talk is entitled "The SEC and Some Current Regulatory Problems," I wish to give recognition to the valuable services performed by the self-regulatory organizations, and to say that while our cooperative efforts have accomplished many of their objectives, nevertheless, much needs yet to be done, particularly in the area of the back office problem, which I will discuss more fully later in my talk.

Although speculation in the securities markets has long attracted the attention of the Commission, until more recently our activities in this respect have primarily been directed toward uncovering situations in which fraud and manipulation are present or, due generally to the absence of adequate information, situations where serious market problems involving a particular stock have occurred. Currently, however, we also view with considerable concern certain new developments which are progressing to a point of "institutionalizing" our securities markets. In our Report of Public Policy Implications of Investment Company Growth we called attention to certain facts which, when now supplemented with information obtained from more recent surveys conducted

by the New York Stock Exchange, are even more significant than when the Report was first published in late 1966. Illustratively, some of these facts show that:

1. the percentage of all outstanding stock held in institutional portfolios is rising at a rapid rate (25% in 1957, 30% in 1965 and 33% in 1967);

2. the increases in the stockholdings of all institutions have been striking (from a total of \$66½ billion in 1957, to \$200 billion in 1965, and finally to \$230 billion in 1967, an increase of about three and a half times over 1957);

3. institutions and institutional intermediaries account for a much larger proportion of trading volume in securities than the above holdings indicate (a recent survey indicates as much as 50% of all non-members' volume on the New York Stock Exchange in 1968 was due to trading activity by such group as compared to 35% in 1967);

4. the combined value of common stock transactions in 1967 for four principal classes of financial institutions—non-insured pension funds, mutual funds, life insurance companies, and property and casualty insurance companies—exceeded \$47 billion, an increase of 46% over 1966; by comparison, the dollar volume of all stock transactions on the New York Stock Exchange in 1967 showed only a 26% increase over 1966;

5. mutual funds have, by far, the highest portfolio turnover rates of all institutional investors. The latest data available indicates that mutual funds as a group were turning over their portfolios at an annual rate of almost 40% in 1967 as compared to less than 35% in 1966 and an estimated 14% in 1957; also, compare this 40% figure to the fact that the average turnover rate for all equity securities traded on the New York Stock Exchange was only about 20% in 1967. Mutual funds, moreover, tend to engage in larger size transactions than other institutional investors, and account for a large portion of negotiated crosses and block distributions of securities.

Our Report noted further that, despite the fact that the assets of mutual funds have grown at a rapid rate in recent years, many of the large funds have reduced the number of different stocks in their portfolios. This concentration of power has led to the increased probability that a few fund managers by their investment decisions will affect dramatically the stability of the market in particular securities in which they trade, regardless of any intent to do so. Further, as the irregular and relatively infrequent transactions of individual institutions in sizable blocks of securities become relatively more significant and the comparative importance of round lot orders by small investors decreases, the auction markets may find it increasingly difficult to maintain the liquidity, depth and continuity which they traditionally have sought to achieve.

The figures and facts which I have just mentioned still primarily reflect the market activities of the more numerous traditional capital appreciation and income funds. Nevertheless, recent emphasis on short-term movements by funds and other more conservative institutions has had, and will increasingly have, an important impact on the markets.

It is not yet known to what extent the original purpose of providing safety through diversification has now been "rephilo-sophized" or how much of the additional institutional activity is a result of the emergence of the "cult of performance," with its emphasis on new market techniques to develop short-term profits. Although there are restrictions on their use, these techniques include use of leverage, short-selling, purchase of puts and calls, option contracts and warrants, and investing in "special situations" and restricted unregistered stock.

As you know, in July of this year, Congress authorized an economic study to explore the effect of financial institutions on the overall securities markets, the securities industry, issuers of securities and the general public. This will, of course, not only be a very important undertaking, but a complex one as well, and we will need the cooperation and assistance of the entire industry.

Most of us connected in one way or another with the securities industry are optimists, which I believe is a desirable and even necessary trait. On the other hand, we surely cannot afford to ignore the fact that just six years ago Wall Street was, as it is now, almost at a point of being overcome with the enthusiastic embrace shown it by the investing public. After the 1962 market break, however, not only the investor suffered from severe withdrawal pains, but the industry saw the expiration of a number of its members, both large and small, and consolidations among others.

May 1962 also brings to mind a practice, existing then and now, in which much of the general investing public (at least for a time) happily participated—gambling on "hot issues." For comparative purposes, I find it not dissimilar to the "pyramid club" crazes which stem from the oldest of man's aspirations—something for nothing.

Many of you may be familiar with a survey given some publicity a short while back, summarizing the financial fate of a number of offerings made during the previous so-called "hot issue" period. In any event, I believe the figures merit repeating, as has been done by some brokerage firms who I understand distributed copies of the survey results to their customers. The survey, encompassing some 504 companies going public for the first time during the period 1952 to 1962, indicated that:

1. almost 12% of such companies had vanished without a trace;
2. another 43% were known to have liquidated, dissolved or gone into receivership;
3. 26%, while still in business, had reported a loss on their most recent income statement; and

4. if my mathematics are correct, only approximately 19%, or about one out of every five, of such new issues could be measured in terms of some success. Recognizing, however, the importance of assuring the unhindered passage of venture capital into new enterprises, while at the same time attempting to contain excessive speculation, not only the SEC, but the self-regulatory bodies, associations and state authorities are faced with a dilemma for which there seems to be no easy or ready solution.

It is with this in mind that I am appealing to you as individuals with an obvious interest in the outcome of this matter to assist your regulatory organizations in determining and implementing meaningful steps which can appropriately be taken to avoid another serious market break. Your comments and suggestions in this area are not only welcome at the Commission, but I assure you that we earnestly solicit them.

Closely aligned, and quite likely as a direct result of today's excessive speculation boom, is the current back office problem. A collateral aspect of that situation which I want to touch upon first is the failure of a great number of firms to carry out properly their supervisory functions regarding the handling of customer accounts. The Commission, in its opinions, has repeatedly emphasized the importance of a broker-dealer's duty to carry out its responsibility to supervise adequately and has taken appropriate action against both the member and its supervisory personnel for the neglect of such responsibility. In a recent release (Securities Exchange Act Release No. 8404, dated September 11, 1968), the Commission cautioned that effective regulatory action will be con-

tinued against firms and individuals who fail to comply with proper supervisory procedures. Sadly enough, the Commission has found in a great number of instances that, if procedures established by brokerage firms designed to deal with this problem had been properly implemented, there would not have been an opportunity for the violations found to have occurred. As you know, the minimum requirements of adequate supervision are set forth in rules of the New York Stock Exchange, the American Stock Exchange and the National Association of Securities Dealers, Inc. The New York Stock Exchange and the NASD have also published guidelines describing procedures widely accepted as representing sound supervisory practices.

Passing now to the subject of back office problems, I must begin by saying that it is, indeed, difficult to find words which will adequately convey my concern. Warnings are received at the Commission almost daily from knowledgeable people in the industry expressing their concern and the need to take immediate and appropriate steps. Many see the "falls" situation crippling market liquidity and, coupled with some political or economic event, precipitating a run on brokerage firms by customers for cash or certificates. If, as a result, any major firm is then forced to suspend or liquidate, they fear a general chain reaction among other firms will follow, which could seriously threaten our whole economy.

An analysis of the situation discloses that the current back office problem, resulting primarily from the unpreparedness of firms to handle the sales volume long sought, stems from one or more of the following contributory factors:

1. inefficient or inadequate back office procedures;
2. insufficient number of back office personnel;
3. failures of delivery from other broker-dealers;
4. delays in transfers by the issuer, registrar or transfer agent; and/or
5. obsolete or inadequate central clearing facilities.

The foregoing not only exposes a brokerage firm to possible substantial losses in the event of a sharp break in market prices, but, among other things, hampers the prompt determination of net capital compliance and, in the absence of accurate and current books and records, may result in improper extensions of credit.

Part of the difficulty in attempting to deal with the back office problem has been the mental attitude of some managements and "front office personnel." In many instances the back office operation is merely considered a non-profit-making appendage which must somehow be tolerated. Far too often brokerage firms attempt to economize on capital items and/or personnel for this aspect of their business, while increasing expenditures in those areas which directly relate to sales promotion, thereby aggravating what may already be a serious problem.

The irony is that, while the securities industry today is experiencing a prosperity it has seldom before enjoyed, some sizable brokerage firms have found it necessary to curtail business and even suspend or liquidate operations simply because of their unpreparedness to handle this prosperity. This is, indeed, a unique situation.

Assuming that the regulatory organizations have been able to pinpoint the major problem areas, it then becomes a question as to whether appropriate solutions can be developed. At the expense of other important enforcement activities, the Commission, in conjunction with the exchanges and the NASD, has directed its staff to conduct special inspections of brokerage firms in order to ascertain the extent to which such firms are carrying out their responsibilities in the

area of back office compliance. In connection therewith, the Commission has stated that it would continue to take prompt enforcement action against individual firms and persons where there had not been full compliance with our applicable rules and regulations. Cooperative enforcement in areas of concern, such as examinations for possible violations of net capital rules or delinquencies in properly maintaining books and records, has been improved. Information-gathering has been stepped up to cope with present problems, as well as to assist in future planning.

Recent self-regulatory measures which have been implemented by the major exchanges include:

1. amendment of the mandatory buy-in rule to provide for the closing out of contracts which are still open 30 days after settlement date;
2. adoption of mandatory monthly "fail" reports for the purpose of taking corrective action;
3. shortening of weekly trading hours by Wednesday closings;
4. revision of handling procedures with respect to questioned trades to expedite their resolution; and
5. prohibition from making long sales for a customer unless assurance can be obtained that the securities being sold will be delivered promptly.

In addition, automation programs in the area of exchange clearance and delivery systems are apparently beginning to show results. The Central Certificate Service, inaugurated in late June, is currently providing computerized delivery for 362 stocks. Recently, member firms doing an over-the-counter business in the New York City area have been directed to join the National Over-the-Counter Clearing Corporation, or to clear their over-the-counter transactions with an NOTC member. It is expected that further automation of procedures will lead to additional efficiencies in both internal transactions within firms and among the exchanges and such entities.

Other regulatory measures which have either been put into effect or have at one time or another been discussed by the exchanges, the NASD and other self-regulatory organizations are:

1. cutbacks or a freeze on the number of daily customer orders that restricted firms can accept, or similar restrictions on new salesmen or branch offices, until their back office problem subsides;
2. cutbacks or a freeze on advertising or sales promotion by firms, which tend to increase sales volume while their back office problems multiply;
3. restriction of trading for firm accounts, with appropriate exceptions;
4. further curtailment of trading hours in addition to Wednesday closings; and/or
5. the hiring of additional personnel by the self-regulatory bodies to assist firms with unusually serious back office problems.

In some isolated instances, when restrictions have been placed on firms as a temporary measure until their back office problem has been alleviated, registered representatives have resigned to work for other firms. Such restricted firms simply refuse to realize that it is less expensive to establish adequate and appropriate back office procedures, and hire necessary personnel to carry them out, than it is to suffer the loss of sales personnel, loss of customers' confidence and invite problems with the regulatory bodies.

The Commission has also recently affirmed its position that it is a violation of the applicable anti-fraud rules for a broker-dealer to sell a security as principal for his own account, or to purchase it as broker for any other person, if he (1) knows, or has reason to believe, that there will be difficulties in obtaining deliveries with respect to a particular security because of delays in transfer or (2) because, in order to obtain the security

either for his own account or for a customer, it will be necessary to purchase the security from another broker-dealer whose deliveries to him have not been prompt in accordance with traditional customs and usage of the trade.

The Commission at the same time warned that it is a violation of the anti-fraud provisions for a broker-dealer to accept or execute any order for the purchase or sale of a security, or to induce or attempt to induce such purchase or sale if he does not have the personnel and facilities to enable him to execute promptly and consummate all of his securities transactions.

To handle the other side of these problems, the Commission has now received comments with respect to proposed Exchange Act Rule 10b-14, which would make it unlawful for any issuer publicly offering any security, or which has any class of security outstanding, to offer or sell such security without providing for adequate registrar and transfer facilities.

Notwithstanding the importance of the above measures, the rule as adopted by the major exchanges and as proposed by the Commission, which hopefully promises to be the most effective for minimizing the back office problem, is the modification of the "fails to deliver rule." This amended rule now provides for deductions from a firm's net worth of from 10% to 30% on contract prices of "fails to deliver," and combined with strict enforcement of the net capital rule and books and records requirements, it is anticipated that such action will have a highly salutary and significant effect on the present discouraging fails situation.

Corresponding to the fails situation, complaints involving investor grievances communicated to the Commission indicate a continuing substantial increase of problems experienced by investors with respect to delays in receiving stock certificates, dividend checks, payments due from sale of securities, and others. Such complaints received during the year 1967 numbered between 720 and 786 per quarter. In 1968, however, complaint letters increased from 789 in the first quarter to 1,147 during the second quarter, and reached a record high of 1,401 during the third quarter of 1968. Gentlemen, that is more than 100 investor grievances a week. This does not, of course, represent those complaints never reported to the Commission. A very important element in all this, not even hinted at by the statistics, is the consumption of man hours at the Commission and in the industry by the mere processing of the complaints.

In closing, I would like to say that I think we can all agree that it takes years to build investor confidence in our securities markets, and only months, or even days, to destroy it. Unquestionably, the securities business is one of the great and vital industries of our country, and is respected throughout the entire world. It would most certainly, therefore, be one of the bitterest ironies if that industry strangled on the effects of its own affluence. You gentlemen and your colleagues must see to it that this catastrophe does not occur.

MRS. MARGARET MOORE, MISS MYRTLE BARKER, AND MR. WAYNE GUTHRIE, OF INDIANAPOLIS NEWS, RECEIVE FREEDOMS FOUNDATION AWARDS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, three members of the staff of the Indianapolis News were honored along with other Indian-

apolis citizens and organizations by the Freedoms Foundation, Valley Forge, Pa., in ceremonies held at Valley Forge on Washington's Birthday.

The following story from the February 18, 1969, Indianapolis News lists the winners and their outstanding accomplishments that have gained them this well-deserved recognition:

MARGARET MOORE TO RECEIVE AWARD

Mrs. Margaret Moore of The News women's department is one of 10 recipients of the national recognition awards to be presented Saturday at Freedoms Foundation, Valley Forge, Pa.

Two other columnists for The News, Wayne Guthrie and Miss Myrtle Barker, also were named winners of awards.

Dr. Kenneth D. Wells, Foundation president, will make the formal announcement at presentation ceremonies held annually on Washington's birthday at historic Valley Forge.

Mrs. Moore, who is to be cited nationally for her work in combating crime and encouraging individual responsibility, will be joined at the Freedoms Foundation events by her daughters, Mrs. David E. Long, wife of the vice-president of Skidmore College, Saratoga Springs, N.Y., and Mrs. M. Stanton Evans, wife of the editor of The News.

ON U.S. CRIME CONTROL PANEL

Mrs. Moore, who began work in 1962 as coordinator of the Indianapolis Anticrime Crusade of more than 50,000 volunteer women, is now law enforcement chairman of the General Federation of Women's Clubs of 11 million women, and on the crime control panel of the United States Chamber of Commerce.

The events Saturday will be concluded with the Patriots Ball at the Marriott Hotel in Bala Cynwyd, Pa. Honorary chairman of events is Mrs. Dwight D. Eisenhower.

The National American Legion, Indianapolis, will receive an encased George Washington honor medal for "inspirational patriotic projects developed by the American Legion National public relations commission on the theme, 'Freedom Is Not Free.'"

Other Indianapolis winners include: Tech High School, \$100 and distinguished service award for school editorial, and distinguished service award in school category. Diana Bailey, Citizens Forum, George Washington Medal Award for public address. 2nd Lt. Robert D. Beard, Fort Harrison, honor certificate for a letter.

Broad Ripple High School, George Washington Honor Medal award for school editorial and honor certificate award in school category.

School 88, distinguished service award in school category.

School 54, distinguished service award in school category.

Paul Coble Post 26, American Legion, George Washington honor medal in community programs category.

Alfred DeCoito, Jr., 60 N. Ritter, Valley Forge teachers medal award.

Heldi Eikenberry, 5903 Gladden Drive, George Washington honor medal for public address.

Manuel High School, \$100 and George Washington honor medal for school editorial.

School 61, principal school award.

