

dorico Gemil Exconde and Dr. Teresita Jarin Exconde; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8483. A bill for the relief of Giuseppe DiStefano; to the Committee on the Judiciary.

H.R. 8484. A bill for the relief of Alessandro La Pietra; to the Committee on the Judiciary.

H.R. 8485. A bill for the relief of Elena Monteza; to the Committee on the Judiciary.

H.R. 8486. A bill for the relief of Wong Wah Sin; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 8487. A bill to amend the act of June 27, 1918, relating to certain reversionary interests of the United States in certain real property in the State of Montana; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 8488. A bill for the relief of Angelo Di Sisto and his wife, Carmela Di Sisto, and their children, Mario and Guiseppe Di Sisto; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 8489. A bill for the relief of Carlos Priego Reyes; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 8490. A bill for the relief of Giovanni Battista Bartalone; to the Committee on the Judiciary.

H.R. 8491. A bill for the relief of Salvatore Carollo and his wife, Antonina Carollo; to the Committee on the Judiciary.

H.R. 8492. A bill for the relief of Vincenzo La Bella; to the Committee on the Judiciary.

H.R. 8493. A bill for the relief of Malka Laufer; to the Committee on the Judiciary.

H.R. 8494. A bill for the relief of Joseph Shiu Kun Luk, also known as Joseph Chao Chun Luk; to the Committee on the Judiciary.

H.R. 8495. A bill for the relief of Rosario Panzarella, his wife, Antonina Panzarella, and their infant daughter, Giacinta Panzarella; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 8496. A bill for the relief of Francesco Rando; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8497. A bill for the relief of Byung Il Chang; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8498. A bill for the relief of Max Anselm; to the Committee on the Judiciary.

H.R. 8499. A bill for the relief of Lesley Dawson; to the Committee on the Judiciary.

H.R. 8500. A bill for the relief of Clarence Gillett; to the Committee on the Judiciary.

H.R. 8501. A bill for the relief of Erlinda Rojas-Perez; to the Committee on the Judiciary.

H.R. 8502. A bill for the relief of Amella Rufino; to the Committee on the Judiciary.

H.R. 8503. A bill for the relief of Louella Rufino; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 8504. A bill for the relief of Marie de Jesus Goncalves de Mala; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 8505. A bill for the relief of Fred Fawzi Kahale; to the Committee on the Judiciary.

By Mr. SEBELIUS:

H.R. 8506. A bill for the relief of Dr. Pio Albert Pol y Zapata and his wife, Dolores S. Alvarez de Pol; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 8507. A bill for the relief of Nikandros Rondogiannis; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CHAIRMAN TEAGUE RECEIVES HIGH HONOR FROM VFW

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. DULSKI. Mr. Speaker, the Veterans of Foreign Wars of the United States held its annual congressional dinner on Tuesday evening and a feature was the presentation of the VFW's Congressional Award to our esteemed colleague, the Honorable OLIN E. TEAGUE, of Texas, chairman of the House Committee on Veterans' Affairs.

This coveted award was presented "for outstanding service to the Nation" and was in recognition of his important work as chairman of the Veterans' Affairs Committee and as ranking member of the Committee on Science and Astronautics.

Chairman TEAGUE was presented with a plaque and also with a \$1,000 check. He immediately announced he would donate the check to a scholarship fund at Texas A. & M. University.

National Commander in Chief Richard Homan of Sugar Grove, W. Va., presided at the delightful affair.

Vice President SPIRO AGNEW spoke and referred to the current attack on the ROTC in some of our colleges and universities. Said Vice President AGNEW:

I am concerned not just about Vietnam. I am concerned about a more subtle problem on college and university campuses and I have serious doubts about universities that want to remove accreditation from the ROTC on the grounds that it is not relevant.

I can't think of anything more relevant than preserving, protecting the Constitution.

Dissension can take place with lawful persuasion, not destruction.

Special guests were the 53 semifinalists in the Voice of Democracy Contest and first announcement was made of the five winners: First, Miss Debra George,

17, Cheyenne, Wyo.; second, Robert Pondillo, of Youngstown, Ohio; third, Dan Ellerman, of Winnsboro, La.; fourth, William Jockheck, of Redfield, S. Dak.; fifth, Bruce Seaman, of Aiea, Hawaii.

Also present were several of the Nation's Medal of Honor winners. The program included a special salute to World War I veterans.

Following is the text of the response of Chairman TEAGUE upon receiving the Congressional Award:

REMARKS OF CHAIRMAN OLIN E. TEAGUE AT VFW CONGRESSIONAL DINNER

Commander Holman, my colleagues in Congress, distinguished Medal of Honor recipients, Voice of Democracy winners, ladies and gentlemen, I receive this award in all humility and gratitude. Thank you very much.

I want to make it very clear I receive it, in the fullest meaning of the word, as a Member of Congress and not simply as an individual.

There are in this audience tonight hundreds of Members of both Houses of Congress who have made this award possible—and there are many other Members who could not be with us tonight—who should share this credit.

After all, if it were not for the support and votes in the Committees and if it were not for the support and votes in the Congress as a whole, all of the dreams and ideals we share together would turn to dust.

We have made accomplishments in the veteran field for a single reason: We have a responsive and sympathetic Congress. Last year we passed 500 million dollars in new veteran benefit legislation with only two dissenting votes.

Not one single time has Congress ever rebuffed the Veterans Affairs Committee on any reasonable request which we have brought before it.

The Congress is most nonpartisan when it comes to the welfare of our veterans and servicemen. I have found in my quarter century in Congress that political partisanship is not a factor when we consider the welfare of those who serve.

I would like to express a special word of thanks to our great Speaker, the Honorable John McCormack, and to the distinguished minority leader, the Honorable Gerald Ford, who have done so much to preserve this bipartisan concept.

I want to take a few minutes to make one point which I deeply believe and that is: *We live in a wonderful country.*

And the United States with all its turmoil, with all its problems, is a great, good and generous nation. And we ought to remind ourselves of this more often.

I am saying this because we have, as a nation, shown a tendency in recent years to downgrade ourselves and to downgrade our institutions.

We have been flooded with the criticisms of a quite small, but highly articulate, minority, so that we are becoming a nation of intellectual pessimists.

We have come to accept the castigations of our critics without question and too often refuse to believe the evidence of our daily achievements.

There are still a lot of problems in America but there are a lot more things that are right in America. Our system demands that we seek out and identify our problems.

It is true that there are some who still suffer the indignities of inequality and the same of injustice. We must forever and with all our energy continue to seek to correct these injustices and inequalities.

We must always strive to improve the quality of life for all our people, but sometimes it seems to me that we become so engrossed in these problems, so centered on what is wrong, that we seldom acknowledge what is right.

We have a free society in this country. It is the freest society in the world.

We are several million light years ahead in the area of freedom compared to those countries which espouse the causes of Communism—countries which are often held up as examples by some who riot on our college campuses and on our streets, claiming we don't have freedom enough.

As a people, we have more freedom of action, more freedom of speech, and more freedom of choice than any other people in all of history. As a nation we have more freedom of religion than have the citizens of any other nation.

We have no State establishment of religion; our people worship as they see fit, without interference or hindrance, or they can refuse to worship at all, if faith has been denied them.

But, of course, there are those who, in the name of freedom, would tear from the God-oriented majority of our people the right to express our belief in the Almighty in any

public or official way. This again, to me, is the opposite of freedom.

Others, who suffer loss of freedom, can tell us much. All of us in Congress get requests practically every day from people wanting to come in to the United States, but I know of none who have ever received a request from anyone to get out.

Anytime you become discouraged with your country, you need only to travel a little, away from Washington and across the breadth of this magnificent land.

You'll find a vibrant, thriving, bustling, vital people, concerned about our problems—yes—but driving ahead, producing, learning, working, worshipping, and playing.

You will find that we, as a people, not only have more of the good things of life, we have more time to enjoy them.

We are better housed, better clothed, better fed, better educated, in better health, and enjoy the finest communication network and the greatest transportation and distribution systems ever developed by man.

It is time for us, as Americans, to hold our heads high—to take pride in the civilization we have built upon this continent—to take pride in the freedoms we have created—and to be determined to protect those freedoms in every way we can, with every means we have available. We must believe in ourselves more.

We might take a lesson from the brave astronauts who so fervently believe in themselves and our space program. Surely one of the great benefits we can gain from the magnificent achievements of our space program is to show more confidence and take more pride in ourselves as a nation.

I was at Cape Kennedy yesterday for the launching of Apollo Nine. This ten-day experiment is just in its second day and if all goes well, we will all turn our thoughts to the Moon landing. Surely we can draw a little on the courage and confidence of America's astronauts who carry our flag into outer space.

I sometimes hear sincere people question the value of the space programs, even to the point of recommending that they be virtually discontinued.

I say to you in all earnestness, can we seriously suggest that America lay aside the mantle of space leadership and leave man's greatest adventure to someone else? We all know that this cannot be.

Therefore, if brave astronauts circle the earth in preparation for the future, we here, and particularly those of us in the Congress, greatly concerned about the nation's strength and prestige, about this nation's leadership and her future, must continue to do our part.

Let us face our problems. Let us also recognize our progress and our greatness.

As St. Paul says in his second epistle to the Corinthians—and I paraphrase here—"We must strive to show ourselves servants of God, with great fortitude in trials, distress, difficulties and . . . riots, with hard work . . . with innocence, knowledge, patience and kindness, *wielding the weapons of justice with right hand and left, whether we are honored or dishonored, spoken of well or ill.*"

To those who abuse their freedom by seeking to impair the rights of others, and by deriding us for our virtues, I would like to paraphrase the epistle:

"We are called imposters, and yet we are truthful . . .

"We are called sorrowful, and yet we are rejoicing . . .

"We are called poor in spirit, and yet we are enriching many.

"We are said to have nothing, and yet we have everything."

Let's keep it that way. Let's speak, more often, of what is right with America.