Sgt. Richard E. Farrow, U.S. Air Force, 10327. Lawnhaven Drive, honor medal for armed forces letter.

Marle Felton, 6629 E. Michigan, Valley Forge teachers medal.

Mrs. Guy E. Gross, Indiana Farm Bureau, honor certificate award for public address.

School 101, George Washington honor medal award in school category.

Indianapolis Public Schools, principal School Award.

School 62, George Washington honor medal award in school category.

Marshall High School, George Washington honor medal award in school category and honor certificate award for school editorial.

Rosa C. McNamara, 231 Wisconsin, Valley Forge teachers medal award.

Mothers of World War II, Inc., honor certificate for publication of The Mother's Voice, identical award to Agnes Storer, editor.

School 12, George Washington honor medal in school category.

Ruth O. Rankin, 2803 Allen, Valley Forge teachers medal award.

School 59, George Washington honor medal award in school category.

School 83, principal school award.

School 107, George Washington honor medal award in school category.

WFBM Television, George Washington honor medal award for motion picture, "Independence Day 1968."

School 79, George Washington honor medal award in school category.

OTHER AWARDS TO HOOSIERS

Other Hoosier awards include:
Brownsburg—Don J. Richter, the Guide, George Washington honor medal award for editorial.

Greenfield—William L. McCartin, U.S. Navy, honor certificate for armed forces letter.
Lafayette—George W. Lamb, Journal-Courier, \$100 and George Washington Honor Medal Award for editorial.

West Lafayette—Clergy Economic Education Foundation, George Washington Honor Medal Award in economic education programs category.

Anderson—Exchange clubs of Anderson.
Fort Wayne—General Telephone Co. of Indiana, William S. Sandeson.

Fulton—Caston Educational Center.
Gary—Louis M. Lesse, U.S. Navy.

Grissom Air Force Base—Sgt. Robert A. Mossing.

Highland—Calumet Unit Marine Corps League Auxiliary.

Huntington—John Zierden.
Michigantown—Timmy Unger.

Munster—Indiana Council for the Encouragement of Patriotism.

South Bend—Marine Sgt. Howard D. Peirce.
Terre Haute—Navy Lt. Merle C. Drew and T. Sgt. Thomas L. Isbell.

Winamac—Pulaski County Federated Clubs.

Others who will receive top awards include:

Stan Musial, former National League star and recently named to the baseball Hall of Fame.

George Foreman, Olympic heavyweight boxing gold medalist.

The Rev. Leon H. Sullivan, founder and chairman of the Opportunities Industrialization Center, Philadelphia.

J. Howard Wood, publisher of the Chicago Tribune.

Orchestra leader Lawrence Welk.

Luke Greene, Atlanta television personality.

Mrs. Chester H. Leyman, Pittsburgh philanthropist.

George Putnam, Los Angeles news commentator.

Mrs. Alice Widener, syndicated columnist.

Retired U.S. Army Gen. Harold K. Johnson, who survived the Bataan march and three years of imprisonment by Japanese forces during World War II, will receive the George Washington Award.

More than 1,800 awards will be presented later at regional and local ceremonies to individuals, schools and organizations for "outstanding achievement in bringing about a better understanding of the American way of life."

Miss Barker is to be awarded a George Washington honor medal for her story, "Patriotism Must Be Taught."

Guthrie, The News columnist, will win an honor certificate award for his article, "What Would The Dead Say Today?"

A TRIBUTE TO MICHAEL MUNKÁCSY

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. PUCINSKI. Mr. Speaker, on this occasion when we are celebrating the 125th anniversary of the birth of Michael Munkácsy, 1844-1900, Hungary's most prominent painter in the 19th century, whose personal contacts with numerous art collectors, cultural and civic leaders in this country made him, at that time, the most respected and most popular foreign artist known to the American public, we are glad to recall these memories of the past and to revive our dedication to those values which were served by Munkácsy all of his life. Because he was not only a great master of his artistic craft, but also a man of high principles and warm humanitarian feelings toward the poor, the humble, and the underprivileged. This example of Michael Munkácsy who in the course of three decades managed to establish himself not only as one of the most outstanding representatives of the arts in the last century, but also as one of the most inspiring talents of his period whose company and friendship were treasured by many of the leading personalities in all walks of life in Europe, should give for many among us a yardstick in our own times when we try so hard to find the proper balance between power and compassion, wealth and social responsibility, religious faith and the realities of a modern world order.

Before he reached the shores of the New World for a visit in November 1886, where, by that time already scores of his wonderful works adorned the public and private collections, Munkácsy's career included his phenomenal rise from the lowly status of a carpenter's apprentice to the celebrated artist of Paris where he won two gold medals at the Salon in Paris—in 1870 and 1878. His greatest achievements were reached, however, through the tremendous success of his Biblical canvases, "Christ Before Pilate," 1881, and "Christ on Calvary," 1884. These works about which thousands of essays and articles were published in the European press before they became the property of John Wanamaker, of Philadelphia, were viewed by millions of Americans while on tour in the United States and ever since. The message of these unique works of art is still the same as in those times—compassion toward the human being in his own misery.

It appears to be fitting to recall the impressions of the foremost art critics and correspondents of those times who convey to us the reception of Munkácsy's works in Europe.

The London Times wrote on January 24, 1884, concerning "Christ on Calvary":

This picture is certainly one of the most perfect which have been produced for many a year, combining all the majesty of the classic schools with the modern and personal stamp that marks it of the 19th century. When one gazes on this picture and

hears Munkácsy speak, one realizes the feelings which the contemporaries of Rubens, Murillo or Veronese must have experienced when they conversed with those great masters who were destined to be handed down to the admiration of posterity.

This "unbelievable" attitude of the contemporary English—and general European—society toward Munkácsy's powerful art was tellingly commented upon in our own New York Times on March 16, 1885:

The "Calvary" of today over which not only the world of art but the world of fashion, of thought, and of religion is at present wondering, is indeed a marvelous picture. Taking all things into consideration, it is a strange subject to offer in this century of unbelief, of skepticism, and of scoffing. Who has time now to think of the Man of Sorrows? What artist living in Christian England ever dares to offer such scenes to the critical public, and who could imagine such a subject coming from a Paris studio, where even the last rags and shreds of religion are cast scornfully to the winds?

This high degree of personal integrity and "daring" made Munkácsy one of the guiding stars in the artists' world of the 19th century, aiding also the man of our own times to decipher the true message of those complex and meaningful periods of human history.

It is a source of satisfaction for the citizens of Chicago that three valuable works by Michael Munkácsy were added to the collections of P. C. Hanford and Potter Palmer, two art collectors of lasting memory, underlining the validity of the statement about the great Hungarian painter, according to which "Munkácsy was born and raised in Hungary, became famous in France, and his works found their first homeland in the United States."

NEW BUILDING HONORS "MR. KAISER EMPLOYEE"

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MILLER of California. Mr. Speaker, a half century ago, Alonzo Benton Ordway and Henry J. Kaiser were just a couple of "construction stiffs" running around the West looking for projects.

I have personally known A. B. Ordway for many years. He was the first employee hired by Henry J. Kaiser and today, 57 years later, he is still active as vice president of Kaiser Industries Corp. He is 81 years old.

Early in February, Edgar F. Kaiser announced that a new 28-story office building, now under construction at the Oakland, Calif., headquarters of the worldwide Kaiser family of industries, will be known as the Ordway Building. The present high-rise headquarters building becomes Kaiser Building, and the name Kaiser Center will be applied to the whole Kaiser complex.

In remarks made at a banquet honoring Ordway, Edgar Kaiser pointed out that "Ord" is a living monument to the exciting history of the Kaiser organization. The late Mr. Henry J. Kaiser once paid

a rather endearing though unusual tribute to "Ord" when he said of him—

He never agrees with me on anything. He's invaluable.

Let each of us—

Mr. Kaiser said in his address to some 300 Kaiser executives and their wives—dedicate ourselves to being the kind of organization that will attract and hold the Ordways of the future. Let us remember that if we do not attract vigorous, sometimes controversial, youth into our offices and plants then everything that A. B. Ordway stands for is in jeopardy.

"Ord" typifies the pioneering characteristics that helped build this country, but equally important, as with Kaiser employees, he possesses that rare quality of human understanding and deep interest in helping people.

This tribute to a Kaiser employee who helped build the modern West was reported in the Oakland Tribune. I feel it altogether fitting and proper that this man and his work be recognized by the Congress.

Under unanimous consent I submit this article for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Oakland Tribune, Feb. 16, 1969]

(By Gene Ayres)

One day about 40 years ago, the late Henry J. Kaiser and A. B. Ordway were fighting each other in the back seat of a car speeding across Cuba.

Saturday night, Ordway stood amid a host of friends and well-wishers at a Kaiser Center banquet, an event officially observing the naming of a new Kaiser project, a 28-story building.

It will be called the Ordway building and—along with the present towering structure—will house the world headquarters of the far-flung Kaiser industrial empire.

Due to a slight swell in the ground the Ordway building will be 13 feet taller than the 390-foot height of the present Kaiser building.

This is no cause for joy to Ordway because the old building is his baby. He was project manager on it at an age when many men spend their time huddled under a shawl.

"Mr. Kaiser Employee" is the way Ordway is described by Edgar, present chief of Kaiserdom and son of the late patriarch.

It was Edgar who was driving the car that day in Cuba, while his father and Ordway wrestled. That fight began, Ordway recalled the other day because "H.J. had said something that reflected on my loyalty."

Kaiser made short work of him, Ordway remembers. But their teamwork apparently was unimpaired and Kaiser's firm finished a \$20 million, 200-mile Cuba paving project with typical dispatch.

Ordway, having settled any doubts about his loyalty, went on in subsequent years to head 8 or 10 of "H.J.'s" burgeoning companies and serve as a director of that many more.

However, since he now is only the vice president of the parent Kaiser Industries Corp. and a director of the Kaiser Foundation Health Plan and hospitals, it is apparent that he considers himself practically retired although he won't admit it.

Asked when he intends to formally retire, he snaps back, "Never!" When the mammoth Kaiser complex filed its written policy of compulsory retirement at 65 with the U.S. Treasury Department a few years ago, it specifically exempted Henry J. Kaiser and A. B. Ordway.

Ordway will be 82 in August and is the senior Kaiser employe, rounding out his 57th year.

On a sunny day, he has the blue, ceiling-

length drapes of his 28th floor office close out the sun—and the stunning Lake Merritt view—because he has eye trouble.

Impeccably dressed, white hair thinning, Ordway is an institution within an institution. His conversation is to the point, sometimes blunt with some of those short words learned when he and H.J. were "construction stiffs" years ago.

He uses the initials A.B., because "Alonzo Benton Ordway is too long if you write a check and I must have written a million of 'em."

He still cares about appearance and shoos photographers away from his profile "Jimmy Durante and I are having a contest," he explains.

In the officially sanctioned Kaiser lore, he is known as "Ord." But nine-tenths of the people he meets on his jaunty tours of the building call him "Mr. Ordway."

A native Iowan, Ordway joined Kaiser as foreman of a road-paving project in British Columbia in 1912, shortly after he graduated with a degree in civil engineering from the University of Wisconsin.

What was once just Kaiser and Ordway has grown into a colossus with \$2 billion in assets.

In those early days, "We traveled together, slept in the same room and our arguments knocked down the walls," Ordway recalls.

Shortly before Kaiser's death on Aug. 25, 1967, in Hawaii, Ordway had a premonition and flew over for three days of hashing over old times with the boss.

"I told him, 'I won't talk one word of business.' I got a few belly laughs out of him."

"Mr. Kaiser Employee" admits it was not only fun to work for Kaiser but also was profitable. He once bought Kaiser stock for 6 cents a share.

Kaiser bigwigs a few years back gave Ordway a gold key to Kaiser Center "which is supposed to open every door in the place." As he goes through the building, he can show a visitor the different colors of ceilings and recall how the architect tried to convince the elder Kaiser that they all should be eggshell white.

Ordway likes to point to Kaiser products used in the construction of Kaiser Center, wherever possible. This was done at the insistence of the elder Kaiser.

Once, in planning the 393-seat auditorium, the architect noted a tricky reverse twist in the handrailing and strongly argued that wood should be used.

Only one outfit makes wood, as the poet Joyce Kilmer pointed out, and it isn't Kaiser.

The handrails, reverse twist and all, are of Kaiser aluminum.

Edgar Kaiser observed Saturday night: "We are blessed to have an Ord for whom we can name our new building. It would have been pretty cold to name it Kaiser Center No. 2, or Kaiser Center Annex."

There may even be another gold key that will open "every door" in the new Ordway Building.

With that enticing hole in the ground just across 21st Street, and all that concrete to be poured and steel to be hung, would you retire, if you were A. B. Ordway?

Neither will he.

THE LATE SENATOR E. L. BARTLETT MADE HONORARY CITIZEN OF WASHINGTON STATE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PELLY. Mr. Speaker, last December I received a great shock when I read that Senator Bob Bartlett had passed

away after a heart operation. This sad item of news was a matter of personal regret and sorrow after my 16 years of association with Bob here in the Congress. I admired and appreciated his lovable character. And, too, I respected his unusual legislative ability. Indeed, I have never known any Member of the House or Senate who was more able in this respect.

Based on my own experience and close observation it was his tenacity, teamwork, and persuasive talent that overcame the substantial reservations in Congress to Alaska statehood. Likewise, after statehood, it was Bob's work which, in a large measure, justified the arguments he had used in favor of statehood. He played a major role in assuring the success of the infant, struggling State he had helped create.

Mr. Speaker, Bob Bartlett will be remembered as the guiding genius in passage of the enabling act under which Alaska became a State. On the other hand his interests and accomplishments were never limited to his own State. We in my home State of Washington and in Seattle recognized him as a friend and he was nationally recognized especially for his legislative contributions—especially, of course, to the maritime and fishing industries which came under the jurisdiction of his congressional committees. The Nation as a whole benefited from his efforts and he will be sorely missed for in many ways he was a unique figure in the political life of his country.

Mr. Speaker, in tribute to the life and service of Bob Bartlett and because of the widespread respect and admiration in which he was held in Alaska's sister State of Washington at my suggestion posthumously he has been named an honorary citizen of my State.

Mr. Speaker, I join with my colleagues in paying tribute to the life and service of Bob Bartlett—a great American, and now posthumously an honorary citizen of Washington State.

LITHUANIAN INDEPENDENCE DAY

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MURPHY of Illinois. Mr. Speaker, toward the end of World War I and soon after the overthrow of the czarist regime in Russia, Lithuanians were among the first of innumerable nationality groups to proclaim their national independence. That historic event of 51 years ago marked the culmination of their long-cherished dream, the regaining of their freedom, ushering in a new era for them.

The Lithuanian people had lost their independence in the 18th century and were brought under Russia's autocratic czarist regime, but their real suffering under that regime dates late in that century when Lithuania became part of Russia's vast empire. Under such foreign domination they suffered much both materially and physically, but all their misery and misfortunes left them spiritually unscathed.

The unwieldy and callous government of the czars could not stamp out Lithuanian national feelings; foreign autocrats could not eliminate the Lithuanian spirit of freedom and independence. Courageously and stoutly these few million people held their own against the overwhelming power of the czars, and repeatedly defied Russian authorities whenever attempts were made to Russinize them.

The people were ready to sacrifice their all worldly possessions and, if necessary, submit to exile and imprisonment, but they were unwilling to give up their beliefs and their national ideals. They clung to these tenaciously and steadfastly, and when the time came in 1918 to assert their freedom, they seized upon the occasion and proclaimed the birth of the Lithuanian Republic on February 24 of that year.

Thenceforth for several anxious years the people went through great difficulties. The war-ravaged country had to be rebuilt, the hungry had to be fed, the needy had to be cared for, and the governmental machinery just instituted had to be put into efficient working order. Perhaps the most important and crucial of all was the organization of the country's defense forces for the maintenance of its newly won independence. In time, however, these difficulties were overcome, many problems were solved, and Lithuania's independence safeguarded. In due time Lithuania became a member of the League of Nations, and played her part admirably well in that world organization. In the course of two decades, during the interwar years, Lithuania was regarded a prosperous and progressive state. Unfortunately this happy situation did not last long; Lithuania's powerful, greedy, and aggressive neighbors did not want it to last. Then Lithuania's deadliest foe, the Soviet Government, saw to it that democratic Lithuania did not remain free and independent. Catastrophic events that led to the last war foreshadowed Lithuania's doom. Early in 1940, under an outrageously flimsy pretext, Stalin's forces invaded and occupied the country, and in July of that year it was annexed to the Soviet Union.

During the war the Lithuanian people suffered under both the Soviet regime and under the Nazis. When the Soviets were in occupation of the country hundreds of thousands of Lithuanians were uprooted from their homes and exiled to distant parts of the Soviet Union, while those allowed to remain home were forced to work as slaves for their Communist overlords. Then the country was taken over by the Nazis, but this change of masters did not change the lot of the Lithuanian people. Finally, toward the end of war the Communists returned once more, this time with more fury and ferocity. Since then the fate of Lithuania has been in the hands of the men in the Kremlin.

Today's Lithuania is one of the Soviet Union's constituent republics where some 3,000,000 live and work under their Communist taskmasters. All their worldly possessions are owned and operated by the state. There they are deprived of nearly all forms of freedom, and since they are practically sealed off from the

free world, we hear little of their unenviable lot. However, even under such unbearable conditions the Lithuanian people have not given up their traditional and national ideals for freedom; they cherish the hope that someday they will cast off the Communist tyranny and regain their freedom. On the occasion of observance of their independence day I join them and fervently hope that they attain their national goal and be allowed to live in peace in their historic homeland.

AMERICANS OF ESTONIAN DESCENT MARK ANNIVERSARY OF INDEPENDENCE

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. CUNNINGHAM. Mr. Speaker, Americans of Estonian descent are today marking the 51st anniversary of independence of the Republic of Estonia.

Estonia and the other Baltic States, Latvia and Lithuania, lost their independence after the outbreak of World War II.

The Baltic States became victims of the conspiracy of the totalitarian imperialistic powers, Soviet Russia and Nazi Germany.

Estonia and the other nations were forcibly incorporated into the U.S.S.R. The Soviet Union's assault against its Baltic neighbors was the first step westward in a ruthless march against Europe.

The beginning of today's international tensions and threats to peace may thus be found in the Soviet aggression against Estonia, Latvia, and Lithuania in 1940.

Mr. Speaker, we cannot rest well until Estonia and all other nations which have been dominated by the Communist conspiracy, are again free.

FOR CONSOLIDATION OF LOCAL GOVERNMENT

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PODELL. Mr. Speaker, on Saturday, December 14, 1968, the President's National Commission on Urban Problems made public a report in which the Commission urged a program of Federal fiscal action to encourage consolidation of local governments. I want to commend this report to the special attention of our colleagues because its recommendations present an effective and constructive approach that is necessary to revitalize our forms of local government.

Public interest in local government consolidation has become more intense in recent years. Before I was elected to the House in February 1968, I served as chairman of the New York State Assembly Committee on Local Finance. In that capacity I initiated a series of studies into the operations of local government

in the State of New York. Based on those studies, I reached a conclusion similar to that advanced by the President's National Commission on Urban Problems—that consolidation of local governments was imperative in order to provide our people with decent, effective, and efficient public services.

Parallel studies have been going forward in other States. At the Federal level the National Committee on Intergovernmental Relations has done a monumental job in exploring and in pointing to areas for constructive intergovernmental cooperation at the local level. In many instances local governments themselves have initiated avenues for joint and cooperative activities to provide improved services at lower costs to their residents and to their commercial and industrial enterprises.

Across the border in Canada a metro form of government has been established in the Toronto area to coordinate the planning and administrative activities of a region, where the multiplicity of local government units had heretofore made impossible the performance of such functions in a constructive and efficient manner.

In 1966 the Committee on Economic Development completed a study of local governments and reported that spending by local governments exceeded the total Federal budget except for national defense expenditures. This committee concluded that the costs, operations, and performance of local governments have become the most significant national domestic problem. The archaic structure of local governments amply justifies this conclusion of the committee.

The President's National Commission on Urban Problems found—

The problems of local government are greatly magnified because each political subdivision within the fragmented metropolis relying primarily on the local property tax tends to lean inordinately on this splintered zoning power to boost its tax base.

As a result, the Commission concluded that the present indiscriminate distribution of zoning authority leads to incompatible uses along municipal borders, duplication of public facilities and attempted exclusion of regional facilities.

The findings of the Commission with respect to zoning, housing, and land use apply with equal force to other local services. For example, within a single county, police protection is frequently proceeded by a welter of police forces, lacking crime laboratories, modern communications systems and other equipment and facilities essential to modern, scientific crime detection. Seepage of sewage, detergents, and other contaminants from cesspools and septic tanks jeopardize the water resources of an adjoining area. Garbage disposal districts compete with each for dumping areas in an era of shrinking land availability.

The most obvious thing about the pattern of local government is simply that it doesn't make sense. In New York State, for example, we have approximately 9,000 units of local government: counties, towns, villages, and special districts for water, garbage disposal, fire protection, and for a host of other local public services.

Concern with the forms of local government in our State is not of recent origin. In 1930, Gov. Franklin D. Roosevelt asserted the local governments in New York State were blessed with more tax collectors than warriors engaged in the Battle of Marathon.

Since then a number of legislative committees and State commissions conducted studies and surveys of local government functions and performance and have uniformly concluded that the need for overhauling, modernizing, and streamlining local governments was indeed a pressing one.

Despite these persuasive appeals for restructuring our forms of local government, relatively little has been accomplished. County, city, town, and village boundaries and organizations remain substantially unchanged from the manner in which they were originally laid out more than 150 years ago.

Resistance to change is inevitable. Understandably, many fear that the curse of bigness may prove worse than the price of smallness. Many regard small units of government with nostalgic affection and look upon the right to elect a highway supervisor as a continuation of the democratic spirit of town government as it existed during the colonial period. Others see in the small government units a bulwark against the evils of a big-city political machine.

Nonetheless, there is change in the wind. The stimulus for change was generated principally by the historic and unending population movement since World War II from our cities into our villages and towns, a movement which upset the balance wheels of local government. Competition developed for tapping limited water resources to meet the needs not only of the increased population but also of commerce and industry which necessarily followed the people.

Subdivision and construction of split-level ranch homes on acreage previously used as a garbage dump sent local officials scurrying for new acreage for garbage disposal purposes and, as land disappeared, they inevitably turned to the public incinerator with concomitant problems of a bond issue for construction of the incinerator, and taxes for interest and principal on the bonds and for maintenance and operation of a facility.

To meet the emerging needs, special-use districts were created—water districts, sewer districts, fire districts and fire protection districts, street lighting districts, park districts, and in Nassau County an elevator district. As a result, New York State has today almost 9,000 units of local government, selling bonds, levying taxes, hiring personnel, purchasing supplies, and performing various governmental functions.

Under the circumstances it was inevitable that the cost of local government should mount, as it has, to astronomical figures, and a search for improved methods of performing the local government function was stimulated.

The recommendation of the President's National Commission on Urban Affairs for Federal fiscal aid to encourage

consolidation of local government is a step in the right direction. I trust that the reports of the Commission will serve a function more useful than gathering dust on library shelves. There is an urgent need to meet the challenge of creating rational forms of local government—a challenge that we dare not long forget.

ALLISON DIVISION OF GENERAL MOTORS, HOOSIER-BASED INDUSTRY, MAKES MAJOR, SIGNIFICANT CONTRIBUTIONS TO APOLLO 8 FLIGHT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, Allison Division of General Motors is making a significant contribution to the Apollo moon mission program. High-strength titanium tanks made by Hoosiers contain the propellant for the service module that carries astronauts into moon orbit, and for the lunar module that later this year will take two astronauts from lunar orbit down to the surface of the moon. Allison tanks were aboard the recent successful Apollo 8 flight to the moon. They carried the propellant that kept the spacecraft on course to the moon, put it into lunar orbit and boosted it free of orbit for return to earth. Similar tanks were aboard the earlier and equally successful Apollo 7 earth-orbiting flight. Allison tanks will be aboard the Apollo 9 service module when it is launched February 28 on an earth-orbiting flight to test the functioning of the lunar landing module that will descend to the moon surface on a later flight.

ELEMENTARY LESSON ON THE ARMED FORCES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. ROSENTHAL. Mr. Speaker, Edward P. Morgan's article "Elementary Lesson on the Armed Forces" vividly documents the ever-escalating demands of the military for increased outlays—and its incredible capability to devour funds.

The Defense Establishment regards itself as omniscient, and is constantly trying to make itself omnipresent. The demands of the military for new funding can never be met, for after one program is funded, two more appear declared by its sponsors to be equally urgent.

Mr. Morgan is asking the right questions—do we need a military "presence" in 68 foreign countries? Do we need 30,000 military men in Latin America? Can we afford half our national budget devoted to military items while children starve and cities burn at home?

His article follows:

[From the Washington (D.C.) Post, Feb. 15, 1969]

ELEMENTARY LESSON ON THE ARMED FORCES

(By Edward P. Morgan)

While Senator Symington tools up his new ad hoc subcommittee to examine what influence our international military commitments may have on U.S. foreign policy, there is time for the rest of us to do some cramming on the subject.

Attention class!

Q. How big are the U.S. armed forces?

A. 3,407,557 men (and some women) by official mid-January Pentagon figures.

Q. Where are they?

A. Nearly half, or 1½ million, are serving abroad.

Q. Mainly involved, one way or another, in Vietnam?

A. Heavens no! Less than half. We've only 532,500 troops in Vietnam, plus, of course, support from 35,700 Seventh Fleet personnel offshore; 45,000 on Thailand bases; 40,000 on Okinawa.

Q. Does that about do it for Asia?

A. By no means. We still have 55,000 GIs patrolling the truce in Korea. And 40,000 in Japan proper. And 30,000 in the Philippines. Part of the latter two totals, of course, reflects a rear-guard involvement in Vietnam.

Q. Could we possibly be overmanned somewhere?

A. You took the words right out of some influential legislators' mouths. We still maintain in Japan, by official count, 48 "major military installations,"—30 for Army, 11 for Navy, 7 for Air Force. One important House member argues we can safely reduce U.S. personnel there by one-third, maybe even two-thirds.

Q. What about the Philippines?

A. One survey, never released, reportedly recommends a cutback to one island base. We now operate a dozen installations there, including Clark Field, a huge base.

Q. But World War II is a quarter of a century behind us. Don't tell me the fickle winds of the Cold War still have us scattered from hell to breakfast over the rest of the globe.

A. The U.S. today maintains a "military presence" in at least 68 foreign countries. These range from MAAGS—military assistance advisory groups (four men in Tunisia, 116 in Brazil)—to full-blown bases.

Q. Speaking of bases, how many do we have abroad?

A. In Pentagonese, "major military installations or activities outside the U.S." total 400. One Senator, who should know, says the exact figure is 432.

Q. Great Scott! What have we missed?

A. Fasten your seatbelt for just a sample globe-girdling rollcall: Ethiopia (1); Libya (1); Greece (2); Spain (8); Iceland (1); British West Indies, Bermuda and the Bahamas (7); Cuba (5) all embraced by Guantanamo naval base; Panama Canal Zone (13); Taiwan (3); Pakistan (1); Turkey (3); Berlin and West Germany (146); United Kingdom (12).

Q. Wow!

A. Some official figures are deceptive or classified. We have 320,000 men in western Europe and Britain, some 21,000 aboard the Sixth Fleet in the Mediterranean. But many of the land-based military have wives and children with them, on a three-year hitch. One Capitol source, for example, reckons that dependents bring the total American presence in Japan to 83,000.

For "the Middle East and Africa" the Pentagon's force list is 10,000. Actually we may have at least 30,000 men in and out of uniform in Ethiopia, Turkey and Iran, some on what might be called dainty assignments. The latest official count of U.S. military in Latin America is 30,000, though that includes nearly a score of MAAGS. And about 15,000 Army men in Panama.

Q. Still, all that manpower must be a

bargain; it's the fancy weapons that really cost, right?

A. Not so fast. Depending on how you figure, the care and feeding of nearly 3½ million men (not to mention certain allowances for dependents on foreign station) may eat up nearly half the \$81.5 billion national defense budget estimate for fiscal 1970. Actually for a truer cost of national defense, throw in nearly \$6 billion as the estimated Veterans' Administration 1970 outlay for insurance, pensions, hospitalization, etc. And don't forget the CIA, whose budget is secret but which at last reports was above half a billion and presumably climbing. Then if you've a sliderule handy figure the appropriate share of all these items in the interest on the national debt.

Q. But isn't protecting our national security cheap at any price?

A. How much of a bargain did the Pueblo incident buy us? Is paying higher prices for poorer weapons, as *The Washington Post* revealed the other day, a sound investment? Are we getting our military money's worth in Japan and Okinawa where recent anti-American demonstrations signal flashpoints of possibly worse trouble to come? "Yank Go Home" is rising with nationalism in Turkey and the Philippines too.

Q. Gee, the Symington committee has its work cut out for it, right?

A. Right. Our next assignment will be to evaluate the ABM, if any. Class dismissed.

MORE AID FOR THE HUNGRY IS NEEDED

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. RYAN. Mr. Speaker, in an editorial of February 24, the New York Times calls for an agricultural policy that is responsive to the needs of the poor. That the present policy has failed in aiding the poor has been established in the testimony before Senator McGovern's Select Senate Committee on Nutritional and Human Needs. It is encouraging that this testimony has led the Secretary of Agriculture to provide free food stamps for those near starvation in South Carolina. But efforts cannot end there.

The central problem is our entire agricultural policy. Eight times more money goes to subsidizing large farm operations than to improving the diets of the poor. Furthermore, the refusal of the Agriculture Department to spend the money available for commodity distribution program lacks potential help for the poor. Such policies cannot be continued. The Agriculture Department must join other departments in their attempts to eliminate poverty. The new Secretary of Agriculture must recognize the true dimensions of hunger in the United States and use his power to see that adequate responses are formulated. The editorial follows:

[From the New York Times, Feb. 24, 1969]

THE HUNGRY ARE HEARD

It is proving a bitter harvest. The effects of this nation's wrong-way agricultural policies on millions of poor continue to be etched in testimony before Senator McGovern's Select Committee on Nutritional and Human Needs. Medical experts report that nutritional diseases long thought

abolished have reappeared. They have linked irreversible mental retardation dietary deficiencies in the very young.

The impact of this testimony has produced a few encouraging changes, but not nearly enough.

The Senate has overridden its own Rules Committee to assure the investigating committee adequate funding. The Secretary of Agriculture, Clifford M. Hardin, has worked out plans to provide free food stamps for those near starvation in Beaufort and Jasper Counties, S.C.

Distressing aspects of the problem, however, almost overshadow these positive developments. The Agriculture Department remains virtually in contempt of court for not providing food or food stamps to the hungry in California. An examination of its departmental budget for the current fiscal year reveals the cruel extent of the nation's twisted policies.

The total outlay for farm income stabilization programs comes to about \$4.5 billion, while the total for surplus commodities and food stamps, the programs aiding the poor, comes to only \$564 million. Thus the nation spends about eight times as much propping up farm prices as it does helping the poor to receive adequate diets. Additional funds go into the school lunch program, but surveys show this program often excludes the very poor, who need it most.

Large farm operations receive fantastic subsidies, particularly in California. The J. G. Boswell Company in Kings County, Calif., for example, received more than \$4 million in diversion payments in 1967. The Rancho San Antonio in Fresno County, Calif., received nearly \$3 million. Senator James Eastland's plantation in Mississippi received well over \$100,000.

The Agriculture Department, while lavishing subsidies on large operators, refuses to spend the money made available for commodity distribution programs. It turned \$227 million back to the Treasury last year. It even refuses, despite a court injunction, to provide food or food stamps to the poor in several California counties. With assistance from the Office of Economic Opportunity, the poor in these counties have had to sue to win the benefits of programs designed for them. Similar suits have been brought in other states.

Secretary Hardin, new to office, is hardly to blame for these wrong-way policies or for the widespread hunger in America. Nonetheless the responsibility is on him to move vigorously to meet a problem that has now been so clearly exposed. The conscience of the country, having heard the voice of the hungry, demands action to answer that cry.

AIRLINE YOUTH FARES

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. OLSEN. Mr. Speaker, I was pleased to have more than 30 of our colleagues join last week in the introduction of a resolution expressing the sense of the Congress that current child, youth, and military reduced air fares are consistent with the Federal Aviation Act of 1958.

I am hopeful many more will join in support of this resolution, House Concurrent Resolution 144.