Once more—on behalf of all my colleagues in Congress and myself—thank you for what you have done here tonight. Good night, and God bless you.

WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LONG of Maryland. Mr. Speaker, M. Sgt. Mack C. Boblett, Sp4c. Terrence L. Snyder, Lance Cpl. Joseph M. Van Daniker, Sp5c. Harold D. Biller, Sp4c. Joseph F. Bauer, Jr., Lt. William J. Christman, and Pvt. Lee V. Silver, seven outstanding young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

SEVEN MARYLANDERS DIE IN VIET WAR

Seven Maryland servicemen died in Vietnam between February 17 and February 27, the Defense Department announced yesterday.

They were:

M. Sgt. Mack C. Boblett, of the Air Force, the husband of Mrs. Naomi Boblett, of 8903 Deborah street, Clinton.

Spec. 4 Terrence L. Snyder, of the Army, son of Mr. and Mrs. Mark E. Snyder, of 8219 Belair road, Baltimore.

Lance Cpl. Joseph M. Van Daniker, of the Marine Corps, son of Mr. and Mrs. George H. Van Daniker, Sr., of 415 Barksdale road, Joppatowne.

Spec. 5 Harold D. Biller, of the Army, son of Mr. and Mrs. Arthur A. Biller, of 12727 Hathaway drive, Silver Spring.

Spec. 4 Joseph F. Bauer, Jr., of the Army, husband of Mrs. Marcella J. Bauer, of 8304 Berkwood court, Baltimore.

Lt. William J. Christman 3d, of the Marine Corps, husband of Mrs. Barbara J. Christman, of 102 James street, Gaithersburg.

Pvt. Lee V. Silver, of the Army, son of Herman J. Silver, of 2635 Round road, Baltimore.

FLARE EXPLOITED

Sergeant Boblett, 40, was killed February 27, when a flare he was holding exploded in his hand.

A native of Stanford, W. Va., Sergeant Boblett had been in the Air Force for 21 years. During his career, he had been stationed in Bermuda and Panama, in addition to the United States. He had been in Vietnam since November 30, 1968.

His wife, Naomi Boblett, to whom he had been married 18 years, said yesterday that Sergeant Boblett enjoyed his work in Vietnam, because he loved to fly. "He said that he was doing his little part there," she added.

In addition to his wife, Sergeant Boblett is survived by his four children, Mackie, 16; Becky, 15; Sally, 13 and Robin, 7; three brothers, Jack B., of Seattle, William B., of Chicago, Mason B., of Brandywine, Md.; and two sisters, Mary Alice La Flamme, of Hartford, and Mrs. Sidney Burns, of Tonawanda, New York.

Specialist Snyder, 21, was a native of Allentown, Pa., and spent his early years in that state before moving to Maryland with his parents. A graduate of Perry Hall High School in 1965, he attended college for three years before being drafted into the Army in 1968.

The only son of Mr. and Mrs. Mark E. Snyder, he was sent to Vietnam in December of last year. An infantryman, he was killed on February 26 during a fire fight.

In addition to his parents, Specialist Snyder is survived by Mrs. Marlin Bailey, his maternal grandmother, of Baltimore.

Corporal Van Daniker, 19, a native of Baltimore, had been in the Marine Corps slightly over a year when he was killed by hostile rifle fire north of Saigon February 23.

A 1967 graduate of Edgewood High School,

Harford county, he received two purple hearts after his arrival in Vietnam last July. In October, 1968, he was wounded and, two months later, he was temporarily put out of action with shrapnel wounds in the leg.

He will receive a full military burial at Dulaney Valley Cemetery in Baltimore county. Corporal Van Daniker is survived by three brothers, George H., Jr., 17, James Thomas, 14, David Allen, 7; two sisters, Catherine Louise, 10, and Linda Teresa, 6, in addition to his parents.

Specialist Biller, 21, a Harrisonburg (Va.) native, was graduated from Wheaton High School in Montgomery county in 1965. After attending the University of Maryland for a year, he enlisted in the Army, and received his basic training at Fort Dix, New Jersey.

He was finishing his second tour in Vietnam when he died February 25 from wounds received from an anti-tank mine that exploded under a military vehicle he was driving.

His 15-year-old sister, Patsy, said that he was about to request a third tour of duty when he was killed.

Specialist Biller is survived by his parents, another sister, Mrs. Brenda Smith, 19, and a brother, Arthur A. Biller, Jr., 17, all of Silver Spring.

HAGERSTOWN NATIVE

Lieutenant Christman was killed February 22 during a fire fight in Quang Tri province. He had been in Vietnam three months.

The 23-year-old Hagerstown native lived most of his life in Gaithersburg and was graduated from high school there. He attended Potomac State College, Keyser, W. Va., and Concord College, Athens, W. Va., before enlisting in the Marine Corps.

After graduating from Officers Candidate School at Quantico, Va., he was sent to Vietnam, where he served as a platoon commander.

His wife, Barbara Jo, said yesterday that Lieutenant Christman was known as a football player, serving as captain of his high school team and the team at Potomac State College. He was also president of the senior class at Concord College.

In addition to his wife, to whom he was married in 1967, Lieutenant Christman is survived by a 9-month-old daughter, Julie.

STATEMENT OF REPRESENTATIVE JOEL T. BROYHILL OF VIRGINIA IN SUPPORT OF HIS BILL TO PROVIDE THAT THE CIVIL SERVICE RETIREMENT ANNUITY OF AN EMPLOYEE RETIRING AFTER A COST-OF-LIVING ANNUITY INCREASE BUT ELIGIBLE FOR RETIREMENT ON THAT EFFECTIVE DATE SHALL NOT BE LESS THAN HIS ANNUITY IF HE HAD RETIRED ON THAT EFFECTIVE DATE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BROYHILL of Virginia. Mr. Speaker I am today introducing legislation to correct an inequity in present civil service retirement provisions. My bill will make a needed change in the annuity computation in connection with the automatic cost of living adjustment provisions of the law.

Under certain circumstances, an inequitable and anomalous situation does result through the application of this provision. When an increase is deter-

mined, it is made applicable to all persons on the roll for a certain month, but not to those who come on the roll in subsequent months. For example, a most recent such change was a 3.9-percent increase in benefit rates for persons who were on the roll in April, with the first increase being payable for the May checks. Those who retired in May and thereafter received no such increase.

Such a procedure has very undesirable effects insofar as both the Government and the members of the plan are concerned. A person who retires just after the effective date but who could have retired before it will receive less because he worked longer than if he had retired earlier.

This same situation can prevail for persons retiring not only several months, but even up to as much as 1½ years after the effective date—until the increased service and probably larger high-5-year average wage more than offsets the cost-of-living adjustment. Certainly it seems a most inequitable retirement system that pays a person a lower pension for working longer. Then, too, it seems unfair that knowledgeable people will retire before the effective date of a cost-of-living increase so as to obtain a larger pension, whereas unknowledgeable people will not do this and will be penalized.

The Government, too, is adversely affected by this provision. When an effective date for a cost-of-living adjustment is announced, many people who expected to work for several months in the future would forthwith retire and would not complete the particular work projects on which they were engaged. It seems poor personnel management procedure to have retirements precipitated in this manner instead of being done in an orderly fashion.

My bill provides a "notch" provision guaranteeing that an individual's pension will be at least as large as if he had voluntarily retired just before the effective date of the last cost-of-living adjustment. The individual would, of course, have to be eligible for retirement on that date. My bill would provide equity to all members of our civil service pension program and will improve personnel management of the Government.

THE ABM COMES TO TOWN

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. HELSTOSKI. Mr. Speaker, of greatest interest today, outside our continuing involvement in Vietnam, is the proposed Sentinel anti-ballistic-missile system.

Because of this widespread discussion of the proposed ABM system, both among community groups and in the press, I feel that a very objective article should be brought to the attention of my colleagues in this House.

Mr. Peter Moldauer, a senior physicist in the Reactor Physics Division of the Argonne National Laboratory, has written an excellent article on this subject

entitled "The ABM Comes to Town," and which appeared in the January 1969 issue of the Bulletin of the Atomic Scientists.

Mr. Speaker, because of the timeliness of this subject, I include the article of Mr. Moldauer at this point in the Record, as follows:

THE ABM COMES TO TOWN (By Peter Moldauer)

After many months of debate and after a year of important decisions by the Defense Department and Congress, the Army is now acquiring sites throughout the United States for the deployment of the Sentinel anti-ballistic missile (ABM) system. The concept of an ABM defense against an intercontinental ballistic missile (ICBM) attack on the United States has undergone many changes over the past decade. Only recently has it become clear that the Army intends to locate most of the Sentinel sites with their thermonuclear warheads within or adjacent to large metropolitan areas. What are the implications of this development for the continuing ABM controversy?

AREA VERSUS POINT DEFENSE

Development of the first ABM, the Nike-Zeus, was started in 1957, but was cancelled as obsolete before production was far advanced. In the early sixties, development of the Nike-X was begun. This system incorporated the Nike-Zeus missile, the short range, high acceleration Sprint rocket, and a new multifunction array radar (MAR) which is capable of tracking several targets simultaneously. All of the Nike concepts were "point defense" systems, capable of defending only the immediate vicinity of each installation.

In September 1967, the Defense Department announced its intention to deploy the Sentinel ABM system, which was described as a modified Nike-X, whose main function was to provide "area defense." Each Sentinel site would provide a defensive umbrella for an area of some hundred thousand square miles, including the cities contained in that area. This capability was to be provided by the Spartan, a three-stage solid fuel rocket with a range of several hundred miles, carrying a megaton-sized thermonuclear warhead with which to destroy incoming ICBMs high above the atmosphere. An additional aid to "area defense" was to be the installation of a chain of perimeter acquisition radar (PAR) sites along the Canadian border which would detect, identify, and track missiles coming in over the North Pole, as soon as they rose above the horizon. Additional tracking and missile command functions were to be provided by missile site radar (MSR). Two-stage Sprint rockets with a range of perhaps 30 miles and carrying a nuclear warhead of several kilotons were to provide additional point defense of missile sites, radars, and other strategic sites such as ICBM installations.