Several editors across the Nation have spoken out in support of continuing the youth fare on our airlines. As I continue to receive editorial statements in

this regard, I will insert them in the RECORD.

Today I place the resolution and the following editorials and articles in the RECORD:

Kent State, Ohio: "Grounded."

Kent State, Ohio: "Standby Air Fares May Be 'Up, Up and Away.'"

Villanova University: "You Gonna Get Shot Down, Baby."

Cornell University: "Call a CAB."

St. Paul Pioneer Press: "Keep Student Fares."

H. CON. RES. 144

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the current regulations of the Civil Aeronautics Board under which air carriers are permitted to grant reduced air fares to children, youth, and members of the armed forces of the United States are consistent with the intent and purposes of the Federal Aviation Act of 1958 and tends to promote adequate, economical, and efficient service by air carriers at reasonable charges, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices.

[From the Kent Stater, Feb. 20, 1969]

GROUNDED?

All half-fare stand-by airline tickets were scheduled to become null and void today. All special youth fare I.D. cards were to become worthless today. None of this has happened—YET.

If Transcontinental Bus Systems, Inc., operators of Trailways, has its way, the skies may be just as friendly as before, except that they will be twice as expensive for the college student.

Several students at Princeton University have banded together to fight the threatened discontinuance of youth fares. They spoke with Arthur Present, examiner for the Civil Aeronautics Board (C.A.B.), who told them that he had ruled against the fares earlier this year because they violate section 404 of the Federal Aviation Act of 1958. The act prohibits "unreasonable" discrimination in fares.

He said that for discrimination in fares to exist, air passengers must get "substantially similar" service, yet be charged different fares.

The Stater disagrees with the examiner. We believe that students flying on half-fare tickets get "substantially different" service, and in most cases that treatment is far below that received by full-fare coach passengers.

Frequently, a student is "bumped" off a flight at one of the stops on a multi-stop flight. He is faced with hours of waiting for a flight during peak travel times, and sometimes he never gets a flight. Once up in the air, the half-fare passenger is told by the stewardess, "I'm sorry, we don't have any extra meals on board for you, but you can have a Coke if you would like one."

So the student sits closest to the roaring jet engine sipping his Coke. At least he is flying. That is what he paid for.

The youth fare passenger cannot fly during holiday periods. He is definitely regarded as a "lower caste" passenger by the airlines. If this is not substantially different service, The Stater does not know what is.

The Princeton committee has written, "It is obvious to us that the charges of discrimination have been trumped up by the bus companies in an attempt to discourage young people from flying and to force them to travel by bus. This blatantly profit-motivated act which totally disregards the general welfare of millions of young people cannot be permitted."

The Stater agrees.

If the bus companies really think half-fare,

stand-by tickets attract students to the airlines, why don't they institute a similar program on the long-haul city-to-city bus routes?

The ultimate statement criticizing the discrimination ruling was made by U.S. Representative, Arnold Olsen (D. Mont.) recently. He said, "I fail to see how permitting a young person to fly half-fare on a seat that would otherwise go empty discriminates against regular passengers."

The C.A.B. will again be discussing the youth fares on Wednesday, Feb. 26. The board must be convinced that youth fares should be continued. They must be made aware that youth fare passengers do not receive the same service as full fare passengers. They must be shown that students across the nation are upset.

[From the Kent Stater, Feb. 13, 1969]

STANDBY AIR FARES MAY BE "UP, UP AND AWAY"

(By Saul Daniels)

Stand-by half-fare and reserved seat two-third fare airline tickets for the 12 to 21 age bracket may soon go the way of the Ford Trimotor aircraft if the Civil Aeronautics Board upholds its own decision banning them.

Thomas V. Sheehan, representative of the Civil Aeronautics Board (CAB) told The Stater that the original decision to cancel the fares, used extensively by college students, was made by the Board on January 21.

"The Board, six days later, on its own motion, which was rather unusual, decided that it would grant review," he said and ordered the Board examiners' previous decision suspended indefinitely.

The major long distance bus company maintained that the special youth fares were "unjustly discriminatory." The Board examiner ruled in favor of Trailways but later the CAB decided to reconsider. The date of the new hearing has not yet been set.

According to Sheehan, the entire situation began two years ago when Trailways filed its first complaint. The CAB sustained the youth fares and rejected the complaints. However, Trailways appealed the decision to the Fifth Federal Circuit Court of Appeals which reversed the Board's decision.

The Court "remanded the question of youth fares to the Board for further proceedings," Sheehan told The Stater. "At that time Trailways also challenged the military furlough fares, but the Court found that the furlough fares were properly handled by the Board," he continued.

Upon re-examination the Board hearing examiner found the youth fares unjustly discriminatory, Sheehan said. The decision for review came six days later, and execution of the Boards' cancellation ruling, which was to go into effect within 30 days, was upheld indefinitely.

Rep. Arnold Olsen (D. Mont.) said that if the Board should uphold the cancellation order, it would "encourage thousands of young people to resume the illegal and dangerous practice of hitch hiking or to attempt long, exhausting automobile trips, frequently in unsafe vehicles."

The congressman, in a letter to CAB Chairman John H. Crocker said, "I fail to see how permitting a young person to fly half fare on a seat that would otherwise go empty discriminates against regular passengers." He continued to say, "The revenue loss resulting from elimination of the existing regulations could mean increased fare for all passengers, and that present youth fares contribute substantially to the cause of education."

Continuing on subject of education Olsen said that the youth fare was "an important factor in easing the travel burden of thousands of college students. Travel alone is a form of education. Thousands of young

Americans—students and non-students—have been enabled by the youth fare to see much of their country. They have benefited from the current youth fare arrangement, and it has not been at the expense of full-fare passengers because space available seats are empty."

CAB spokesman Sheehan said that it is too late for students to present evidence to the Board or to appear before it, but if they wished, they could write letters to the Civil Aeronautics Board, 125 Connecticut Avenue, N.W., Washington, D.C., 20009. However, he warned, the Board has been so swamped with letters that it is virtually impossible to answer them.

[From the Villanovan, Feb. 19, 1969]

YOU GONNA GET SHOT DOWN, BABY

Another "crumb" from capitalism's cornucopia will be yanked from students' mouths without even a small hassle.

Airline officials are being pressured to change the special student rates policy on the grounds that it discriminates against adults and non-students. Those who are applying the pressure (we wouldn't be surprised if they liked to play with buses) are charging the airlines with unequal practices.

We feel that the word "equal" is semantically problematic in this case. Equality must be also viewed from the student's position. A student's yearly income is not equal to that of a full time employee. The airlines' standby requirement for student discounts obviously does not display equal treatment among customers.

The student discount helps both airline and student. Its desuetude will result in empty seats and loss of profit for the airlines. For the student this will not only mean an unnecessary hardship, but a real example of discriminatory treatment.

[From the Cornell Daily Sun, Feb. 17, 1969]

CALL A CAB

We'll all be paying full fares for our airplane trips if a decision by a Civil Aeronautics Board examiner is not overturned by the full board. The examiner has ruled that airline youth fares constitute discrimination against adult, full-fare passengers and ought therefore to be abolished.

As veterans of interminable airport vigils and last-second runway dashes, we value our mobility and object to the implication that an empty seat is somehow fairer to other passengers than is a college student.

Others who feel the same way should contact the CAB or Rep. Arnold Olsen (D., Mont.), who is fighting the measure, or be prepared to cancel that impending spring vacation jaunt.

[From the St. Paul (Minn.) Pioneer Press, Feb. 13, 1969]

KEEP STUDENT FARES

Many American families will receive an unwarranted jolt in the pocketbook if the Civil Aeronautics Board upholds a finding by one of its examiners.

CAB examiner Arthur Present has found that youth and family airline fares are "unjustly discriminatory and should be cancelled." Public hearings on the question will be held within the next two months.

Since 1966, children aged 12 through 21 have been able to travel anywhere in the U.S. by plane, on a stand-by basis, at a 50 per cent reduction of fares, except at peak traffic times and seasons. Other special rates allow family reductions for husbands and wives or children traveling together. The program has been a great boon to American youth and families and has resulted in increased business for the airlines, thus creating a mutually happy situation.

Youth fare traffic increased from 2,100,100 passengers in 1966 to 5,760,000 in 1968. Col-

lege students and vacationing families have been the chief users of the special rate plans.

The damper has come from a complaint filed with the CAB by a major group of bus companies. Instead of attempting to meet the airlines' competition, they demanded that such fare reductions be discontinued and alleged that the rates were "unjustly discriminatory, unjust, unreasonable, unfair competitive practices and otherwise unlawful."

The CAB refused to consider the complaint in 1966 but the bus companies went to court and their appeal finally reached the Supreme Court, which declined to hear the case. Renewal legal actions in the lower courts forced the CAB to review youth and family fares early this year and Present announced his findings after nine days of hearings.

It would be most unseemly of the CAB to rule in the bus companies' favor and stifle legitimate competition. If the bargain rates are no longer allowed, a lot of American families will be robbed of the special work, study and travel privileges now granted by the airlines.

DRAFT DEFERMENTS FOR POLICE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HORTON. Mr. Speaker, police agencies and fire companies across the Nation, particularly those in the major metropolitan areas, are faced with a critical shortage of prospective manpower.

In dealing with the law-enforcement personnel shortage problem, the National Advisory Commission on Civil Disorders made the following recommendation in its report:

Because a basic problem in furnishing protection to the ghetto is the shortage of manpower, police departments should review existing deployment of field personnel to ensure the most efficient use of manpower . . . communities may have to pay more for the entire community, as well as for the ghetto.

There is no question that communities will have to face this problem realistically. But we in Congress must face the need to help where we can.

I am offering legislation today which would amend the Selective Service Act of 1967 to give full-time policemen, firemen, and men in training for such jobs deferments from the military draft.

Almost every major metropolitan police and fire department in our land suffers from a shortage of trained personnel.

A study of municipal police departments conducted by the National League of Cities in the summer of 1965 indicated that 65.5 percent of the 284 responding departments were operating below authorized strength. Of the 98 departments operating at authorized strength, 79 indicated they really needed more men.

If we continue to draft men away from police departments that are already understaffed we are undermining the ability of communities to afford protection to their citizens at a time when this is most crucial.

In the 90th Congress we acted to pro-

vide substantial Federal funds for State and local law-enforcement assistance. This long overdue measure must be supplemented by legislation guaranteeing that the Federal Government will not dip into the already inadequate manpower pool available to law enforcement and fire protection.

Police agencies and fire departments are finding recruiting increasingly difficult. Both are thankless jobs, involving great danger and little compensation.

To further complicate matters, a large number of police and firemen who joined immediately after World War II are now reaching retirement age.

It has been estimated that large cities will soon experience a loss of one-third of their experienced police personnel through retirement. This experienced leadership must be replaced.

Mr. Speaker, the cities most understaffed are those which need police and fire protection most. I urge your help in furthering the fight for greater safety in our cities by adopting the national policy that law enforcement and fire fighting careers are critical skills which should be exempt from the draft.

The war against crime, as the protection of human life and property, is vital to our national interests. We cannot continue to draft men who are so essential to maintaining the public safety.

EDITORIAL BOOSTS SEAT BELTS FOR SCHOOL BUSES

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. CUNNINGHAM. Mr. Speaker, on March 7, 1968, 19 of 30 passengers aboard an interstate bus died when the bus collided with an automobile near Baker, Calif.

One of the conclusions presented by the National Transportation Board in its report of December 18, 1968, is as follows:

The absence of restraining devices for the driver and bus passengers made possible the increase in severity of injuries and resulted in confusion and disorientation (i.e., to the passengers on the right side of the bus). Had restraining devices such as lap-type safety belts been available and in use by occupants, it is probable that a great number of persons would have been able to escape from the bus before the fire.

Under the heading "Probable Cause," this report also states:

The injuries to the bus occupants were caused by the forces of impact and subsequent bus overturn in the absence of crash injury prevention facilities such as occupant safety belts.

I have learned today that the Federal Highway Administration does intend, under the authority of the Interstate Commerce Act, to require the installation and use of lap belts for drivers of buses operated in interstate commerce to any extent beyond the limits of commercial zones. Such operation includes the bulk of high-speed, intercity bus operations. The purpose is to insure that the driver

will be retained in his seat in extremely evasive maneuvers as well as in crashes that do occur.

On the first day of the 91st Congress, I introduced H.R. 162 which would require that motorbuses involved in interstate commerce be equipped with seat belts.

This bill provides that any vehicle used on the highways for the interstate transportation of 10 or more passengers be equipped with seat belts. It would become effective 1 year after enactment.

Mr. Speaker, I call to your attention an editorial, "Belts for Buses?" which appeared in the Saturday, February 15 issue of the Washington Daily News.

The editorial reads as follows:

BELTS FOR BUSES?

Traditionally, few occurrences—short of a declaration of war—are so designed to galvanize a newspaper's city room as a report that a school bus has been in a major accident. In an age when custom begins to harden us to disasters, we remain completely vulnerable to those in which children are involved.

The collision last week of a car and a bus bound for Earl B. Wood Junior High in Rockville, which sent both vehicles into a drainage ditch at Sunflower Drive and Bitterroot Way in Montgomery County's Flower Valley subdivision, was a lucky one. Thirty-one children were reported shaken up and slightly injured. No one seriously. But the accident raised the question: Why don't school buses have seat belts?

In fact, why don't all buses have them?

A bus is a large container in which to rattle small children about. According to the American Automobile Association, tests were done by the University of California using school buses in crack-ups in which dummies were substituted for children without seat belts "and the kids flew over the place like bullets."

The National Education Association says the matter of seat belts is a controversial one, but it is "under study" (some jurisdictions may already be using them). The NEA points out that, statistically, the school bus "is the safest mode of transportation in the world." Well, okay, but from our personal observation of these buses over the years, we've yet to be convinced. With the ever increasing hazards of traveling the roads hereabouts, we would feel a lot safer knowing that junior was snugly belted in.

A DAY WITH ALEXANDER STEPHENS

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HAGAN. Mr. Speaker, I recently came across a story in the Atlanta Journal and Constitution magazine section which relates some highlights in the life of Alexander Stephens—Congressman, Vice President of the Confederacy, and Governor of Georgia—who died in 1883. Alexander H. Stephens is a great-great-uncle of my good friend and colleague, the Honorable ROBERT G. STEPHENS, JR., of Athens, Ga. The story tells of Stephens' association with Abraham Lincoln in Congress and during the Civil War. Because I found the article of historic interest with some little-known facts about Lincoln and that historic era, I am

bringing it to the attention of my colleagues:

A DAY WITH ALEXANDER STEPHENS: TWO NEPHEWS WHO CALL HIM UNCLE ALEX REMEMBER DELIGHTFUL STORIES ABOUT ALEXANDER STEPHENS

(By Andrew Sparks)

Alexander Stephens—congressman, vice president of the Confederacy, governor of Georgia—died in 1883.

Yet when you walk through his old home at Crawfordville, Ga.—white-painted Liberty Hall in the Alexander H. Stephens State Park—you almost imagine he may be waiting in the next room. His books lie on the tables his pictures hang on the walls, and much of his own furniture stands where it did during his lifetime.

But "Little Alex" seems even more real if you're lucky enough to spend a day in the country talking to men who call this great Georgian Uncle Alex.

"If I had a dollar for every time I've been to Crawfordville, I wouldn't ever have to work again," says Judge Frank A. Holden of Atlanta, Stephens' great-great nephew, who is almost 75 and vows he is working harder than he ever did before. As United States Commissioner in Georgia's Northern District, his job is to hold preliminary hearings on U.S. government cases, and he is also a practicing attorney. Judge Holden invited us to go with him to two places where Alexander Stephens is best remembered today, Crawfordville and Washington-Wilkes.

Stephens, who was a friend of Lincoln and a foe of secession but a supporter of his state after the fateful decision to secede was made, has a birthday this week. He was born Feb. 11, 1812. Abraham Lincoln's birthday is the next day, Feb. 12, which, by an odd historic coincidence, happens to be Georgia Day, birthday of the state, founded Feb. 12, 1733, when Oglethorpe and his English settlers landed on a Savannah River bluff. It's a great week for history.

But history heard firsthand does not seem like history in a book.

"Uncle Alex called my grandmother Little Honey," Judge Holden said, chewing on an unlighted cigar as we rode down I-20 east through a dun-colored winter landscape and back into memory. "After grandmother's husband died, Stephens took grandmother, who was his niece, and her four little children, including my mother, over to live at Liberty Hall."

Stephens knew what it meant to help those in need. His own mother died when he was a month old, leaving such a frail child people said it was a miracle he lived. Stephens grew to average height but never weighed more than a hundred pounds, hence his nickname "Little Alex," which has been spelled Alex, Alec, Aleck and Ellick. When he was only 14 his father and his stepmother died within a week of each other and the children went to live with relatives. Alex, like Abraham Lincoln, studied by the light of pine knots and read everything he could find. He had had only about two years of formal school, in "old field schools," when he and his brother Aaron were sent to live with their mother's brother, Gen. Aaron Grier, near Raytown. Alex studied there at Locust Grove Academy and later in Washington before going to the University of Georgia, where he said he spent his happiest days. After a year of teaching, which he didn't like, he went to Crawfordville to study law and boarded with his stepmother's brother-in-law, the Rev. William Bird, in the house that is now Liberty Hall. Stephens bought the house in 1845 at Mr. Bird's death. He gave more than 100 boys financial help to get an education.

"As a boy Stephens' family was so poor they didn't have money to buy kerosene," Judge Holden said. "That's why he read by light/ard knots. He was the first-honor grad-

uate at the University of Georgia but didn't have money to pay \$1.50 for his diploma. Long afterwards, the year my sister Queen Elizabeth Holden graduated at the university, the Board of Regents awarded Alexander Stephens' diploma, and she received it for him.

"When Gutzon Borglum's statue of Stephens was unveiled in Statuary Hall at the National Capitol, my mother placed a wreath on it for the Georgia UDC. Years before, as a young bride, she had unveiled the marble statue of him at Liberty Hall in 1893.

"When I was a boy, Will Sanford was playing baseball in the yard and knocked a ball that broke a finger off the statue. It's still off I think. Will's mother taught school at Crawfordville and they were living at Liberty Hall. A lot of families have lived there. I never did myself, but I hunted Easter eggs there many a time and ran from the old witch, dressed up to protect the golden egg."

Judge Holden kept pulling memories out of his head, as well as photographs and clippings from a brown leather briefcase in his lap.

"Here's a picture of a sofa that belonged to Uncle Alex," he said. "It was at our house in Athens when I was growing up and my sisters hated it. It was so uncomfortable they said boys who came to see them and sat on it wouldn't ask for a second date. I gave it to Liberty Hall and the parks department had it done over."

Years earlier Judge Holden's mother, Mrs. Horace Holden, unable to part with the family antique, had a copy of the sofa made and presented that to Liberty Hall. The replica, upholstered in black horsehair, stands now in the parlor beneath Louis Gregg's portrait of Mrs. Holden. She was largely responsible for the restoration of Liberty Hall in the 1930s and rode hundred and hundreds of miles to see people and ask them to sell or donate original furniture back to the house.

"My mother talked about Uncle Alex all the time, ever since I was born," Judge Holden said. "I feel guilty now I didn't pay more attention. I'm ashamed of myself because I didn't listen."

"One story about Stephens is so old it has whiskers, but it has been misquoted about where it came from. Mother knew exactly where it happened—in Greensboro, Ga.

"Bob Toombs and Alex Stephens were great friends, although they differed on great issues and had many debates. One hot summer day they were going to debate at the courthouse in Greensboro. Just before the speaking, Stephens was lying on a couch on the verandah of the courthouse when Bob Toombs came in. He pointed to Stephens and said, 'Look at that little fellow. If you'd grease him and pin his ears back, you could swallow him whole.' Stephens jumped up and said, 'Yes, and you'd have more brains in your stomach than you'd have in your head.'

"Mother said the next week when Stephens and Toombs were going to debate in Washington, Ga., they were both walking down the street and met. Toombs mumbled to the man he was with, just as they were about to pass Stephens, 'We do not get out of the way for no d. fool.' Stephens jumped off the sidewalk and replied, 'But we do!'

STEPHENS' ORATORY ONCE MADE LINCOLN CRY

"Stephens was one of the greatest orators this country ever produced. In Congress Abe Lincoln was so impressed he wrote his law partner about him. That letter is right here in a book, 'Recollections of Alexander H. Stephens,' that my mother found in Boston when she went up to see where Stephens was put in prison after the war.

"Here's what Lincoln wrote: 'I take up my pen to tell you that Mr. Stephens, of Georgia, a little slim pale-faced consumptive man, has just concluded the very best speech of

an hour's length I ever heard. My old withered dry eyes are full of tears yet.'

"My mother knew more about Stephens than any other living person. She could talk about him for 10 hours. Now, Dr. Robb Stephens knows more about him than anyone else. Without him, all the kinfolks would be lost—anything we want to know we write and ask Cousin Robb. He's just a walking encyclopedia.

"There's a man at Emory—and I resent this very much—who said Stephens' not cooperating with Jefferson Davis lost the war for the South. I think he's wrong. If they had listened to Stephens, they would have saved hundreds of thousands of the cream of the South. Stephens worried Jefferson Davis so about a compromise that Davis finally appointed him and a commission to meet with Lincoln and see if the war could be ended. He just appointed it to appease Stephens.

"Stephens had a nephew he wanted to get released from prison. Cousin Robb can tell you about that—that nephew was his daddy—and about his daddy going to the White House, scared to death. Cousin Robb has the letter from Lincoln, in his own handwriting, giving his daddy permission to come through the lines."

Dr. Robert G. Stephens, who will be 88 in June, is still a busy practicing physician, seeing patients every day and even making house calls. He moved to Washington-Wilkes from Atlanta in 1939 after inheriting a house which has now been home for members of his family 97 years. He lives there now with his daughter, Mrs. Emma Wilson. His son Robert G. Stephens Jr., of Athens, is Georgia's 10th District congressman.

Lincoln's letter, framed in walnut and gold leaf, hangs in the library. The ink, which has now turned brown, was blotted when the President folded the letter and gave it to the 24-year-old Georgia lieutenant, John Alexander Stephens. John's photograph is at the bottom of the frame facing a picture of Lincoln which the President autographed and gave him.

"My father had the letter framed and it's hung in our home as long as I can remember," said Dr. Stephens, who has a phenomenal memory and talks about Lincoln and Stephens almost as if he knew them.

"In Congress they were both Whigs and both 'Young Indians'—members of a club gotten together for the purpose of electing Taylor President of the United States," he continued. "Lincoln didn't run for a second term and went back to Springfield, Ill. He and Stephens corresponded some, but they hadn't met again when the war came on. When they did meet, at Hampton Roads, they met as friends.

"Lincoln wrote on a piece of paper that the men could write their own terms if they'd come into the Union. The others wouldn't sign. When they got through with the meeting, Lincoln called Stephens and said he wanted to talk to him alone. He wanted to ask about old friends they had known in Congress. Finally Lincoln said, 'Well, Stephens, we haven't been able to do anything in behalf of our country—he didn't say countries; he never accepted that the South had been out of the Union, but after the war ended they put the South under Reconstruction and said the states had been out of the Union—is there anything I can do for you of a personal nature?'

"Well," Stephens said, 'I have a nephew and the last we heard of him he was imprisoned at Johnson Island in Sandusky Bay. If you could find out something about him, we'd appreciate it.' Lincoln took out a notebook and wrote down the name, John A. Stephens. Then he and Stephens separated, never to meet again.

"John Stephens, my father, was in an officers' prison on Johnson Island in Lake Erie, about four miles from Sandusky, Ohio. He was standing in the bunkroom by a stove

trying to get warm—he had no overcoat and the temperature was 20 degrees below zero and he had been bringing in wood for the fire—when an orderly came to the door and called for Lt. John A. Stephens. 'You are wanted at the commander's office,' he said.

"The commanding officer showed him a telegram: 'Parole Lt. John A. Stephens, prisoner of war, to report to me here in person, and send him to me. It is in pursuance of an arrangement I made yesterday with his uncle, Hon. A. H. Stephens. Acknowledge receipt, A. Lincoln.'

"They told him to get his things together. Other prisoners—among them were Gov. McDaniel and Capt. Wright, comptroller general of Georgia—gathered about to hear what had happened. My father said he didn't know what had happened. He thought maybe because he was the nephew of the vice president of the Confederacy they were going to shoot him. The other men cried when he told them goodby.

"Ice on Sandusky Bay was 10 feet thick. They hitched two mules to a sled to take him away, wrapped up in buffalo robes. He caught a train bound for Washington City and rode all that night and all the next day. About dark, when he got there, he went at once to the White House and to Lincoln's office. His reception was very friendly when he showed the telegram. The man at the desk said, 'Give me your card.' My father didn't have one. He wrote his name out on a piece of newspaper, John Alexander Stephens.

"In two minutes, the man came back and beckoned. When my father went in, he saw a man lying on a long office table, talking to a second man who sat in a chair, Secretary of State Seward. My father said when the man on the table got up, he looked like a corkscrew unwinding, the tallest man he ever saw. Lincoln came toward him with both hands out. 'I met your uncle on Feb. 3,' he said. 'He said your mother and everyone else at home are all right and well. I told him I was going to send you to them. You can have the freedom of Washington City as long as you want to, under my protection.'

"My father stayed a week. He had gone to the University of Virginia and he used to go to Washington often to see his uncle. Then he went back to see Lincoln, who this time was by himself. They sat down and Lincoln told him how much he thought of his uncle and talked about the association they had had together. He told him how much he regretted the war and wished it would end.

"Lincoln turned to his desk, took out a photograph of himself and wrote A. Lincoln across the bottom of it. 'Put this in your pocket,' he said; 'it will prove a curiosity down South.' While he was in Washington, my father went to the Army of the Potomac and had his own picture taken by the Yankee photographer."

The two photographs, of A. Lincoln and John A. Stephens, are still together in the frame along with this letter Lincoln wrote there at his desk:

EXECUTIVE MANSION,
Washington, February 10, 1865.

HON. A. H. STEPHENS: According to our agreement your nephew, Lieut. Stephens goes to you bearing this note. Please in return, to select and send to me that officer of the same rank imprisoned at Richmond whose physical condition most urgently requires his release.

Respectfully,

A. LINCOLN.

Dr. Stephens quoted the letter from memory, never hesitating for a word as he sat there in an upholstered Victorian chair with dog heads carved on the arms. In the bright spotlight from an iron bridge lamp, his hair looked very white, his skin smooth and pale, his figure lean and thin—almost, one imagined, Little Alex's size.

"My father went to City Point and they sent him across the river," Dr. Stephens said. "He was a free man who could do what he wanted to. He joined the Army again and got on Gen. John Echols' staff and became a major. He was in West Virginia when he heard of the surrender of Gen. Lee on April 9. He was at Christianburg, Va., when he heard about Lincoln's assassination. Gen. Breckinridge told him he was at liberty to go and gave him a horse—he named it Breckinridge and rode it all the way from Virginia to Taliaferro County, Ga.

"On May 5 the family gathered at the old plantation and that was the first chance my father had to give Uncle Alex the letter from Lincoln. Father said Uncle Alex cried. 'The worst thing that ever happened,' Alexander Stephens said, 'was the assassination of Lincoln.'

"I don't know so much about Alexander Stephens. I was born in 1881 and he died in 1883. I don't remember him. But I lived with him at the governor's mansion after he was inaugurated in November, 1882.

"When he was mentioned for governor, he said he wanted my father to go with him to Atlanta. Uncle Alex asked my mother if she'd live at the mansion, but she didn't want to go. 'Well,' he said, 'if you won't come, I won't run for governor.' They didn't want to deprive him of being governor of Georgia, and decided they'd move with him.

"I had measles in the mansion, which stood where the Henry Grady Hotel is now. I remember once going to the end of the walk where a policeman spoke to me. I grabbed his billy away from him and ran to the house.

"Our family dog, Prince, bit the Atlanta chief of police and Uncle Alex said they'd have to give the dog away. Then Uncle Alex began worrying about him and said, 'Bring him back and put a muzzle on him.' They drew a newspaper cartoon of Prince in a muzzle. He's buried behind Allen's, at the corner of Cain and Ivy.

"I have one other memory. I remember seeing a dead face in a coffin. They held me up to see it. I'm sure that was Alexander Stephens."

Among his family treasures is a letter Stephens wrote to Dr. Stephens' father, when John was a boy of 13. John was in La-Grange, working for a doctor who had just increased his wages. Stephens, hearing of the raise, wrote from Washington: "... you must feel that it is incumbent for you to increase your sense of responsibility, industry and energy. Be always at your place and always attend to your business. Remember now is the time to apply yourself and now is the time to form correct habits for life. You will soon be a man and you must learn to act as a man and to perform your part as a man among men. The first great rule to observe in all your acts is to do right. Admire virtue and scorn vice. Associate with the good and have as little to do as you can with those in whom you discover anything low or mean. Take care of your money—never spend a cent for a useless object. Always be respectful to your superiors and never rude to those below you either in age or in condition of life."

"Uncle Alex always gave advice when he wrote a letter," Dr. Stephens said. No congressman today could give a young man better rules for a good life.

At Crawfordville, Little Alex's house and its family of outbuildings are all newly painted and everything is neat and trim. Inside, the floor of the wide center hall upstairs and down is boldly painted with black and orange diamonds. Rooms opening off either side have bright floral carpets, woven to reproduce the old original patterns. The furniture, in ante-bellum plantation style, is Empire and Victorian, with enough earlier pieces to give the rooms a sense of continuity and enough homemade things of Georgia pine to show that 19th Century Georgians

couldn't buy everything they needed at a store. Mrs. Mabel Bird, the state park hostess for Liberty Hall, says about 4,000 people a year come to see the house—school children, tourists from as far away as Los Angeles, Chicago and New York City, tent campers from the 1,200-acre park behind the house.

At Liberty Hall—so named by its owner because he wanted guests to do as they pleased there—Alexander Hamilton Stephens lives on in memory.

OUTLOOK BAD EVEN IF INFLATION IS RESTRAINED

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STANTON. Mr. Speaker, I would like to call the attention of my colleagues to this article which appeared in the February 11, 1969, American Banker. This is a particularly timely subject and worthy of every Member's consideration:

OUTLOOK BAD EVEN IF INFLATION IS RESTRAINED, AND WORSE IF IT IS NOT, REIERSON DECLARES

(By William Zimmerman)

NEW YORK.—The economic outlook "is truly disturbing" if efforts to restrain inflation fail, Dr. Roy L. Reierson, senior vice-president and advisory committee chairman, Bankers Trust Co., warned Monday.

Unless inflation is brought under control, he said in prepared remarks, "Not only must interest rates be expected to continue upward, but the functioning of the bond and mortgage markets may be undermined, and the supply of capital needed to finance the large and growing demands for goods and services in prospect for the 1970s may be seriously compromised."

His remarks were prepared for the American Bankers Association's 50th Midwinter Trust Conference that opened here Monday. Arthur Brickner, vice-president and economist for Bankers Trust, read the speech for Mr. Reierson, who was unable to appear at the meeting in the morning because of the city's snow problems.

Even if inflation is brought under control, portfolio investment managers are not likely to turn their backs on common stocks and flock to the bond market in greater volume, his text noted. Their preference for equities, Mr. Reierson stated, "is another reason against expecting bond yields for the years ahead to return to the levels that prevailed in the first half of the 1960s, before inflationary pressures became pronounced."

If inflation can be controlled, "the present will in retrospect appear as an exceptional opportunity to acquire bonds at historically low prices and secure an above-average return for years to come," he noted.

He stated that as long as investors believe consumer prices are destined to rise at rates close to the recent 4.75% or more, "they will hardly be attracted even by the yields of 7%-7.5% presently available on high-quality bonds or by the even higher yields offered on mortgages."

"Considering the strong influence of such expectations upon bond yields today, it might not require much in the way of good news—an easing in capital spending programs, a convincing drop in new orders, confirmed softness in retail trade, or substantive progress toward peace in Vietnam—to set the stage for a market rally."

In Mr. Reierson's opinion, "it is difficult to visualize interest rates as a whole declining to materially lower levels and remaining

there for an extended period. Rather, if investors do not see inflation being curbed, interest rates could rise to even greater heights."

He also said there are reasons to expect the rate of personal savings to average substantially lower in the years ahead. "There is evidence that the expectations of chronic inflation, which in recent years have affected institutional investors and business managements, have spread to the general public. Thus, the consumer may remain disposed to spend more, borrow more, and save less."