The intention of deploying Sentinel as an area defense system, rather than for point defense of cities, was emphasized repeatedly in Congress. For example, in November 1967, before the Subcommittee on Military Application of the Joint Committee on Atomic Energy, Dr. John S. Foster, Jr., Director of Defense Research and Engineering, replied to a question by Senator Albert Gore regarding the capability of the Sprint missile "... to protect a given city ..." with the following statement: "It is not the intention of the Sentinel deployment to provide that kind of coverage for cities." Again in July 1968, in a debate in the House, Representative Robert Sikes of Florida, floor leader for the Sentinel appropriation, made it clear that "These sites will be some distance away from centers of population. ..."

SENTINEL IN THE CITY

Nevertheless, in its first list of potential Sentinel sites to be surveyed, the Army, on

November 15, 1967, identified 10 locations, six of which were metropolitan areas with populations in excess of one million. Later this list was expanded to include 15 prospective sites, of which eight are population centers of a million or more, two have populations of half a million each, and two others are military bases. Recent site acquisition activities in at least three of these areas—Boston, Chicago, and Seattle—have made it apparent that Sentinel launch facilities are to be located within 20 miles or less of the centers of population of the various metropolitan areas.

These facts make it clear that as presently envisaged, point defense of cities and military installations is a substantial and probably a major aspect of the Sentinel system deployment, and that considerations of area defense have been relegated to a secondary role.

An area defense system has been described in the following way. Each Sentinel Battery defends an oval area surrounding it, and the entire country is covered by such overlapping ovals. Even if the density of Sentinel sites were increased in the more populated areas there would be no good reason for locating the Spartan missiles with their huge megaton warheads in metropolitan areas. In fact, in an area defense set-up there are many reasons for locating ABM sites away from population centers. Land acquisition would be easier and cheaper and site security problems would be simplified. It would also be easier to arrange the overlapping oval protection areas in such a way that important targets, such as big cities, are protected by three or possibly four ABM bases. This is not the case for the proposed city-centered sites. Another consideration arises from the fact that high altitude nuclear explosions from either attacking or defending missiles can interfere with the operation of the radars that are essential to the operation of the Sentinel system. Maximizing the distance between MSR sites reduces the likelihood that adjacent radars will be blacked out simultaneously. On the other hand, the present list of Sentinel sites includes some rather closely spaced cities (Boston and New York, Detroit and Chicago, San Francisco and Los Angeles). It appears likely that radars in such nearby sites might suffer similar interference problems, thus reducing the effectiveness in protecting both adjacent cities.

SENTINEL AND SAFETY

But surely the most important factors that must be weighed against any advantages of metropolitan siting are considerations of safety. A Sentinel site contains a thermonuclear warhead in each of its rockets. Each Sprint warhead has an explosive force which may be close to that of the Hiroshima bomb. The explosive force of the Spartan warhead is at least 100 times greater. If such a warhead were accidentally exploded on the ground or in underground storage vaults, it would deposit deadly amounts of radioactive fallout over hundreds of square miles of the surrounding areas. Depending on atmospheric conditions and wind, fatal doses could be deposited as far as 50 miles away. In a densely populated region such an accident would produce hundreds of thousands of casualties. In addition, a ground explosion of a Spartan warhead would cause complete destruction of buildings within a radius of several miles and could start fires and cause body burns at distances of some tens of miles.

In order to avoid such catastrophes, nuclear warheads are protected from detonation by an elaborate set of interlocks and safety devices which must be opened by specified commands from several sources before the weapon is armed for detonation. Nevertheless, there is no such thing as absolute safety, and as both the Department of Defense and the Atomic Energy Commission point out in *The Effects of Nuclear Weapons* "... there is always the possibility that, as a result of accidental circumstances, an explosion will take

place inadvertently, although all conceivable precautions are taken to prevent them. Such an accident might occur in areas where the weapons are assembled and stored, during the course of loading and transportation on the ground, or when actually in the delivery, e.g., an aeroplane or a missile."

The possibility of such an accident is bound to be increased by the fact that a Spartan rocket and its warhead must be made fully operational and ready for firing within seconds, while in the case of bombs or ICBMs, at least several minutes should be available for the procedure of releasing the various interlocks and safety devices, and for the checks and verifications that accompany these procedures. Does the final authorization for the arming and firing of the ABM nuclear weapons come from the Commander-in-Chief, or may it arise directly from an electronic radar signal which is interpreted as indicating the arrival of hostile intercontinental ballistic missiles? How wide is the margin for error? Several years ago, it was said that the Strategic Air Command was put on alert by radar signals caused by migrating birds. These signals were misinterpreted as indicating approaching bombers. In those days there was time for checking. But now there is a mere 10- or 15-minute interval between the first sighting of an incoming ICBM on the PAR radar and the missile's impact on its target. This leaves little leeway for verifying radar information. Might it happen that Sentinel rockets could be armed and possibly fired by radar signals arising from meteors or from artificial satellites? Devices that are intended to permit detonation of the weapon only at specified altitudes or following acceleration are, of course, also subject to possible malfunction.

Though the probability of accidental nuclear explosion is surely very small, if it should occur in a populated area it would have such catastrophic consequences that a decision to build Sentinel sites close to large cities must be based on only the most compelling tactical reason: a decision that the area defense capabilities of Sentinel would be insufficient to provide the desired level of protection for cities if the Spartan rockets were located at a safer distance of, say, 100 miles away. Apparently, therefore, a major consideration in the proposed Sentinel deployment is its point defense capability for cities by means of long-range Spartan and perhaps also short-range Sprint rockets. How valuable is such an objective in relation to its risks?

EFFECTIVENESS OF SENTINEL

At present the United States and the Soviet Union have assured destruction capability against one another. By means of its force of some 1,000-odd nuclear-tipped ICBMs each of the two main powers is capable of inflicting more than one hundred million deaths on the other and virtually eliminating the opponent's productive capacity. Only the ICBM sites themselves, and the roaming nuclear submarines, are "hardened" to withstand such an attack and are capable of retaliating in kind. The resulting stalemate of "mutual deterrence" has so far succeeded in keeping the peace.

No one has seriously proposed a defensive system capable of withstanding a nuclear ICBM attack in force. In recent testimony before Congress, Secretary of Defense Clark Clifford was quoted as follows: "The ability to protect ourselves from unacceptable damage from a numerically large and technically advanced missile force such as that of the Soviet Union is not yet technically feasible." Nor does it appear likely that such a defense will soon be feasible. Both the United States and the Soviet Union can be expected to overcome any ABM defense by offensive measures that are simpler and

cheaper than the ABM system. Since each ABM can incapacitate at most one incoming ICBM, the attacker could saturate the defense by building and firing more missiles than the number of defending ABMs. The attacker could also use a variety of "penetration aids" to fool the defensive system or to cause the system to malfunction.

What is important is the realization that the power of nuclear weapons is such that in most cases only one weapon needs to get through to each target city to assure its complete destruction. Thus an ABM system which is 90 per cent effective against ICBMs is likely to provide no meaningful defense at all.

A RATIONALE FOR ABM DEFENSE

Therefore, ABM systems may be no more reliable means of protection than mutual deterrence and may in fact be dangerous by upsetting the balance of deterrence. Nevertheless, there may be justification for a weak or "thin" ABM defense against the threat of an "undeterrable" nuclear attack. This danger might arise if a small country, or even a nongovernmental group, were to obtain the use of nuclear weapons and missiles for the purpose of blackmailing one of the major powers into acquiescing to their demands. Such a government or group might not be subject to deterrence by any threat of nuclear counterattack. (Communist China has been widely mentioned as one example of such a power. It seems questionable, however, whether China would risk the destruction of its vast population by a weak attack against the United States.)

A reasonable motivation for the deployment of an ABM system might then be stated as follows: "Let us construct a sufficient defense against nuclear attack so that any adversary capable of overcoming this defense, either by numbers of attacking missiles or technical sophistication, must necessarily control a sufficiently large population and productive capacity that he would be effectively deterred by the threat of American nuclear retaliation." How does the Sentinel system now being deployed meet such a requirement?

First of all, a relatively weak power wishing to blackmail the United States would have at its disposal means of delivering nuclear weapons that are much cheaper than ICBMs. Weapons can be smuggled into the country and concealed for later detonation by radio signal. They can be hidden in the holds of ships and exploded in ports of call. In addition, a more powerful nation has at its disposal delivery by intermediate-range missile from submarines or by fractional orbital rocket (a low trajectory intercontinental rocket). Sentinel's effectiveness against either of these latter methods is problematical. Obviously, taken by itself Sentinel would seem to be a rather futile defensive gesture. It would have to be supplemented by other security measures not currently contemplated.

If a weak power wished to blackmail the United States with the threat of ICBM nuclear attack, it could find targets with an appropriate "price" in all parts of the country. Not only large metropolitan areas, but also smaller cities, natural resources, dams, etc., are possible targets. Moreover, large nuclear explosions set off at ground level almost anywhere in the country are capable of incapacitating large areas with radioactive fallout. The requirement is therefore clearly for an area defense system of high effectiveness, providing protection for virtually the entire country. As we have seen, however, the proposed Sentinel system is not the optimal one for area defense. It also appears to have some significant holes. For example, Raleigh, North Carolina, and Albuquerque, New Mexico, are each more than 400 miles from the nearest proposed Sentinel site.

RATIONALE FOR SENTINEL?

Since the proposed Sentinel system is acknowledged to be ineffective against a major attack, and since it appears to be conceived so as to be less than fully effective against the threat of a weak attack, perhaps the intention of its deployment plan is to provide partial protection against either contingency. As has already been pointed out, in the nuclear age partial protection is most likely to be no protection at all. It is difficult to believe, therefore, that a concept of partial protection against several contingencies would warrant the introduction into our cities of warheads that are 100 times more powerful than the Hiroshima bomb.