Mr. Reierson's text said that meaningful progress in the fight against inflation probably is not attainable without "generating some slack in the economy, and this specifically includes the elimination of hyperemployment."

The "most reasonable assumption is that both fiscal and credit policies will be employed to moderate demands in the economy and to bring about some lessening of the inflationary momentum, but not its complete removal from the economic picture." This would result in the expectation, he added, that costs and prices in the yields ahead would maintain their general uptrend, but at a pace materially slower than that of last year.

Mr. Reierson said that the nation's fiscal policy since the step-up of military operations in Vietnam in 1965 merits the "label of mismanagement." The surpluses shown in the budget for this fiscal year and next are not adequate, he said, and larger surpluses will be required if credit market conditions are to ease appreciably.

In his opinion, the surtax should not be permitted to expire, and the key to an appropriate fiscal policy lies in the Government's ability to control expenditures. "Restraint over Government spending will not be achieved unless a system of priorities is adopted against which to evaluate competing claims for Government money, and unless this is coupled with an effective system of controlling appropriations as well as expenditures."

He also suggested two changes in the Federal Reserve's approach to curbing inflation. "The first objective should be to hold the increase in commercial bank credit to a pace more closely attuned to the rate of real growth in the American economy. This calls for the Fed, he said, "to concentrate more heavily on the behavior of financial aggregates—such as the monetary base, the money supply, and the rate of bank credit expansion—and less on such market factors as the level of net borrowed reserves, the volume of member bank borrowings from the Federal Reserve banks, and the rates on Federal funds and on Treasury bills."

He added: "Unless the Federal Reserve can resist the temptation to shift to an aggressively expansionary credit policy at the first sign of a slowing down in economic growth, credit policy will, on balance, inevitably strengthen, rather than moderate, inflationary forces."

Another speaker at the conference, Charles D. Buek, president, United States Trust Co., New York, warned that statements made in a report issued last year by Rep. Wright Patman, D., Tex., chairman of the House Banking and Currency Committee, on bank trust fund business "do not bode well for the future confidentiality of our customers' personal affairs."

Mr. Buek, who is president of the ABA's trust division, referred to a statement in the report that commented: "Much information on the many relationships between bank trust departments and others has been hidden from the public for many years through the device of confidentiality 'of trust information.' "It is now clear," the report said, "that this has been used at least partly as a veil behind which banking institutions have gained great influence, if not

control, of many of the largest corporations in the United States."

Bankers need to explain "the real and practical reasons for nominee registrations," a device used to simplify the delivery of securities and the collection of dividends and representing heterogeneous groups of smaller holdings, he said.

A Congressional group that in 1962 made a study of bank stock ownership "encountered over and over again . . . the mysterious names of bank nominees," he said. "The trouble with such studies is that they sweep up the innocent with the guilty and expose the personal affairs of little people along with the rate instances of concentrated control."

From the point of view of legislators, Mr. Buek said, "these mysterious nominees must seem like the Stateside equivalent of numbered accounts in Switzerland."

"We must try to understand people who have never heard of nominee registrations, and who accordingly have no ideas of the practical reasons for their use." From the legislators' view, he added, "Why shouldn't this little known practice among major banks seem to be an effort to hide concentrations of wealth and to cloak the economic power of the banking industry in a veil of secrecy?"

Mr. Buek said it is important for banks to explain what nominee registrations are—"for nominees are apparently baffling and suspect in the absence of such understanding"—and "we must again insist that publicity be given only to holdings requiring such exposure in the public interest."

At the same time, Mr. Buek said, "We must be very careful to demonstrate that holdings of unquestioned interest to the government are not concealed in this manner."

"In our effort to protect the confidentiality of innocent holders, we must not make the mistake of appearing to protect from view the few concentrations which should unquestionably be subject to scrutiny." He further warned that "if any Congressional committee directs its campaign for exposure of such affairs persistently and peculiarly against banks, such a situation may tend to drive business away from banks to other institutions free of the glare of unnecessary publicity."

TRIBUTE TO MICHAEL MUNKÁCSY

REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. HORTON. Mr. Speaker, on the 125th anniversary of the birth of Michael de Munkácsy, Hungary's greatest artist-painter, I am pleased to join in commemorating the life and achievements of a man who was dedicated to expressing the beautiful and noble in man in paint on canvas.

Michael de Munkácsy gave up the tools of an apprentice carpenter to become a painter. As a youth he showed so much promise that he won a scholarship to further develop his artistic abilities in Budapest. It was not long before Munkácsy's outstanding talent as a painter was discovered by the people of Budapest, who snapped up his portraits at higher and higher prices.

Moving to Munich to paint and study, the young Munkácsy began what was later described by critics as a meteoric

rise to fame. While still studying in Munich, he won fame in Budapest for winning first prize for his painting "The Deluge."

By the time that Munkácsy moved to Düsseldorf to study under Knaus, contemporary biographers have described him as more of a master than a pupil.

When the work of this young genius came to the attention of a small group of Americans who were inspired by his talent, the financial patronage of J. W. Stach of Philadelphia enabled him to concentrate on his first great panel, "The Last Day of a Man Condemned to Death," for which he received the prize of the picture of the year at the Paris Salon in 1870.

From that moment on, Munkácsy's European reputation was established. Returning to Hungary after being welcomed into the inner circles of the finest painters in France, Munkácsy began to tap the rich source of Hungarian folklore that was later to become the theme of many of his paintings.

Although rich in the tradition of Hungary, Munkácsy was international in his message and style. He was at home depicting Christ, or the simple life of Hungarian peasants. Realism and grand simplicity were his trademarks.

In 1872 Munkácsy again won two prizes from the Salon in Paris for his "Pawnbroker Shop" and "Night Strollers."

Leaping into opulence and fame, this modern realist won the Grand Medal of Honor at the 1878 World Exhibition at Paris for his painting "Blind Milton Dictating 'Paradise Lost' to His Daughters." This famous picture now hangs in the Public Library of New York City, lending a special glow and insight to the author of one of our most famous works in English literature.

In 1881 and 1884 Munkácsy completed his two best known works, "Christ Before Pilate" and "Christ on Calvary." Both paintings toured Europe and, in 1886, the east coast of the United States.

Contemporary critic notices praised the paintings as worthy successors of canvases of the great masters of the past, and as the paintings of the century:

New York Herald, November 18, 1886: It is an impressive and a dramatic scene, and one which grows on the beholder . . . The "Christ Before Pilate" is a work . . . which will be ranked as one of the most remarkable of the century.

New York World, November 18, 1886: The work is a grandly conceived one; is majestic in its simplicity and tells its story through no tricks of art, but simply by the genius guiding the hand which created it. It satisfies and moves the spectator . . . The painting should be visited by everyone. It will attract widespread and deserved notice and attention, and America viewing it will add her tribute and meed of praise to the great artist whose genius has produced it. Munkácsy, te sal ut amus!

Today there are more than five Munkácsy paintings in public and private collections in New York alone. About 60 canvases are to be found in the United States, including "Christ Before Pilate" and "Christ on Calvary" which are in the possession of the John Wanamaker family in Philadelphia. They are regularly exhibited every year during Holy

Week at the Grand Court of the Wanamaker store.

This year the American Hungarian Federation is holding a commemorative program in Philadelphia on April 12, 1969, by honoring this great Hungarian painter. The message of Munkácsy is timeless. It transcends national boundaries by representing the best in man and his discernment of beauty. Munkácsy properly belong to all mankind.

THE FINANCIAL INSTITUTION: VITAL FORCE IN THE EQUITY MARKETS

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STUCKEY. Mr. Speaker, Mr. John C. Bogle, president of the Wellington Management Co., delivered an address on the financial institution before the Investment Company Institute on October 31, 1968. Mr. Bogle discusses many aspects of the complex investment problem that involves many of the people in our country. There were a number of bills before the Securities and Exchange Commission which regulates the investment business and several have already been introduced in the 91st Congress, thus this subject is very timely. The address is enlightening and worthy to be included in the CONGRESSIONAL RECORD and I would like for my colleagues to have the benefit of his comments:

THE FINANCIAL INSTITUTION: VITAL FORCE IN THE EQUITY MARKETS

(By John C. Bogle, president Wellington Management Co.)

A Rip Van Winkle type investor fell into deep sleep, so the story goes, and awoke 100 years from now. He could scarcely wait to telephone an investment broker and check the "long-term performance" of the investments he owned. With the help of an instantaneous computer, he learned that his original shares of American Telephone were worth \$5,684,360, his 100 shares of General Motors were worth \$8,271,320, and his 100 shares of Xerox were worth \$34,981,480. With each higher valuation, his delight became more ecstatic, and when the Xerox value came over the wire, he shouted: "I'm rich!" Suddenly, the telephone operator cut into the conversation with these sobering words: "Your three minutes are up, sir; please deposit \$10,000,000."

This story, however exaggerated, helps us to focus on a central fact of American financial life today: there is no absolute safety in dollars. As a corollary, investors are turning increasingly to equities in an effort to maximize total investment return and (hopefully to a greater degree than the story above would indicate) to offset the ravages of inflation.

This trend is reflected in one of the major forces in the equity markets today: "institutionalization"—the growing share of equity ownership by financial institutions—mutual funds, corporate pension funds, insurance companies, and endowment funds—institution whose primary function is to invest the monies entrusted to them by others.

The trend toward institutionalization, indeed, has become a political issue. The Congress has enacted into law a Bill calling for an exhaustive Securities and Exchange

Commission study of the impact of institutional investing upon the securities markets and the economy. More recently, Presidential Candidate Richard M. Nixon called for "an independent, comprehensive, economic study of the role of financial institutions in our economy, the relationship of financial institutions to our nation's growth, the requirements for investor protection, and the interrelationship of all financial institutions." In his controversial statement, he appeared to challenge the SEC proposals for a new New York Stock Exchange commission rate schedule and a ban on commission sharing, made in advance of such an economic study.

It is not my purpose today, however, to tackle the political and regulatory issues involved in institutionalization, nor the issue of corporate influence and control—vital as they are in our industry and in our economy. Rather, I would like to examine with you the economic side of these institutional trends, to appraise them with respect to the character and liquidity of the equity markets, and to look to their future effects on our own mutual fund industry—both as an investor in securities as well as a marketer of securities.

INSTITUTIONAL OWNERSHIP TODAY

Today, institutions own a larger share of equity securities than ever before: their ownership of some \$230 billion represents one-third of the \$708 billion total (see Chart 1). In 1954, institutional ownership was \$66 billion, and accounted for one-fourth of the total. The absolute figures are impressive, to be sure, but the relative increase in market share is clearly a major factor in our financial economy today.

The growth of institutional ownership of equities has been, in large measure, a post-World War II phenomenon, with the responsibility vested in two major groups:

1. The 50-fold increase in total mutual fund assets, from \$1 billion in 1945 to some \$50 billion today.

2. The extraordinary growth of corporate pension funds—now \$100 billion—and the increasingly equity-oriented investment philosophy of these funds. Some 50% of their investments are now in equities versus 25% in 1955.

These two institutions are the fastest growing in terms of their equity participation, and, along with life insurance companies, are the only institutions whose equity ownership has grown faster than equity securities in total. However, they are by no means the largest owners of equity securities. Their equity holdings \$51 billion for the pension funds, and \$43 billion for the mutual funds—rank well below the \$87 billion of equities held by bank-administered personal trust funds; although the bank total actually represents a smaller share of the total equity market than in 1954. (Since banks manage not only these personal trusts, but also an overwhelming majority of the corporate pension plans, their economic power as equity owners is clearly preeminent, as we shall later see.)

The sharp rise in the value of total equities—from \$268 billion to \$708 billion—is accounted for almost entirely by rising equity markets during this period. Indeed, of the \$440 billion increase in equity values since 1954, only about \$21 billion arose from net new issues of common stocks. On the other hand, corporate retained earnings were \$235 billion for this period, adding substantial underlying book value to corporate equity securities.

In short, the rise in the dollar value of institutional equity holdings has come largely from rising stock prices. But the rise in market share has come about from the net purchases of an enormous volume of equity securities—some \$48 billion in the past decade alone—in a sharply rising trend: \$2.9 billion in 1958; \$10.5 billion in 1967 (Chart 2).

Implicit in the rise of institutional ownership of equities is the relative decline in individual equity holdings. While individuals have, of course, participated broadly in the equity markets we have enjoyed, their relative participation has gradually decreased. As shown in Chart 2, it has decreased steadily and surely, year after year, and is accelerating. Individuals have sold \$34 billion of securities on balance during the past ten years, with net sales rising from \$0.4 billion in 1958 to \$8.8 billion in 1967. In nine of these years the dollar value of securities sold has increased over the preceding year. These figures reflect only individual common and preferred stocks, and do not include mutual fund net purchases. These mutual fund figures would modify, but not alter, the trend shown in Chart 2. For example, individual purchases of mutual fund shares, totaling \$4.6 billion net in 1967, would have brought the "true" liquidation figure for all equity-type investments down to \$4.2 billion last year.

Why are individuals selling stocks on balance? Little is known about the reasons. However, we do know that each year huge blocks of stock are sold by wealthy individuals and estates for tax or diversification purposes—Ford and Gulf Oil stock being two good examples. New investors of modest means—the number of individual shareholders has risen from 9 million in 1956 to 24 million currently—could hardly be sufficient to offset the sales of these blocks. And, at the same time, many individual investors have turned from common stocks to mutual funds. In particular, the exceptional record of investment performance developed by the mutual fund industry has surely drawn investment dollars from people who have owned some of the widely held "blue-chip" companies which have lagged behind the general advance of securities prices in recent years. During the five years 1963-67 inclusive, for example, such earlier market bellwethers as American Telephone & Telegraph, General Motors, Standard Oil of New Jersey, and United States Steel, as a group, rose only 8%, compared to a 39% gain for the Dow-Jones Industrial Average. By way of comparison, a representative group of ten large growth-income mutual funds (excluding "performance funds") rose by 66% (all figures exclude investment income).

To be sure, it is difficult to make fair comparisons in this area, but there is general agreement that the desire for better investment performance—not only by the dissatisfied "do-it-yourself" individual investor who wanted a better return, but also by what we like to think of as the more sophisticated institution which wanted to remain competitive—has furthered the trend toward institutionalization. At the same time, this emphasis—or, as some believe, over-emphasis—on performance has had an important side-effect: rapidly increasing portfolio turnover.

INSTITUTIONAL TRADING TODAY

If institutional ownership of equities is a major force in our financial system, institutional participation in the equity marketplace is an even more important force. For, while institutions own one-third of all equities, they account for an even higher proportion of market activity. Recent estimates place institutional trading at more than 50% of public share volume on the New York Stock Exchange. This figure compares with 43% in 1966 and some 33% in the 1961-1963 period.

This development comes about for a reason that is simple enough to understand: the rate of institutional portfolio activity is, in general, higher than individual portfolio activity. Portfolio turnover of the major institutions (there are some gaps in these statistics—i.e., no figures on personal trust funds) has risen sharply in response to the demand for improved investment performance.

Chart 3 (not printed in Record) shows the

growth in turnover—on the New York Stock Exchange and by major institutions—since 1963. The figures for 1963-1964 were relatively steady, and quite representative of the general stability of these figures during the 1954-1963 decade. And then the push for performance by large pools of capital began in earnest. From 1964 to 1968 (first quarter), mutual fund turnover rose from 19% to 39%, pension funds from 11% to 16%, life insurance companies from 12% to 19%, and the NYSE from 13% to 21%. (The NYSE turnover is materially overstated as it relates to public and institutional turnover, as it includes transactions by NYSE members—traditionally about one-fourth of total share volume. Reduced by members' transactions, NYSE turnover might run in the area of 16% currently.)

Thus, most major institutions have higher turnover rates than individuals. And turnover is rising sharply, and doubtless will continue to rise, although, for perspective, we should realize the NYSE turnover was in the 100% area during the 1920's and 1930's. To be sure, it is unlikely we will return to these extraordinarily high turnover levels, in part because the tax impact of successful investment transactions is so much greater today. On the other hand, present turnover levels could easily move higher—perhaps to the 30%-plus level for the NYSE—since so many institutions have the luxury of favored tax treatment. (The pension funds, as you know, have the freedom of complete tax-exemption. While mutual fund shareholders must, of course, bear the tax impact of a mutual fund's transactions, the fund can act without excessive restraint in its portfolio transactions, since even substantial capital gains, if distributed, involve no "performance penalty.")