Perhaps, then, the Sentinel deployment is intended as a first step in the eventual construction of a "hard" ABM defense against Soviet attack, if that should ever become feasible. Senator Richard Russell made this point in October with the argument that "... if we ever intend to procure an anti-missile system, we should start at least to produce a prototype so that we can discover the weaknesses that always develop, however exhaustively we may have researched the system before we deployed it."

One wonders whether this recognition of possible defects may not extend also to the safety mechanisms. Are we to risk our major cities in an effort to discover the weakness of the system? In this connection it seems remarkable that Washington, D.C., is not on the Pentagon's list of prospective Sentinel sites. Surely no area is more in need of protection. Yet the nearest proposed site is some 200 miles away.

In the absence of any indication of the feasibility of a defense against a major nuclear ICBM attack it would seem to be highly questionable to spend billions of dollars in the construction of a "prototype" that might endanger our major cities. No argument has been put forward that would seem to justify the present headlong rush to plan nuclear rockets in our cities.

KEEP IT UP, MR. PRESIDENT

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. SPRINGER. Mr. Speaker, we have heard many remarks commenting on the success of the President's European journey.

I want to associate myself with my colleagues who have applauded this extraordinary visit.

I did not lightly choose the word "extraordinary." I believe the trip has resulted in some substantial accomplishments.

The President met with Allied leaders, some old friends, some new, with whom he will be working in the months and years ahead. In this sense he has established a personal relationship which in many ways did not exist before.

As a new administration, the President is now engaged in a wide-ranging review of United States-European policy. Such a review would be incomplete without actively seeking the experience and judgment of our European partners. He received their views and this was very much to our benefit.

Beyond that it was important to acknowledge, given a new administration,

to Americans and Europeans alike that we are firmly committed to the Atlantic alliance and fully recognize the interdependence which exists between our two Atlantic continents. That the President's trip certainly did.

Finally, I believe the trip has served the cause of peace. The search for peace in a divided world is a tremendous job. We must constantly work at it. But the job cannot be done by us alone. We need help—especially from our friends. From the reaction of our European allies to the President's trip, the chances are now better that we can count on their active assistance.

These, as I said at the outset of my remarks, are important achievements. I wanted them to show on the record. And I want to add my congratulations to those of many Americans who, as they watched their television, felt pride at the dignified, forceful, and persuasive manner in which our President conducted himself in the capitals of Western Europe.

In reporting on his journey to the American people on nationwide television, the President kept his promise to keep the country informed in the area of foreign policy. The Washington Daily News, in its editorial of March 5, rightly called his press conference a "spectacular." That it was in terms of an honest, forthright, and intelligent presentation to the Nation as to the problems confronting us and our approach in attempting to solve them. I include that editorial as a part of my remarks for the information of my colleagues:

THE PRESIDENT'S TV SPECTACULAR

In the past the White House on occasion has pre-empted prime television time only to come up with no improvement over the regularly scheduled programs. But last night's hour-long live news conference by President Nixon was a spectacular in a class by itself.

He started off by saying he thought he'd created some new trust between himself and European leaders as a result of last week's trip. At the end of the hour he had created a good deal of trust between himself and the American public.

He spoke with enormous candor and detachment, in the rational, unemotional manner of a tremendously well informed professor of international affairs.

And he conveyed the impression of a man eager to be conciliatory, whether with the Russians, our great rivals in the postwar era, with Gen. de Gaulle, who has given us a hard time inside the Atlantic Alliance, or with Peru, which has seized an American-owned oil field and a fishing boat.

No matter how well briefed and prepared the President was, it was a risky business going on live to answer questions—when a provocative phrase or an off-the-cuff impression could have blown a high-level confidence or angered some friendly or hostile chief of state. Yet he made it without a visible mistake.

We got the impression of a President trying hard to understand the interests and outlooks of foreign governments in order to heal up differences. Mr. Nixon laid out the "ambivalence" of Soviet interests in Vietnam and the Middle East, for example, instead of blasting the Russians as warmongers. He tried to puzzle out Viet Cong motives for their current offensive. Still, he said he will hold out for solid steps and firm guarantees when it comes to making peace in Vietnam or the Middle East or arms control talks with the Russians. The Nixon open hand of con-

ciliation promises to have a firm grip, not a limp wrist.

Anybody hoping for literary eloquence had to be disappointed. Nothing stirring, nothing hammy. Just lawyer's prose, and straight from the shoulder. Keep it up, Mr. President.

SAN LEANDRO, CALIF., MORNING NEWS WINS AWARDS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MILLER of California. Mr. Speaker, having been an ardent reader for many years of the Morning News published in San Leandro, Calif., which is in my congressional district, it gives me a great deal of pleasure to call attention today to a recent event whereby this newspaper received some well-deserved recognition. At the annual California Newspaper Publishers Better Newspaper Contest, the Morning News not only took a merit award in the field of general excellence for newspapers with up to 15,000 circulation, but also took a second-place award among all California newspapers, including the largest of them, for best editorial or series of editorials.

The editorials for which the Morning News won the merit award dealt with the subject of narcotics use and narcotics peddling—an increasingly serious problem in this country today and one of great concern to the parents of our young people. These articles reflect the policy of responsible journalism practiced by what may be called a hometown newspaper, primarily concerned with the interest of the individual citizen in the community it serves.

The community newspaper has long been a tradition in the United States and it continues to be a bulwark of independent thought. Unfortunately, more and more frequently today we see the disappearance of the smaller daily newspapers as they strive to compete with those of much larger circulation. Oftentimes, a community is deprived of the benefits of contending viewpoints by being in a one-newspaper area.

This newspaper is published by Mr. Abe Kofman who also publishes two other newspapers; namely, the Times-Star in Alameda, Calif., and the News Register in Fremont, Calif. Each of these papers measures up to the high journalistic standard to which I pay tribute today.

Mr. Kofman has made it a policy to give generous amounts of space in his papers to publicizing worthwhile local community endeavors. As an example, his three newspapers recently received a service award from the National Foundation of the March of Dimes in recognition of their contribution to that organization's efforts.

My congratulations go to Mr. Kofman and his staff, and to City Editor Bob Kreiner and Journalists Mary McAllister and Bill Hurschman of the San Leandro Morning News who collaborated in writing the award-winning series of editori-

als. They may take justifiable pride in having demonstrated the quality of these hometown newspapers and in having contributed to the preservation of this bastion of independent thought and expression.

BELL AND HISTORY DAY IN FREDERICK

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BEALL of Maryland. Mr. Speaker, Frederick, Md., a city just 45 miles from this Capitol Building, is planning this year to sponsor the second annual "Bell and History Day" on Saturday and Sunday, April 26 and 27. Those of you who have some knowledge of Frederick realize that it is truly one of the Nation's most historic cities. Some of our most famous forefathers were born and lived in Frederick and a number of significant events have taken place there in years past.

Since Frederick is so close to our Nation's Capitol and since the drive there is such a beautiful and pleasant one, I would urge my colleagues and residents of this area to spend one of the two dates mentioned above in Frederick for this occasion. I think you will certainly enjoy it.

Mr. Speaker, I would like to insert in the Record at this point some additional information on the events to take place on Bell and History Day which was sent to me by Mrs. Myron Randall of Frederick, one of a number of gracious Frederick ladies who are involved in the planning for this event:

Historic Frederick, Maryland will open its treasures from the past on April 26 and 27 in a showcase of history for the people of Maryland, the District of Columbia, and surrounding areas. The city of "The Clustered Spires" will hold its second annual Bell and History Day to acquaint the public with the historical landmarks and monuments which have added so much to our country's heritage.

At least ten of Frederick's landmarks will be included on bus and walking tours. Beginning at the Francis Scott Key Hotel in downtown Frederick, those attending will have a chance to visit the home of Barbara Fritchle who was made famous in Whittier's poem, the home of Roger Brooks Taney, the grave of Francis Scott Key, Rose Hill Manor, the Hessian Barracks, Court House Park and vicinity, the Historical Society Home and Museum, Steiner House, Visitation Convent gardens, and the museum of the state's oldest volunteer Fire Company, Independent Hose Company No. 1.

Marking each day will be the ringing of the bells from the spires of downtown churches which form the "Cluster". In addition, the committee is working on other special events for the two day celebration, which will be held each afternoon from 1 to 4. Residents in costume will act as hostesses and guides during the tours. Tickets will be available at a nominal fee on the days of the festivities.

The committee planning the events is comprised of local business men and citizens interested in promoting Frederick's historical past. General chairman is Mrs. Charles Saner, and she is being assisted by Mr. Richard R. Kline.

**H.R. 5837: A BILL TO AMEND THE
IMMIGRATION AND NATIONAL-
ITY ACT**

**REMARKS
OF**

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MURPHY of New York. Mr. Speaker, the Immigration and Nationality Act of 1965 abolished the old national origins system of immigration and replaced it with a more equitable system. However, one result of the new law was to discriminate, unintentionally, against Ireland and certain other northern European countries. As a result Irish immigration has been seriously curtailed in recent years.

In order to change this trend, I introduced H.R. 5837 on February 3 of this year which would correct the present deficiencies in the immigration law which now unfairly restrict Irish immigration. The Irish contribution to the growth and development of our country has been considerable, and I believe my bill will help give proper recognition to this contribution by removing barriers to future Irish immigration.

Under leave to extend my remarks in the RECORD, I include the text of my bill:

H.R. 5837

A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended by adding at the end the following new subsection:

"(f) Notwithstanding the numerical limitations in subsection (a) of this section and in section 202(a), if any fiscal year beginning after June 30, 1968, the total number of immigrant visas made available to immigrants from any foreign state under paragraphs (1) through (6) and paragraph (8) of section 203(a) was less than three-fourths of the average annual number of such visas made available to immigrants from such foreign state under this Act during the ten-fiscal-year period beginning July 1, 1955, there shall be made available to immigrants from such foreign state an additional number of visas for the succeeding fiscal year equal to the difference between the number of visas made available to them in the preceding fiscal year and three-fourths of such average number, except that the number of such additional visas made available in any fiscal year to immigrants from such foreign state shall not exceed ten thousand. The additional visas authorized by the preceding sentence for immigrants from such foreign state shall be made available as follows:

"(1) Forty per centum of the additional visas shall be made available to immigrants entitled to a preference status under paragraph (1), (2), (3), (4), or (5) of section 203(a), except that no more than 8 per centum of the additional visas may be made available to immigrants entitled to a preference status under any one of such paragraphs.

"(2) Thirty per centum of the additional visas plus any visas not issued under paragraph (1) shall be made available to immi-

grants entitled to a preference under paragraph (6) of section 203(a).

"(3) Thirty per centum of the additional visas plus any visas not issued under paragraph (2) or (3) shall be made available to immigrants who are not entitled to a preference under section 203(a).

In the case of immigrants entitled to a preference under paragraphs (1), (2), (3), (4), (5), or (6) of section 203(a), the additional visas authorized by this subsection shall be issued in the order in which a petition in behalf of each such immigrant is filed with the Attorney General as provided in section 204. In the case of immigrants not entitled to a preference under section 203(a), such visas shall be issued in the chronological order in which such immigrants qualify. The provisions of section 212(a)(14) shall not apply to the determination of an immigrant's eligibility to receive any visa authorized to be issued under this subsection."

**THE RIGHT TO VOTE FOR
18-YEAR-OLDS**

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. O'HARA. Mr. Speaker, I am proud to reintroduce today my proposal to amend the Constitution of the United States to extend the right to vote to those 18 years of age and older. I hope this very important proposal will receive prompt and favorable consideration by this body.

The young people of America have vigor, imagination, and intelligence. High school graduates of today are often better trained than college graduates of a generation or two ago. The recent technological advances in travel and mass communications expose our young people earlier and more often to the important issues of our time.

Mr. Speaker, I believe that 18 is a particularly good age at which to begin the exercise of the franchise. Most 18-year-olds have just completed courses in civics. They have been exposed to an organized study of our Government. They know how it works and in many cases have ideas on how it could work better. Granting them the right to vote at this point in their lives gives them a chance to direct their youthful energy to constructive ends and may help establish a lifetime pattern which will help raise the depressingly low percentage of voter turnout in election after election.

We hear much today about "participatory politics." Our political parties have pledged themselves to making their proceedings more responsive to the will of the people. We in Congress are working to abolish the electoral college and to establish a procedure for the direct election of the President and Vice President. Again, our goal is to insure that the will of the people will govern.

If full participation in our political process is to be more than a high sounding ideal, I believe we must extend the franchise to those between the ages of 18 and 21. These 10 million Americans have the ability and the experience to make sound judgment.

Mr. Speaker, I believe that reason and

good sense require that they be given the most precious political right in a democracy—full and unencumbered access to the ballot box.

**THE ABM—A HUMOROUS COMMENTARY
THAT AIN'T FUNNY**

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LEGGETT. Mr. Speaker, opposition to the Sentinel anti-ballistic-missile system is growing. This last week myself and a number of my colleagues joined in a 2½-hour exposition of the ABM on the floor of the House. Grave doubts have been raised about the antimissile program—doubts about both its cost and effectiveness. The proponents of the Sentinel have done nothing to relieve these doubts, and, in fact, the conflicting statements by the Department of Defense and Secretary Laird have reinforced my long held belief that the Sentinel ABM program is a total waste of at least \$10 billion in sorely needed funds.

This wasteful boondoggle is serious business, but as in many serious matters, a humorous commentary may often strike very close to the true nature of the problem.

For the information of my colleagues I would like to submit for the RECORD a recent commentary by Arthur Hoppe, the noted San Francisco columnist:

SAVE THE WORLD AND \$90 BILLION

(By Arthur Hoppe)

Good news! It looks as though we're going to build that Anti-Chinese-Ballistic Missile System after all.

As you know, it's going to be only a cheap, shoddy, \$5 billion or \$10 billion system suitable only for shooting down cheap, shoddy Chinese ballistic missiles.

Needless to say, Anti-Chinese-Ballistic-Missile fans everywhere are elated.

For one thing, this means a tremendous saving to the taxpayers. You see, to build a system designed to shoot down expensive, sophisticated Russian ballistic missiles would cost up to \$100 billion. And many experts say it wouldn't work anyway.

Of course, they also say an Anti-Chinese-Ballistic-Missile System won't work either. But it's a clear saving of more than \$90 billion for a system that won't work. And you can't sneeze at that.

True, some penny-pinchers may grumble: "Why spend \$10 billion for a system that won't work?"

The answer was provided by Defense Secretary Laird: An unworkable Anti-Chinese-Ballistic-Missile System will give us a terrific bargaining point with the Russians at the upcoming nuclear arms talks.

"Hi, there, Mr. Kosygin. Boy, wait'll you see the terrific deal we've worked out for you."

"I can hardly wait, Mr. Nixon."

"Well, to show our good faith, we stand ready to abandon our new \$10 billion Anti-Chinese-Ballistic-Missile System. How about that?"

"Big deal."

"In return, all we ask is that, to show your good faith, you tear down that new Anti-American-Ballistic-Missile System you've almost got completed."

"You mean you want to make it safe for your missiles to attack us?"

"After all, we're making it safe for Chi-

nese missiles to attack us. How's that for a terrific bargaining point?"

"Oh, swell. All we need is for those Maoists to wipe you out first. Hoo-boy! What a black eye for us in international Communist circles."

"Well, don't forget, we Americans have carefully avoided building a \$100 billion Anti-Russian-Ballistic-Missile System. Indeed, you have my personal assurance that your missiles will always be safe in making an attack on us."

"Thank you. Look, I'll speak frankly. The system we've got is only a cheap, shoddy, 10-billion-ruble system suitable only for shooting down cheap, shoddy Chinese ballistic missiles. Your own generals have repeatedly said it won't stop your expensive, sophisticated American missiles."

"Great! Then it'll be an even swap. You junk your Anti-Chinese-Ballistic-Missile System and we'll junk ours. We can then look forward to the dawn of a new era of mutual trust in which Chinese missiles will be safe in making an attack on either of us."

You can't help feeling that at this point the negotiations may well break down.

Let's just hope this doesn't lead to World War III before we get our cheap, shoddy, \$10 billion, unworkable Anti-Chinese-Ballistic-Missile System installed so that it won't work. You'd hate to lose that saving of \$90 billion.

THE TRAGEDY OF ROBERT MORRIS

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FLOOD. Mr. Speaker, the celebration of the birthday of George Washington always brings to mind other heroes of the War of American Independence. Among these Robert Morris, of Pennsylvania, played a key role as the financier of the new government for the formation of which the Declaration of Independence was the fundamental act of union that for the first time used the term, the United States of America.

Robert Morris was one of the 56 signers of this Declaration as he also was of the Constitution of the United States. He was a close friend of Washington and of other founders of our Government and rendered services of the highest importance to the cause of liberty.

An intensely interesting article by Hugh P. Williamson, of Fulton, Mo., on Robert Morris' dealing especially with the tragedy that finally overtook him was published in the March 1969 issue of the magazine of the Daughters of the American Revolution. This fine organization, through its magazine and work in the field of national defense, form a potent force for the safeguarding of the great heritage that made our country powerful.

The indicated article follows:

[From Daughters of the American Revolution magazine, March 1969]

THE TRAGEDY OF ROBERT MORRIS

(By Hugh P. Williamson)

Robert Morris was one of the authentic heroes of the American Revolution. Without his unceasing and skilled labors as financier for the young Republic, the new government would certainly have collapsed long before victory was achieved. His importance was fully equal to that of George Washington, a

fact which was generally recognized and which was recognized by Washington himself. But it was this man who spent three years, six months, and ten days in debtor's prison, with apparently no effort whatever on the part of his former associates, or of any other person or groups of persons, official or unofficial, to free him. There is probably no instance of such base ingratitude in the annals of any country at anytime.

The story of this patriotic, heroic, high-minded man should be remembered so that it will not have a parallel in our own or in future times.

Robert Morris was born January 20, 1735, in Liverpool, England. His mother died soon thereafter, his father removed to the State of Maryland in the American colonies, and the child was raised by his maternal grandmother. He came to Philadelphia, Pennsylvania, in 1747, and in 1750, at the age of fifteen, was apprenticed as a clerk to Charles Willing, Merchant. His father died soon afterward, bequeathing to his son about \$7,000.00. The boy was left alone in the world, far from kindred, family, and friends, but his was a dauntless spirit, and the times were opportune.

I shall not here attempt to follow in much detail the phenomenally rapid rise in business of the energetic, keen-minded, ambitious Robert Morris. His story has had many duplications in this country. Through meticulous attention to detail, through hard work which knew no limitation of hours, through a keen understanding of the business process, and through absolute integrity, Morris very quickly became an indispensable part of the Willing firm.

Morris began his business career with a completely successful and highly profitable maneuver, done in the absence of Thomas Willing, which consisted in "cornering," for his employer, the wheat market in Philadelphia, at a time when he was sixteen years of age! This first spectacular business success was a prelude to many which were to follow. In 1757 he was made a full partner in the Willing firm. And very soon management of it was vested almost solely in him when Willing became mayor of Philadelphia. Under the management of Morris it became the largest and wealthiest export and import business in the colonies.

On March 2, 1769, Morris was married to Mary White, daughter of Thomas White, wealthy lawyer and Philadelphia aristocrat. They became the parents of four children, three boys and one girl, and had a most harmonious and happy life together. Thus, on the eve of the Revolution, Morris was highly affluent and a great force in the business life of the colonies. He lived in a mansion on a beautiful estate with a growing family and a charming wife. The powerful, influential men of the city and beyond were his friends and associates. He was forty-one years of age, in the prime of life, in the full tide of his power. All of this had been accomplished in twenty-six years. The orphan boy from Liverpool had done exceedingly well!