MUTUAL FUNDS IN THE INSTITUTIONAL SPECTRUM

With these broad views of the institutional scene today, let us now turn to our own industry. Despite our extraordinary record of growth and our high trading volume, the mutual fund industry still accounts for the ownership of only about 6% of all stocks—this figure has not changed materially since 1964—and about 10% of NYSE trading volume. We are growing, but our influence is still quite limited relative to other institutions.

Let's look at the trust companies as one example. The recent Patman report notes that the major banks and trust companies control \$253 billion of trust assets (excluding, of course, some \$350 billion of bank financial assets). These trust assets alone, then, are some six times the assets of our entire ICI membership (Chart 4). In fact, if one wishes to look for concentration of economic power, it is interesting to note that the five largest trust institutions exceed the ICI total in terms of both assets (\$61 billion versus \$42 billion) and common stock holdings (\$40 billion versus \$36 billion). (See Chart 5.) It is incredible that our National economic policy—as conceived by the proposed SEC Mutual Fund legislation—might allow these and other similar institutions to form mutual funds to further concentrate their extraordinary economic power.

If the banks—thanks to the foresight of the Glass-Steagall Act, the vigorous Investment Company Institute litigation in the First National City Bank case, and the unwillingness of the House of Representatives to act on the SEC Bill—are precluded from entering the mutual fund industry, no similar restraint influences the life insurance industry. The life insurance companies are competitors today. They have colossal resources, and they are patiently and persistently developing the management and marketing expertise to be far tougher competitors.

The point is not that life insurance company common stockholdings—now \$8 bil-

lion—should grow materially. (Though a 4½% of resources, they are much lower than, for example, the English life insurance companies, which invest to 30% of assets in equities.) Rather, the growth is likely to come from the fact that life insurance companies are forming, developing and acquiring mutual funds of their own, and indeed are becoming an integral part of "our" industry.

The reasons for this development are not hard to find. The division of the Mutual Fund/Insurance dollar (Chart 6) tells the story as well as anything. In 1955, net additions to insurance assets (including both life insurance reserves and insured pension reserves) totaled \$5.5 billion, compared to \$0.8 billion of net sales of investment company shares; by 1967, the insurance figure had risen to \$7.6 billion (+38%), while investment companies had risen to \$4.6 billion (+475%). As a result, the insurance industry, which in 1955 was taking in \$7 for each dollar in mutual funds, in 1968 realized only about \$1.60 per mutual fund dollar.

Confronted by this trend, the life insurance industry has moved vigorously into the equity field—through both mutual funds and variable annuities. According to *Fortune* Magazine, "this represents a violent break with tradition for the old-line life-insurance companies, which have long been dedicated, with an almost religious fervor, to the sale of a single prescription for financial security: a contract of guaranteed, fixed-dollar benefits supported, in turn, by investments in fixed-dollar securities. Now, in belated recognition of the eroding effects of inflation on simple savings and fixed incomes, the companies have decided to work both sides of the street and offer their customers, as a supplement to life insurance, an equity product that will serve as a hedge. For the faithful purveyors of life insurance, this is a momentous decision."

Thus, it is the desire to compete—the desire to maintain their share of the savings/investment dollar—that is moving banks and life insurance companies into the mutual fund field—a process that should speed even more the trend toward institutionalization. This trend, clearly, will be furthered by the growth of another major institutional holder of equities—potentially the largest of all—the corporate pension fund. The response of the corporate pension fund, however, is not a competitive one but an economic one—the desire of corporate management both to increase employee benefits and to reduce corporate costs by earning a higher return on its investment dollars.

Corporate pension funds are, in total, huge—the value of non-insured funds is some \$86 billion currently (see Chart 7). Their growth has been extraordinary—the more than fourfold increase from \$20 billion in 1956 represents a 14% compound annual rate. Their investment policy has become increasingly aggressive—the total equity ratio has risen from 25% of assets in 1956 to 59% currently. And few are willing to look ahead toward anything but further growth and continued equity orientation.

As mentioned earlier, most of the non-insured pension funds are bank-managed. The Patman report estimates that banks manage \$73 billion of the corporate pension fund total. The remainder of the \$253 billion bank-managed total includes \$126 billion in personal trust funds and \$54 billion in agency accounts. In total, corporate pension fund resources (including the insured plans) are estimated at \$100 billion currently, and are expected to reach \$285 billion in 1980.

In any event, as competitive ardor and economic necessity continue to give institutional investors compelling reasons for increasing equity holdings, the appetite for equities should continue—from the trust companies, the insurance companies, the corporate pension funds, and several other important potential (if not past) sources of

institutional demand, including, most importantly, state and local retirement plans. Even the most down-to-earth estimates of the future equity purchasing power of these institutions project their total purchases to some \$12 billion annually by 1972 (they were \$8 billion last year). This total might consist of \$1 billion for the fire and casualty companies, \$1.5 billion for the state and local retirement plans, \$2 billion for the life insurance companies, and \$7.5 billion for the corporate pension funds.

FUTURE GROWTH OF THE MUTUAL FUND INDUSTRY

A question of particular interest to us today, of course, is: what addition will the mutual fund industry make to this total demand? It is obviously far more difficult to project our industry's growth trend than the trends of those institutions noted above, for two important reasons: (1) the net cash flow of our industry fluctuates much more widely than the others, and (2) our industry's relatively high equity position—some 88% of resources—is unlikely to grow by any significant extent in the future. However, it seems obligatory to look at past trends and make a few guesses.

First, we must all face the fact that the growth of our industry has slowed appreciably. If we eliminate the action of the securities markets from our calculations, our net new money (including reinvestment of dividends) is currently running at a rate of only about 5% of assets, compared with nearly 20% fifteen years ago and 13% as recently as a decade ago. How can this be, with the extraordinary rise we have seen in investors' purchases of mutual fund shares? The answer is the steady rise in share liquidations. The 5½% redemption rate (redemptions as a percentage of net assets) typical of the 1950's is presently running at about 8% and, in my judgment, may well move toward the 10% level in the next few years.

So, as we look to the future, we might assume a 5% "real" (i.e., new money) growth rate. This would mean that the earlier-projected institutional appetite for \$12 billion in common stocks in 1972 would be swelled by an additional \$3 billion from mutual funds. This could clearly be an important factor in the equity markets at that time, especially if individual liquidation of equities does not accelerate, and if new issues of common stocks remain near the present level of \$2 billion per year.

Appraising our industry's growth even further ahead, let's look to 1980: assume we (along with the other industries that will then be in the mutual fund business) can maintain a 5% new-money growth rate, and a 5% growth through stock market appreciation. These figures, if realized, would increase the assets of the mutual fund industry to an approximate total of \$150 billion. Translating this to your own management company, and assuming—which is most unlikely—that your share of the market remains unchanged, you would enjoy a threefold increase in the assets you manage today. For example, if you manage \$1 billion currently, your assets in 1980 would be \$3 billion. Before you accept that figure and relax, however, you might note that—assuming a 10% redemption rate—you would open your doors for business in 1981 knowing that, just to match your redemptions, your new sales would have to total \$300 million. On this sobering note, let us turn from our role as marketers of equity securities to investors in equity securities.

THE INVESTMENT MARKETS OF THE 1970'S

As investors, we must carefully consider what the current move toward institutionalization may have on the investment markets of tomorrow. The conclusions, admittedly speculative, may hopefully be at least controversial enough to spark your own futuristic thinking. Basically, I believe, we must look for continued institutionalization of our

equity markets. By the mid-1970's, today's 33% institutional ownership could well be 40%, and today's 50%-plus share of public trading volume could surge toward the 60% level. If realized, these developments should have pronounced effects in six principal areas:

1. The Supply/Demand Equation: There should be increasing institutional demand for a limited supply of equities, as more and more savings dollars seek an inflation hedge. The effects on the equity markets should, therefore, be positive, as equities continue to produce a higher long-term return (income plus growth) than fixed-income securities. We can, however, look for a sharply increasing supply of "equity-type" securities—convertibles and warrants—as the fixed-dollar institution looks for "a piece of the action."

2. Market Stability: The sharp swings in the broad market averages should tend to be smaller, assuming institutions can afford to take the long-term view of investing. Hopefully, a little bull-market conservatism can prevent us, and the investors we serve, from getting carried away with the craze for super-performance; at the same time, a little faith in the long-run should moderate the inevitable declines. Caution: this projection assumes that the institution can act in a manner that is more rational, less emotional than the individual; as an industry, we have room to improve in this area.

3. Source of the Markets: The third market is likely to continue to grow. While it still represents only about 4% of total NYSE dollar volume, it runs close to 10% for most of the major issues. Both figures are likely to grow, and might double by the mid-1970's. In addition, computer services (such as AutEex) will play an increasing role in the markets, and I would not discount the likelihood of a thriving "fourth market" by 1975.

4. Size of Blocks: Though financial institutions will grow substantially, the size of typical large blocks may well not only fail to rise, but even decline from today's levels. Why? Because of the marked trend—begun, like most of the important recent investment trends, in the mutual fund industry—toward both (a) smaller-sized, limited offering pools of capital and (b) fragmentation of large-sized capital pools into smaller units with separate and highly autonomous portfolio managers. In short, institutional money management may be expected to become increasingly decentralized.

5. Turnover: A generally higher rate of turnover is most likely. Other institutions will follow the mutual fund trend again, as in the past. The NYSE trading record for a given day, having recently crossed 20,000,000 shares for the first time, will doubtless top 30,000,000 shares relatively soon. (Most investors will fail to recognize that the 16,000,000 share total of 1929, unchallenged until 1968, represented a turnover of 1½% of listed shares in a single day; a 30,000,000 share day currently would represent only ¼ of 1% of listed shares.)

6. Performance: The search for improved relative investment results will continue apace, and will help to foster the trends toward management decentralization and portfolio turnover noted a moment ago. A highly-institutionalized market will make it more difficult for the professionals to outpace "the averages," which should surprise no one who recognizes that, in any period, one-half of all equity dollars are destined to have a below-average performance. Performance measurement should become more rational, however, as we learn how to measure investment risk (many investors will learn this the hard way), and as investors develop a healthy skepticism—frequently based upon costly experience—about the ability to project past performance into the future.

My own ability to look to the future, too, should be viewed by you with a healthy skepticism. I am confident that few will wholly endorse the views presented above, but all

should be aware that the greatest danger is the failure to consider the various possibilities for change that lie ahead.

The mutual fund industry can thrive and grow in the competitive atmosphere that confronts us. We have been, in general, responsible for much of the constructive change that the institutional investor has brought to the equity markets. Our industry's past is illustrious, and our future is bright. But only if we avoid the pitfalls our success may create; only if we continue to move forward with vitality; and only if we can retain those qualities that John W. Gardner tells us are too often transitory. He is warning us, as well as all institutions of every type, when he says: "What is all too transitory is that fine moment when an institution is responding with vigor and relevance to the needs of its day, when its morale and vitality are high, when it holds itself to unsparring standards of performance."

CHART 1.—INSTITUTIONAL OWNERSHIP OF EQUITIES

(Dollar amounts in billions)

	1954	1968	Percent change
Personal trust funds.....	\$37.0	\$87.0	+140
Corporate pension funds.....	3.5	51.3	+1360
Mutual funds.....	5.5	42.8	+680
Charitable trust funds.....	7.0	15.0	+110
Fire and casualty insurance companies.....	6.1	13.3	+120
Life insurance companies.....	3.0	10.7	+260
Closed end investment companies.....	3.6	8.2	+130
Banks.....	0.8	1.9	+140
Total, institutional.....	66.5	230.2	+250
All equities.....	268.0	707.6	+160
Institutional share (percent).....	25	33	-----

CHART 2.—Net equity transactions, institutions against individuals, 1958-67

(In billions)

Institutional purchases:	
1958	\$2.9
1959	3.3
1960	3.6
1961	5.2
1962	4.0
1963	3.9
1964	4.1
1965	4.8
1966	6.1
1967	10.5
Individual sales:	
19584
1959	1.0
1960	2.0
1961	2.6
1962	3.4
1963	4.4
1964	2.5
1965	4.4
1966	4.9
1967	8.8

CHART 4.—Bank trust assets versus mutual fund assets, April 1968

(In billions)

Trusts:	
Total assets	\$253
Stocks	163
Mutual funds (ICI):	
Total assets	42
Stocks	36

CHART 5.—Assets of 5 largest trust companies versus mutual fund industry, April 1968

(In billions)

Trusts:	
Total assets	\$61
Stocks	40
Mutual funds (ICI):	
Total assets	42
Stocks	36

CHART 6.—Savings in insurance reserves versus investment companies, 1955-67

(In billions)

Insurance reserves:	
1955	\$5.5
1960	4.9
1965	7.6
1967	7.6
Investment companies:	
19558
1960	1.8
1965	2.2
1967	4.6

CHART 7.—Private noninsured pension funds, estimated at market value, 1956-67

(In billions)

1956:	
Total assets.....	\$20
Stocks	5
1967:	
Total assets.....	86
Stocks	51
Equity ratio: 1956, 25 percent; 1967, 59 percent.	

ROBBING THE POOR—PART 3—CHICAGO

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. ASHBROOK. Mr. Speaker, on January 28 I inserted in the CONGRESSIONAL RECORD the second part of a New York Times article on the abuses of the antipoverty program in New York City. The scene now switches to Chicago where an investigation by the Chicago Tribune has unearthed further examples of how the disadvantaged are swindled out of benefits allocated on their behalf.

The Tribune article by William Jones appears in the Sunday edition of the Tribune of February 23 and states in part:

Acting in cooperation with the Better Government Association, the Tribune obtained statements from federal officials confirming reports that thousands of taxpayers' dollars remain unaccounted for even after three months of investigation by federal auditors.

The Tribune quotes the acting executive director of the Better Government Association, George Bliss, as describing the job training program as "an insult to both those who seek employment training and the taxpayers who are footing the bill." As Mr. Bliss points out, the losers in the case of this program are the intended beneficiaries in addition to the taxpayers who funded the program.

As the filing deadline for our income taxes are not too far away, now is the appropriate time to consider how our tax dollars are being used, and cases such as the Chicago affair, as outlined in the Tribune, should make us determined to see that the end to such abuses is effected.

A number of items have appeared in the press during the last few weeks concerning the discontent of taxpayers at the seemingly endless upswing in taxes. Just how their tax dollars have been misused, as in the case of Chicago, certainly is not going to make U.S. citizens happy. It is to be hoped that a goodly number of citizens will think about the recent

abuses in the use of Federal funds as they send in their income tax statements and checks and demand corrective action from Federal officials.

I insert in the RECORD at this point the article, "Job Training Fiasco Told—Theft, Bad Management Disclosed," written by William Jones and appearing in the Chicago Tribune of February 23, 1969:

JOB TRAINING FIASCO TOLD—THEFT, BAD MANAGEMENT DISCLOSED—CLASSES TEACH BLACK POWER

(By William Jones)

A \$387,000 federally-funded program to train Chicago's hard core unemployed has ended in a fiasco of theft, mismanagement, and forged checks, a Chicago Tribune investigation has disclosed.

The disclosures have triggered investigations by state and federal agencies into the program which earmarked hundreds of thousands of dollars for new trucks, autos, and administrative salaries of up to \$18,000 a year, but "graduated" only nine persons.

"It was a fiasco," said one program official. "Everybody thought everybody else was watching it [the program]."

BLACK POWER SEMINARS

Another said teaching sessions frequently became black power seminars which encouraged students to strike and threatened officials with beatings.

Others conceded that total losses may never be known and estimated that more than \$300,000 was funneled into the program before it ended abruptly in November.

Acting in cooperation with the Better Government Association, the Tribune obtained statements from federal officials confirming reports that thousands of taxpayers' dollars remain unaccounted for even after three months of investigation by federal auditors.

INSULT TO BOTH

George Bliss, acting executive director of the B.G.A., who personally handled his agency's role in the investigation, termed the program "an insult to both those who seek employment training and the taxpayers who are footing the bill."

The organization that received the funds is Renewal Enterprises Inc., 4700 Washington Blvd., a combination private aluminum siding installation firm and vocational school subsidized with federal funds. The firm was formed last February under a \$387,000 contract from the manpower administration office of the labor department.

Another agreement was reached with the small business administration to guarantee 90 per cent of all loans up to \$250,000 thru a credit line with a Harwood Heights bank.

PROVIDE VOCATIONAL TRAINING

Under the terms of the contract, Renewal Enterprises was to set up and administer a 23-week program that would provide vocational training and basic literacy and math courses for at least 200 persons. Students were to receive salaries of from \$1.60 to \$2.59 an hour during the training period. At the end of the course, the firm would be expected to employ all graduates as aluminum siding applicators.

The short-lived program was funded Feb. 26, 1968, and closed its doors Nov. 15. Tho the three-month audit has thus far failed to explain how all the funds were used, this much has emerged:

1. Thousands of dollars worth of tools and aluminum siding installation equipment was left on job sites when the program closed or was stolen during its operation. A federal employee in charge of recovering the equipment said he has collected more than \$6,000 worth of government purchased equipment in recent weeks scattered thruout the Chicago area. The employee said the equipment was recovered thru "anonymous phone calls."

2. Enoch G. Matthews, 39, of 2941 Michigan av., president of Renewal Enterprises, said classroom sessions frequently reached "riot proportions" when instructors, whose salaries were paid by the government, emphasized black power and urged the students to walk out of the program.

"We had some near riots down there a few times," Matthews said. "They backed us up against the wall a couple of times and at the suggestion of the classroom teachers they [the students] went out on strike for more money."

3. Chicago manpower administration officials said they had been asked to fund a combination private aluminum siding and training school, but were not convinced it would succeed. Following what one official described as "some verbal discussion with Washington," the Chicago office was told the program had been funded directly by the office of Stanley Ruttenburg, former assistant secretary and manpower administrator in the labor department in the Johnson administration.

MAKE ONLY ONE INQUIRY

4. Chicago manpower administration officials subsequently made only one inquiry into the program, five months after it began, according to Frank Thomas, regional director of manpower's job training office.

"Things looked pretty good then," said Thomas. "It was news to us Nov. 12, when we received a call that the program had closed."

5. Based on statements from program officials that nine persons "graduated" and at least \$300,000 was spent in the program, the government paid more than \$33,000 to teach each man how to apply aluminum siding.

6. At the same time, the program was paying \$100 a month leasing fees for each of 33 trucks and two cars with only 5 or 6 crews on the job. One official said it was his understanding that some trucks were used by employees to get to and from work.

INVESTS IN PROGRAM

7. Manpower Inc., a nationwide temporary employment service with headquarters in Milwaukee, invested \$5,000 in the program and had a minority representation on Renewal's board of directors. The firm received a contract in excess of \$70,000 to provide teachers for the classroom training, but it claims it collected only \$20,000.

Michael Freeman, Manpower general counsel, said the company decided to pull out in November after learning that annual salaries for program administrators exceeded \$92,000 and Renewal's expenses were running double the firm's income.

Lewis F. Nicolini, director of the federal regional manpower administration, which includes the Chicago area, gave this response to inquiries about the program:

GUESS IT'S A BUST

"I have more things to do than talk to the Chicago Tribune. This contract was let out of Washington, and they gave us the responsibility of supervising it. I guess it's a bust. On paper the program looked pretty good, but we're in an auditing situation now. It's a defunct organization with no records.

"I, nor anyone else, can say at this point whether there has been any speculation embezzling of funds. I do know that when the audit is completed we will be calling a spade a spade.

Nicolini said he had "never heard of" Kenneth Romasko of New Berlin, Wis., a \$12,000-a-year vice president in Renewal Enterprises who acted as a technical coordinator of the training program. Romasko is a building contractor engaged in the sale of aluminum siding who invested in the firm and became an officer.

AUDIT IS COMPLICATED

Nicolini said the audit and investigation by the labor department and regional solicitor's office has been complicated by missing

records and efforts to document reported purchases of all typewriters, tools, office equipment, and salaries.

Paul Langa, a Manpower, Inc., executive who represented his firm as treasurer on Renewal's board of directors, said he believes such an audit will only frustrate investigators.

"I'll bet every trainee that went thru that program has the finest workshop in the city of Chicago," said Langa. "It was a fiasco. Everybody thought everybody else was watching it [the program]. Several times we asked for information and didn't get it. We could tell them what to do, but we couldn't make them do it."

SENDS EMPLOYE HERE

Langa said Manpower's \$70,000 contract was to teach math and reading to the students. He said the firm sent one employee to Chicago who recruited teachers from among residents of the area.

"Our primary interest in screening for teachers is compassion and empathy," said Langa. "The educational background and teaching experience of the person is not as important."

PART OF THEORY

In connection with charges that black power seminars frequently disrupted the program, Langa said:

"It's very conceivable that based on our approach to teaching, our teachers would use such a technique on specific persons who had expressed an interest in the black power movement. It's part of our theory that a student will respond better to something in which he is interested."

Matthews, president of Renewal and a retired air force officer receiving disability pay, said he was recruited for the post of president by Manpower, Inc., representatives. He said he had no background in vocational training but was told a "black man" with an administrative background was needed. Matthews is a Negro.

"We had the scum of the west side in that program," said Matthews. "You'd lay a pencil down, and it would be gone. I took my problems to the labor department, but all I got was sympathy and a warning that I couldn't spend more than the \$387,000 called for in the contract."

TWO CHECKS STOLEN

Matthews said he also had determined that at least two checks had been stolen from his desk during the program. He said they were cashed in the names of payees in the program.

Matthews criticized the lack of qualified personnel to teach students and described some of the teachers as "ex-housewives and high school dropouts themselves, almost as hard core as some of the students."

"It's very obvious that it fell apart because they were in desperate need of some help that we were unable to give them," said Daniel P. Harley, regional director of the bureau of work training in the manpower administration office.

Harley said his office covers a seven-state area and finds it impossible to properly monitor such programs and provide counseling.

REBIRTH OF MERCHANT MARINE VITAL IN MODERN GOLD RUSH

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BOB WILSON. Mr. Speaker, our national decline in maritime power becomes increasingly critical. We must begin to plug the gap in our oceanic endeavors and to reassert our maritime

prominence. The following editorial from the San Diego Evening Tribune and speech by Charles F. Duchein, national president of the Navy League of the United States, gives ample testimony to our present plight in maritime affairs and the need for forward-looking leadership and action in this vital field:

[From the San Diego (Calif.) Tribune, Jan. 27, 1969]

REBIRTH OF MERCHANT MARINE VITAL IN MODERN GOLD RUSH

The United States of America may miss the boat in the modern gold rush, challenging the world's last frontier—the oceans—according to the president of the Navy League of the United States.

Charles F. Duchein told a San Francisco meeting of the Commonwealth Club of California, "We are tampering with the long-term prosperity of this nation through our vacillation and neglect of what can be the chief stimulator of the national economy—the foundation of our future prosperity—and this is to rebuild our maritime posture to a position of world preeminence."

Duchein's concern is warranted.

Statistics revealed in NATO's Fifteen Nations publication paint a picture of dwindling U.S. maritime strength that cannot be ignored. The situation is made particularly urgent by the fact that the United States depends more and more on foreign trade for survival.

At the close of World War II, the United States had about 5,000 ships, totaling more than 50 million tons, on the high seas. The fleet now stands at under 1,000 active ships—80 per cent more than 20 years old—totaling about 14 million tons.

The Russian merchant fleet, on the other hand, has grown since 1950 from 432 ships to an impressive 1,400 ships of some 11 million tons. It is estimated that within three years, Russia will have outstripped the U.S. Already the Soviet has begun a world trade offensive.

To Russia, however, a powerful merchant fleet means more than economic power. It is also a major tool to promote Communist ideology and action.

Soviet ships sustain Castro in Cuba. They carry Red policy as well as goods to the new nations of Africa. They keep North Vietnam in the war.

Our national leaders are well aware of changing pattern of naval balance. The merchant fleet was considered in a recent report of the House Armed Services Committee chaired by Mendel Rivers, D-S.C.

The report, prepared by a 22-man special subcommittee of the National Security Council, dealt with the "Changing Strategic Naval Balance, U.S.S.R. vs. U.S.A."

The Soviet Merchant Marine, according to the committee study, has risen from 21st rank in 1950 to fifth in 1968.

"The free world countries grew strong and stayed free through control of the seas, including leadership in global conference," the report points out. "The Soviet Union, however, is being allowed to take the position of maritime supremacy that hitherto has belonged to the seafaring free nations of the West."

The conclusion of the study was that a major build-up of U.S. sea power is called for, both military and merchant fleet. The Navy League has also adopted that position.

According to the naval balance report, "If the United States proceeds at full speed to augment its naval forces, the Soviet Union will not be able to wrest the trident from America's grasp."

The Navy League has proposed a five-point program to restore our merchant fleet to a preeminent position:

The United States must form a maritime policy providing incentive to gain a competitive maritime position on the oceans of the world. The failure of our government to

formulate basic policy is the most critical element in cleaning up "the mess in the merchant marine."

Our nation must orient its national strategy to the oceans of the world, just as the Kremlin has done in recent years.

America must go after the merchant marine market by building at least 100 ships a year for the next 10 years.

Oceanic education must be fostered in our schools to give our youth as good a subject grounding in the seas as they now receive on the land environment. A Sea Grant College program must be pursued to mobilize scientists, scholars and students in the search for oceanic solutions to the problems of state.

A Maritime Manhattan Project must be created to stimulate maritime technological advances.

The critical nature of the decline in American seapower demands that the U.S. maintain and increase its supremacy on the oceans by building a larger and more modern fleet. The freedom of the United States and its allies is anchored in control of the oceans.

That is why we need a rebirth of the U.S. Merchant Marine.

[From the Navy Magazine, February 1969]
THE PRESIDENT'S MESSAGE: NAVAL LEADERSHIP
AND THE NATIONAL OCEANIC DESTINY

"There is a tide in the affairs of men, which taken at the flood, leads on to fortune—" (Shakespeare).

Special significance attends the selection of the Governor of the maritime state of Rhode Island to the civilian leadership of the naval establishment. A brilliant oceanic mosaic is unfolding as John H. Chafee, a Marine, ascends the gangway, steps aboard and breaks his personal flag. The exciting American renaissance developing at sea augurs well for the future security and economic prosperity of the nation. Maritime opportunities are at an historic high.

Vision, enlightenment and determination are called for to meet the mounting menace of burgeoning Soviet maritime strength. Admittedly, regaining a preeminent American oceanic posture, to a marked degree, will depend on the leadership provided. But the key to capitalize upon this current trend of events is conviction. The crux of meeting this national challenge is maritime program. Certainly, an understanding of the oceans is the fundamental building block for the national naval leadership to foster the magnitude of the program that is now needed. Though the educational aspects are paramount, the formulation of basic maritime doctrine for the guidance of our government is imperative in seeking seabased strategic "sufficiency."

NAVY SPARKS SCIENTIFIC PROGRESS

Traditionally, the Navy has provided the oceanic motivation, the initiative and intellectual incentives needed by the Nation. Understandably, both the Commander-in-Chief and the Congress have looked to the naval service and its civilian head for professional guidance and the scientific spark to foster national maritime progress.

Interestingly, it was at Rhode Island University, under Governor Chafee's stewardship, that the Sea Grant College program was launched by Dr. Athelstan Spilhaus, assisted by Dean Knauss. With the university sparking an educational and oceanic research program of revolutionary implication, Senator Claiborne Pell of Rhode Island spearheaded the Sea Grant College legislation through Congress to create a counterpart to the rewarding Land Grant College program.

Although in its infancy, the Sea Grant program has created an appreciable surge in ocean study. Unprecedented interest in ocean related disciplines and studies has been stimulated on college campuses

throughout the country. Already the response of American scientists, scholars and students has been electrifying. But the incentives provided by enlightened leadership for the entire maritime program require reinforcement. Oceanic purpose must flow from national maritime policy. The reorientation of the American endeavor to the basic pursuit of the full range of oceanic activity and world trade, from a truly competitive, modern structure, will require public understanding as well as intellectual development in depth. Consequently, at the instigation of the Chief of Naval Operations, the League has broadly encouraged this ocean-oriented intellectual endeavor.

The Naval War College at Newport, R. I., the nation's center of intellectual leadership for the study and development of new concepts of naval and maritime power, is ideally suited to foster this understanding. At its global strategy seminar each year, leaders in all walks of life glean an insight into oceanic strategy and the import of the oceans relative to the national welfare. Highlighted at each seminar are the options afforded by the oceans toward solving the pressing problems of state.

SERVICE CHAMPION

As civilian spokesman for the naval services, the Secretary of the Navy endeavors to interject the maritime view convincingly into the process of our government. With the professional support of the Chief of Naval Operations and the Commandant of the Marine Corps, the Secretary of the Navy is respected as the most knowledgeable civilian leader on maritime matters within the government. Unfortunately with the passage of the National Security Act of 1947, the Secretary of the Navy was removed from the President's Cabinet. Since the Cabinet now is deprived of a spokesman capable of the direct interjection of the maritime viewpoint into its deliberations, the crucially significant role of the civilian head of the naval services is accentuated.

The pledges of the President to provide a Navy "second to none" and to revitalize the Merchant Marine, as a "first priority economic task", with emphasis on resolute oceanic research, are given marked credibility by his selection of the new Secretary. We are confident that Governor Chafee brings to the Navy and the Marine Corps the civilian leadership and the service championship discouraged in recent years in the defense decision making process.

In welcoming the new Secretary aboard, the Navy League commends for his consideration the substance of our Declaration of Objectives and Resolutions. With broad public support, this projected maritime program provides potential for the President to build the modern mobile posture required to meet his worldwide responsibilities.

Welcome aboard, Mr. Secretary! We look to you for positive leadership and a strong civilian championship of the Service. In turn, we pledge the fullest measure of our purposes to assist you in the challenging responsibilities you have assumed on behalf of this great maritime nation.

CHARLES F. DUCHEIN,
National President, Navy League
of the United States.

SENTINEL POSES THREAT TO NON-PROLIFERATION PARTY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. RYAN. Mr. Speaker, the basic inconsistency of the proposed Sentinel

anti-ballistic missile system was pointed out in a February 24 editorial which appeared in the New York Times. As that editorial points out, the Nuclear Non-Proliferation Treaty, which hopefully represents a first tentative step toward reducing the threat of nuclear war, could be seriously undermined if the administration proceeds with plans to deploy a new antiballistic missile system. Non-nuclear powers, which have approved the treaty, might question whether the United States indeed has a "good faith" interest in nuclear disarmament and possibly reassess their own decision not to develop nuclear arms. This, in turn, could only result in an increase in the insecurity which is posed by existent nuclear stockpiles. Instead of proceeding with the Sentinel system, the administration should enter into negotiations with the Soviet Union to limit—not enlarge—reliance upon offensive and defensive missile systems. The editorial follows:

THE SENTINEL AND THE TREATY

In his questioning of Secretary of State Rogers on the nuclear nonproliferation treaty Senator Albert Gore has exposed a fundamental inconsistency in the Administration's apparent resolve to push ahead with some sort of Sentinel antiballistic missile system—a resolve made more explicit last week by Secretary of Defense Laird. Mr. Gore noted that under Article VI of the treaty the nuclear powers undertake "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament."

The Sentinel program provides a critical test of how seriously the United States views its obligations under that article. If there is a "good faith" interest in nuclear disarmament, then the logical step would be to postpone deployment of the Sentinel system while the United States enters into negotiations with the Soviet Union to limit offensive and defensive strategic missiles. If, instead, the Administration decides to proceed with Sentinel deployment on the distorted logic that accelerating the atomic arms race somehow leads to nuclear disarmament, then it will be apparent that the United States regards Article VI as little more than a pious statement imposing no obligations upon the nuclear powers.

Something far more important is at stake, however, than just this country's interpretation of Article VI. At issue is the whole future of the treaty, a matter that is likely to come up in President Nixon's European discussions this week.

So far as the non-nuclear states are concerned, the article was one of the more important concessions made by the two major nuclear powers in drafting the treaty. If the United States and the Soviet Union now indicate that they do not feel bound in any way by the article, then some of the more important non-nuclear states, such as Japan, Israel and India, can ask with good reason why they should take the treaty now of complete nuclear abstinence.

By proceeding with the Sentinel system, therefore, the United States can jeopardize the nuclear nonproliferation treaty. Even if the military utility of the system were much less dubious than it is, this would be a bad risk to run. In the long run, the spread of nuclear weapons undoubtedly presents a far greater danger than the still non-existent nuclear missiles in Communist China or the unproved usefulness of Sentinel as a bargaining counter in arms talks with Moscow.