I have said that Morris was the prototype of many highly successful businessmen which this country was to produce. This statement is not literally true, because the vast majority of these men gave an absolute and single-minded attention to business which excluded all other matters and things from their lives. This was very far from being true of Morris, who had two contemporaneous careers, one in business and another in public affairs.

In 1765, Morris was Chairman of a committee of five Philadelphia merchants formed to resist enforcement of the Stamp Act; he was an active member of St. George's Society for Assistance to Englishmen in Distress; he became vice chairman of the committee of Safety, of which Benjamin Franklin was chairman. As a result of his successful efforts for defense, Morris was elected to Congress

on November 3, 1775, one of seven members from Pennsylvania. The following December he was chosen one of a committee to establish a Continental Navy, a truly mammoth assignment! Early in 1776, he was appointed Chairman of a Secret Committee to import arms and gun powder for the Army. On August 2, Morris signed the Declaration of Independence, although reluctantly. Early in December, warned that British troops were advancing on Philadelphia, Congress fled to Baltimore, appointing Morris, George Clymer of Pennsylvania, and George Walton of Georgia, to assume charge of government affairs in Philadelphia. With the disappearance of his two colleagues, Morris was left in sole control. He now began to act, in reality, as Secretary of the Treasury for the colonies, although without this title. A short time thereafter he was appointed Superintendent of Finance, which, in simple terms, meant that he was the financier of the Revolution, a crushing and apparently impossible task. Peter Whiteside, a business associate, described the difficulties: "The finances of the country are in perfect chaos." He enumerated other evils: "Prejudices of the people, some in favor of paper money, some against it, the violence of party feeling, the effect of envy and malice to combat, etc."

I shall not attempt to go into the innumerable details involved in financing the Revolution; in keeping his own business operating; in meeting domestic problems; in warding off the attacks of his personal enemies; and in the thousand problems incident to his position. Of the way in which he met these problems, the historian Carol Botta, in his *History of the War of Independence of the United States of America*, writes:

If the charge imposed on Morris was ponderous, the talent and firmness with which he sustained it, were not less astonishing. He was not slow in substituting regularity for disorder and good faith in the room of fraud. . . . To him it was principally owing that the armies of America did not disband and that the Congress instead of yielding to an inevitable necessity, recovered the means not only of resisting the efforts of the enemy, but even of resuming the offensive with vigor and success. Certainly the Americans owed and still owe as much acknowledgment to the financial operations of Robert Morris as to the negotiations of Benjamin Franklin or even to the arms of Washington.

In September 1781, Morris was appointed Agent of Marine to supersede the countless boards, committees, and agents previously charged with Marine affairs. Of this he wrote:

I shall undertake the task, however contrary to my inclinations and inconsistent with the many duties which press heavily upon me.

As a result of the unremitting labors of Morris, the Bank of North America was incorporated December 31, 1781. This was followed by the establishment of a national mint, and the financial structure of the new nation began to take definite form with benefits to the nation which were almost immediately felt.

On December 13, the nation celebrated the great victory at Yorktown which had occurred on October 23, 1781, and which, practically speaking, ended the Revolutionary War, although formal peace did not come until September 3, 1783.

The ending of the war did not bring a surcease of problems to Morris. By 1782 the national debt was twenty-seven million dollars, a staggering sum for those times. Morris made loans in Paris and Amsterdam. He received a gift of six million livres from King Louis of France. The financial problems were either met or pushed ahead. On January 24, 1783, Morris tendered his resignation to Congress. He had carried the nation to victory and had met the most pressing and immediate post-war financial problems. Into this

herculean effort he had put at least a million and a half dollars of his own money, none of which was ever returned to him. His health was falling under the heavy burdens which he bore and had borne for many years, he could no longer have any confidence in Congress, or work with it. He could not see his way clear to continue.

His resignation met with as much criticism and calumny as had his administration of the position! Even Washington mildly reproached him for leaving his work unfinished. Only Alexander Hamilton, of all his associates, appeared to understand the reasons for Morris' resignation.

It may here be noted that one of the bright phases of the Revolution was the warm friendship between Washington and Morris, both of whose efforts were vital to success. Through all of the stresses and strains which they endured there is no evidence of acrimony or lack of sympathy between these two. There was indeed the most close cooperation, and there is evidence that on at least one occasion Washington changed his military strategy at the suggestion of Morris. When in Philadelphia, the Washington's always stayed in the Morris home, and members of the Morris family were guests at Mt. Vernon when they traveled in that vicinity.

Following his retirement from public office, a retirement which was to be very temporary, Morris, with unabated vigor gave attention to his long neglected personal affairs. He began by enlarging the scope of the commercial enterprises of the firm of Willing and Morris, sending ships to China in 1784, and reaching out for trade in other directions.

The Morris home was large and splendid, filled with beautiful furnishings and staffed by well-trained servants. It was the place where distinguished persons from abroad as well as people of importance in the colonies, who came to Philadelphia, were entertained. There are in existence many descriptions of the place, and of the life which went on in it.

Had Morris continued on this course all would doubtless have been well, but he did not. This period marked the beginning of the first great epidemic of land fever sweeping the United States, and Morris became deeply infected by it. The one weakness in his financial acumen was perhaps a too great optimism. Having a profound belief in the coming greatness and growth of the United States he reasoned that if he bought cheap land he could later sell it at a much higher price as population increased. Accordingly he now began to travel extensively, buying large tracks of land in Pennsylvania, Virginia, Georgia, western New York, and hundreds of lots in Washington, D.C. as well as in other places. The total amount of these purchases ran into millions of acres. Had Morris been able to wait for a quarter of a century, these would have doubtless paid large profits, but he had overbought and was forced to sell as well as to buy. Under these circumstances, some few of these investments proved to be profitable but a majority of them did not. He was further crippled financially by the poor selection of a partner, who proved to be a man of no business judgment and no moral integrity. The gloom of inevitable financial failure deepened and thickened.

Meanwhile he had renewed his political activities in the state and nation. In 1786, he was chosen as one of six men to represent Pennsylvania at a national constitutional convention. Benjamin Franklin was one of this number. A constitution was later adopted and Robert Morris was one of the signers. He made the nominating speech for George Washington for President of the new nation. On the way to his inauguration in New York Washington stayed for a night in the Morris home, and was accompanied by him to New York. Soon after Morris was elected a United States Senator from Pennsylvania. His six years in the Senate were as constructive and

distinguished as had been all of his previous public services. At the end of this period he determined to retire, a determination which appears to have been largely due to increasing financial embarrassment. Early in May 1790, he writes his wife:

"The bitterest moments of my present life are those in which I contemplate you as the partner of misfortunes of which I am not only the victim, but in some degree perhaps culpable in not having guarded better against them."

And now, with demonic fury, evils began to descend upon Robert Morris. Banks in which he had funds in large amounts failed; partners in his real estate ventures deserted him; creditors pressed for payment; holdings were foreclosed and sold, including his splendid house on Chestnut Street in Philadelphia. He was now a virtual prisoner at his country home. Debtor's prison loomed before him. The amount of his debts totalled \$2,948,711.11! On the evening of February 14, he catalogued his few remaining possessions: Bedding and clothing, two bales of nankeen, a quarter cask of wine, some bottled wine, a part of a barrel of flour, coffee, a small amount of sugar, a parcel of old books and newspapers, materials for a steam engine (an invention in which he had been interested), a microscope, an old chariot in Richmond, a share in the Library Company, a share of stock in the Bank of North America, and his father's old, worn-out gold watch, from which he did not wish to part if he could avoid it.

The following day, by due process of law, he was committed to the Prison Street Debtor's Prison in Philadelphia, where he was to remain for three years, six months, and ten days (1798-1801).

This prison was not the typical squalid, filthy, depressing jail typical of the times, but was pleasing in appearance, clean and comfortable. He was not humiliated by the treatment which he received nor by his surroundings. His wife and daughter were almost daily visitors and often brought his meals, which they ate with him. And he had distinguished visitors: Alexander Hamilton, Gouverneur Morris, and on one occasion the great Washington himself. There were others, among them Samuel Breck, who wrote:

"I visited that great man in the Prison Street debtors' apartment, and saw him in his ugly whitewashed vault. In Rome or Greece a thousand statues would have honored his mighty services. In America, republican America, not a single voice was raised in Congress or elsewhere in aid of him or his family."

Morris was allowed a great deal of freedom, he indulged in light exercise, was cheerful and optimistic, but certainly there was always the consciousness that he was in jail, that he was a prisoner, that he was restrained, all of which must have been highly irritating to a person of sensitivity.

Even while Morris was in prison Thomas Jefferson considered him for his Secretary of the Navy. "If," as he said, "He could get from confinement," which he could not.

During this time no action was initiated by any persons, official or unofficial, to free Morris from imprisonment. Certainly the Congress of the United States could have done this very easily. The Legislature of Pennsylvania could have done it. Either Washington, Jefferson, or Alexander Hamilton, with their almost god-like power, could have effected his release. One or more newspapers of the era could have initiated a movement to effect his release. Apparently some of these people sympathized with his situation but there is no indication that anyone ever did anything!

On April 4, 1800, the Federal Bankruptcy Act was passed, which provided that: "A man (in debtor's prison) could be adjudged a bankrupt and thereupon be released." On August 21, 1801, Morris was released. He was

sixty-six years old, and penniless. Of his situation at this time, Eleanor Young, in her book *Forgotten Patriot*, writes:

"Although saddened by his prison experience, Robert Morris remained unbroken. A spirit like his could not be entirely quenched by the indifference of his friends, the treachery of those he trusted, or the slights of a nation he had helped create. Often, however, he was low-spirited."

Morris made repeated efforts to find employment. He received some encouragement from people who were in a position to aid him, but nothing materialized. Help did come from Gouverneur Morris, a very astute lawyer, who found a flaw in the title to one of the many land investments of Morris and who out of this situation, in some obscure manner, procured an annuity of fifteen hundred dollars per year to be paid to Mrs. Morris. This enabled Robert Morris and his wife to live in modest comfort in a small house in Philadelphia on the east side of Twelfth Street, between Market and Chestnut. There the financier of the Revolution resided with his family for four years. He interested himself in small domestic details, and took great joy in his children, his grandchildren, and old friends who came to call. His tumultuous and harried life thus came to a conclusion on a note of calm and contentment. Only a truly great nature, tolerant and wise, could have obtained this degree of philosophic tranquility. On May 8, 1806, he died, calm and lucid to the last. A few days later he was buried in the family vault in Christ Churchyard.

The tragedy of Robert Morris remains inexplicable. How a man whose services to his country were so great and so widely known could have been so forgotten and neglected, we today cannot understand. But in this fact there is a lesson for us, which is that we, as individuals, and as a nation, must not fall into the same error. And this applies not only to persons whose service is to the nation, but equally to those whose service is to their state, county, city, or neighborhood. If we do this as a result of the shameful episode in our national life which we have been considering, then the tragedy of Robert Morris will not have been in vain.

TAX REFORM

HON. RAY BLANTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BLANTON. Mr. Speaker, I am today introducing two companion tax reform bills. The primary objective of my first bill, H.R. 8366, is to increase the present \$600 personal exemption to \$1,200, thereby relieving to a great extent the tax burden now placed on the average taxpayer. Its companion bill, H.R. 8367, would place a 20-percent tax on private, tax-exempt foundations. This foundation tax excludes churches and church organizations.

Since first entering the Congress, tax reform has been one of my major endeavors, and I feel that the present statutes permit wealthy individuals to abuse the tax-exempt privilege bestowed upon foundations by the Congress. My measure would eliminate built-in loopholes which now enable these individuals to conceal and hoard enormous quantities of wealth by placing their assets within these foundations.

I adamantly feel the average taxpayer

should not be penalized by assuming this tax burden to compensate for the non-taxable income now lost from these multi-million-dollar foundations. These institutions should be treated as any other big business.

While I recognize that my reform measures will not correct all the inequities in our present tax structure, I sincerely believe it is the first step in eliminating the flagrant abuse of conflict of interest and establishing a realistic basis of equality for the taxpayer.

I urge the immediate consideration and approval of these tax reform bills by my colleagues of the 91st Congress, as it is the inherent responsibility of the Congress to legislate measures creating equal treatment under the law for all American citizens.

ARIZONA JOINT MEMORIAL ON GRAY PERMIT SITUATION

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the joint memorial of the Arizona Senate printed below demonstrates the arbitrary actions of an executive branch Department, the Department of the Interior, and the adverse effects these kind of actions have upon U.S. citizens.

In order to rectify this situation, I have introduced H.R. 7162.

The joint memorial follows:

SENATE JOINT MEMORIAL 1

Joint memorial urging the President and the Congress of the United States to recognize the grazing rights of Henry Gray, Jack Gray and Robert Louis Gray, doing business as Gray Partners, on the Organ Pipe Cactus National Monument by either ratifying and confirming their right to a lifetime grazing permit on the monument or compensating them for the cancellation of their grazing permit.

To the President and the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, during the year 1917 Bog Gray and his family moved from Texas into what is now known as the Organ Pipe Cactus National Monument, and there purchased range rights, water rights and improvements from persons then living and grazing cattle in the area, all in accordance with the recognized customs, practices and Laws of the United States and the State of Arizona at that time, and all of which grazing land at that time was open range and remained so until the passage of the Taylor Grazing Act in 1934 which Act specifically recognized such grazing rights; and

Whereas, the Organ Pipe Cactus National Monument was established by Executive Order of April 13, 1937 (50 Stat. 1827); and

Whereas, under the provisions of such Executive Order of the lands withdrawn were subject to vested rights which, insofar as surviving members of the Gray family, by then doing business as the Gray Partners, were concerned, consisted of water rights, homestead rights and their range rights and improvements as recognized by the Taylor Grazing Act; and

Whereas, after considerable negotiations and discussions between Senator Carl Hayden of Arizona and Secretary of the Interior Harold L. Ickes, a firm commitment was made

by Secretary Ickes to Senator Hayden that in lieu of condemning their grazing rights or compensating the Gray Partners for their vested rights in the Monument that their grazing and water rights would continue to be recognized by the issuance of grazing permits through the lifetime of the last surviving Gray Partner, which agreement has been recognized and honored throughout the years and grazing permits have been issued by the National Park Service of the Department of the Interior down to and including December 31, 1968; and

Whereas, in 1966, the Department of the Interior, acting through its Under Secretary John A. Carver, made a firm commitment to the Gray Partners to purchase all of their rights within the Organ Pipe Cactus National Monument, consisting of approximately one hundred sixty acres of fee land, two sections of State of Arizona leased grazing land together with all their improvements, water rights and grazing permit on such public lands for a total consideration of three hundred sixty thousand dollars, which offer was accepted by the Gray Partners by the execution of an Option and Contract dated August 30, 1966. Attempts were made by the Department of the Interior from the date of such option to July, 1968, to obtain the approval of the Senate and House Subcommittees on Appropriations and National Parks, which approval was granted by the Senate Subcommittee but withheld by the House Subcommittee. The aforesaid option has been extended from time to time by the Gray Partners and they have at all times acted in good faith in their dealings with the National Park Service and the Department of the Interior and relied upon the firm commitment to purchase their rights made by Under Secretary Carver; and

Whereas, notwithstanding these facts, the Assistant Secretary of the Interior under date of July 12, 1968 advised the Gray Partners that their grazing permit on the Organ Pipe Cactus National Monument would expire on December 31, 1968 and would not be continued and that their cattle grazing upon the Monument would have to be removed from the Monument lands by January 1, 1969; and

Whereas, as a result of this arbitrary action by the Department of the Interior, Senator Carl Hayden introduced in the Senate of the United States S. 3837 authorizing and directing the Treasurer of the United States to pay the Gray Partners the sum of two hundred ninety-two thousand dollars as damages or compensation for the cancellation of their grazing permit; and

Whereas, it is the considered opinion of the Legislature of the State of Arizona that the Gray Partners have been unjustly, arbitrarily and cruelly treated by the Department of the Interior and the arbitrary cancellation of their grazing permit on the Organ Pipe Cactus National Monument violates firm commitments made by the Secretary of the Interior to Senator Carl Hayden and more recently to other members of the Arizona Congressional Delegation; and

Whereas, the Legislature of the State of Arizona believes that this unjust and arbitrary action should be rectified and corrected by the President and the Congress of the United States by legislation which would either ratify and confirm the lifetime grazing permit of the Gray Partners or compensate them for the loss of their grazing privileges and property rights on the Monument.

Wherefore your memorialist, the Legislature of the State of Arizona prays:

1. That the Congress of the United States enact and the President sign into law legislation which will either ratify and confirm the lifetime grazing permits of Henry Gray, Jack Gray and Robert Louis Gray, doing business as the Gray Partners, on the public lands within the Organ Pipe Cactus National Monument, or fully compensate them for the loss of their grazing privileges and rights.

2. That the Secretary of State of the State of Arizona be directed to transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each member of the Arizona Congressional delegation.

WESLEY BOLIN,
Secretary of State.

STEEL IMPORTS AND THE 130,000 JOB OPPORTUNITIES LOST FOR U.S. STEELWORKERS

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 1969

Mr. PETTIS. Mr. Speaker, for myself and 19 western colleagues, I have today introduced the steel import quota bill, the Iron and Steel Orderly Trade Act of 1969. We join many Members of this body who have previously introduced or cosponsored similar legislation.

The purpose of this bill is to provide for the orderly marketing of steel mill products imported into the United States and to afford foreign supplying nations a fair share of the growth in the U.S. market while at the same time advancing our national security by promoting a strong and healthy domestic steel industry.

The western portion of the country has been experiencing a much greater rate of importation of steel products than the national average—28 percent as compared to 17 percent. This 28 percent represents 2,600,000 tons of steel which could have been produced by domestic mills, much of it by western steel producers. The western region of the United States consumes only 9 percent of national consumption, hence this 28-percent import factor has a severe impact in the West. I think we should keep in mind the need for the establishment of regional quota concepts so there will be equitable relief for the various producing and consuming regions of the United States.

The January 14, 1969, announcement by the Department of State that certain steel industries in Europe and Japan have written voluntary letters of intent to limit steel shipments to the United States for a 3-year period—from 1969 to 1971—is a restraining arrangement that is helpful. However, I strongly feel that we should proceed with the introduction and enactment of the Iron and Steel Orderly Trade Act to bring all steel-producing nations under an orderly marketing plan.

May I add that the total importation of steel import products to the United States in 1968 was just short of 18,000,000 tons—an enormous quantity. This is a one-third increase over the 1967 import figure and it represents 130,000 lost job opportunities for American steelworkers. It is really no wonder that the United Steelworkers and the steel companies are working side by side in an effort to find an equitable answer to this vital problem.

THE VOLUNTARY MILITARY MANPOWER PROCUREMENT ACT OF 1969: AN ENDORSEMENT

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BIAGGI. Mr. Speaker, I rise to endorse with all the vigor at my command and to urge upon my congressional colleagues favorable consideration and prompt passage of the Voluntary Military Manpower Procurement Act of 1969.

For years the Congress and the country have wrestled inconclusively and, it can be fairly said, unsuccessfully with the problem of obtaining equitably the military manpower required for the defense of the United States. Less than 2 years after the passage of the last largely futile attempt at selective service reform—the Military Selective Service Act of 1967—the United States again and still finds itself tormented and perplexed over how to go about the manning of the national Defense Establishment. A poll conducted recently by Louis Harris tends to show how much at a loss the American people are with respect to this major national issue.

One commanding fact of public opinion—

Harris says—

is that no alternative plan seems capable up to now of replacing the present draft, in the view of a majority.

But, I submit to you, Mr. Speaker, there is such a plan—the Voluntary Military Manpower Procurement Act of 1969. In essence, this proposed bill would terminate the draft, increase the monthly rates of basic pay of enlisted member of the Armed Forces by \$100, and establish a joint congressional committee to study and investigate the effects on our Reserve Forces of adopting a voluntary system of military manpower procurement. Most importantly, this bill provides mechanisms for the reintroduction of selective service in the event that such a step should prove necessary. In other words, this bill recognizes that all the problems that may be associated with the reestablishment of a voluntary military establishment probably are not foreseeable, and thus it prudently creates what might be called a safety valve.

We are all aware, Mr. Speaker, that the Department of Defense is currently studying the concept of a voluntary military establishment, presumably with the idea in mind of making a possible transition to such a system at some time in the future. However, the Nation has waited long enough—much too long, in fact—for a truly basic resolution of the selective service dilemma. Moreover, no amount of study can substitute for that which has been so obviously lacking in all discussion and debate of military manpower procurement to date. I am referring, of course, to hard, practical experience.

The Voluntary Military Manpower Procurement Act of 1969 would give the United States this hard, practical experience in a contemporary setting. And it

would, as I pointed out earlier, provide a safety valve or, as one might put it, a "fail safe" system for reintroducing the only kind of military establishment compatible with both the responsibilities and principles of a democracy that is a leader among the nations of the world—a voluntary military establishment.

IRONS' SELECTION AS OUTSTANDING JUNIOR OFFICER: A TRIBUTE TO CUMBERLAND

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BUCHANAN. Mr. Speaker, less than a decade ago the Cumberland School of Law was acquired by Samford University and moved to its present location in Birmingham, Ala.

Since that date the Cumberland School of Law has emphasized excellence in its graduates. One of Cumberland's recent graduates, Capt. William L. Irons, has been selected by a board of officers as the outstanding junior officer of the command at the Air University, Maxwell Air Force Base, Ala.

Captain Irons, the son of a distinguished Samford professor of history, Dr. George V. Irons, was selected from over 350 eligible junior Air Force officers. Captain Irons' achievements while on active duty with the U.S. Air Force for only 2 years reflect great credit on Samford University and its fine faculty in the Cumberland School of Law.

With the unanimous consent of my colleagues, I include that story which appeared in the Dispatch, Air University's newspaper in the RECORD as an extension of my remarks:

UNDER NEW AWARDS PROGRAM, TOP JUNIOR OFFICER CHOSEN BY COMMAND

Capt. William L. Irons, a judge advocate assigned to the 3800th Air Base Wing, is the Outstanding Junior Officer of Air University for 1969.

Announcement of his selection was made by Lt. Gen. A. P. Clark, commander of Air University, during a banquet at the Maxwell Officers Open Mess Tuesday night.

Captain Irons, a native of Birmingham, Ala., becomes the first officer so honored by Air University. He was named the command's top junior officer under a newly initiated awards program.

A graduate of the University of Virginia and Samford University, he entered the Air Force two years ago. He is a member of the Federal Bar Association, the Alabama and American Bar Associations, and is admitted to practice before the U.S. Court of Military Appeals, the highest military court, and the Supreme Court of Alabama.

Guest speaker at Tuesday night's banquet, hosted by the Maxwell-Gunter Junior Officer Council, was Lt. Gen. John W. Carpenter, III, Air Force Deputy Chief of Staff for Personnel.

In making the announcement of Captain Irons' selection, General Clark said that the command's Outstanding Junior Officer is an excellent example of the model junior officer. He pointed out that the captain was one of 12 officers, of the approximately 350 eligibles assigned to the command, nominated for the award.

The three other finalists in the contest were 1st Lt. Bruce O. Creller of the 3825th Support Group (Academic); Capt. William G. Eager, III, of the Aerospace Studies Institute; and Capt. Meredith W. Watts, Jr., assigned to the Academic Instructor and Allied Officer School.

Captain Irons was transferred to Maxwell in August 1968 following an assignment at Gunter AFB. Prior to that time, he was assigned to Whiteman AFB, Mo.

He serves as an officer in the Maxwell Chapter of the Reserve Officers Association and is an active member of the National Judge Advocate's Association. He founded the Roscoe Pound Chapter of the American Trial Lawyers Association and has received several letters of appreciation from the President of the National Foundation for his efforts in that area.

He is the winner of the scholarship to Valley Forge, Pa., to work on a Congressional Medal of Honor project for the U.S. Air Force at the Archives Building, Medal of Honor Grove, at Freedoms Foundation.

He founded a new charitable corporation within the State of Alabama which will establish educational scholarships at leading colleges and universities throughout the state. He also established an annual scholarship award at his alma mater, Samford University.

He has been selected to appear in "Who's Who in Alabama" and "Distinguished Personalities of the South," a biography honoring America's leaders.

DANGER IN DISARMAMENT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FINDLEY. Mr. Speaker, one of America's alltime great foreign correspondents and political analysts, Edgar Ansel Mowrer, writing for the Bell-McClure syndicate recently warned of pinning hopes of peace on disarmament agreements of which the Nuclear Nonproliferation Treaty is an example.

Mr. Mowrer, who will retire this spring after more than 42 years as world affairs chronicler and commentator, had this to say:

HISTORY SHOWS PEACE PACTS LEAD TO WAR, NOT PEACE

(By Edgar Ansel Mowrer)

Those Americans of both parties who are ready to weaken NATO to obtain a Nuclear Nonproliferation Treaty, which leaves every nation but the United States at the mercy of the Soviet Union, seem to have forgotten fairly recent history.

I am referring to the naval disarmament negotiations of the early 1920s and above all to the so-called Baruch Plan for the international control of atomic energy offered by the United States in 1946.

The Harding administration accepted a naval agreement that encouraged Japan to believe that by destroying the American Pacific fleet, it could create the Greater East Asian Co-prosperity Sphere with no further serious interference by the United States.

Yet so little was President Hoover aware of this possibility that he persuaded the major nations to "outlaw war" altogether. This encouraged Hitler's intended victims, chiefly Britain and France, to believe that they need not match Germany's monstrously efficient military preparations.

A LESSON IGNORED

The coming of World War II and Pearl Harbor induced some of us to hope that our American leaders had seen the light: just as the life of individuals in anarchy is "nasty, brutish and short," so the history of sovereign nations living in international anarchy is a series of wars interrupted by periods of insecure peace.

We were wrong. In 1946 a victorious America that had exclusive possession of the "ultimate weapon" voluntarily offered to give it up and transfer control over all atomic developments for war or peace to an international agency. This "Baruch Plan" was adopted by the UN Atomic Energy Commission and by the UN General Assembly, with only the communist minority dissenting. The Soviet Union, thanks to glib American friends of Russia, was already well along with plans for a nuclear weapon of its own.

Russia's refusal was fortunate for the world. Unless all nations relinquished sovereignty to the world government, the international control commission would be paralyzed. Each signatory nation would remain free to wage conventional war as before, and when war came, to seize whatever atomic materials it could lay hands on and transform them into atomic weapons.

NO BAR TO BOMB

This led Chester Barnard, a member of the American Committee that wrote the original Acheson-Lillenthal Report upon which the Baruch Plan was based, to concede that the plan "does not prohibit the use of atomic bombs once war breaks out." The issue was "solely a difference in the speed with which we attempt to make ourselves less vulnerable."

Today's U.S. nuclear disarmers know all this. In the past, multiple national sovereignty has always led to wars which the inevitable killings and devastation were powerless to prevent. But, they claim, two countries in possession of the ability not only to blot out each other but most of the rest of mankind, will observe effective restraint while working toward that "general and total disarmament" sought by the Kennedy administration. The Nuclear Nonproliferation Treaty is a first step—even if Germans, Israelis, Indians and other exposed nations claim discrimination.

Unhappily, experience points to the probability that any such treaty will encourage aggressive nations not to observe the peace but to seek what they want either by nuclear confrontation or by classical wars. Moreover it is all but inconceivable that such countries will sincerely accept the kind of international inspection necessary to make disarmament effective.

PAX ROMAN

The world's outlook would be black if there were not another historical way. This is by establishing what historians call the "Roman peace" which exists when one power or group of powers is visibly superior in strength to any possible aggressor.

The disarmers believe that nuclear weapons have made such military preponderance valueless since the weaker side will possess the ability to destroy the stronger even while it is itself destroyed.

Fortunately, this situation is not necessarily permanent. Some leading scientists believe that an Atlantic Community wielding virtually unlimited economic strength could by a combination of antimissile missiles and other new techniques (laser-maser, etc.?) achieve safety for itself while nipping further aggression in the bud.

Certainly, as between expecting a change in human nature leading to effective disarmament under a world state, and an attempt to achieve security through economic, scientific and military preponderance, the latter is more promising.

CXV—344—Part 4

HALPERN PROPOSES TWO BILLS TO PROVIDE RELIEF TO HOMEOWNERS

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. HALPERN. Mr. Speaker, for too long, the American homeowner has been the forgotten man—except when it comes to paying taxes. He is the backbone of our Nation, the pillar of our communities, and yet he has no organized national lobby or pressure group through which to make his demands felt in the Congress. This places him at a decided disadvantage, and, as a result, his basic rights and needs are all too often neglected.

I think that it is high time we gave the homeowner the recognition and the assistance that he should have. Toward this end I am today introducing two bills to provide much needed, long overdue tax relief to the Nation's homeowners.

One bill would provide up to \$1,000 a year income tax deduction for moneys expended on home repairs and improvements.

The other bill would extend the depreciation allowance to homeowners of one-family homes similar to the deduction now granted to owners of multifamily dwellings and commercial properties. It would allow a prorated tax deduction based on the original cost and the estimated useful lifetime of the property.

Mr. Speaker, any financial benefits that accrue to the American homeowner benefit the entire Nation as well. Enactment of the legislation I propose would pay dividends in a short while to every level of government. Not only would this give justified and much-needed tax relief to those who own a piece of this country, but it would provide effective incentives for home beautification and community preservation.

In addition, if homes are kept in good repair the results will be felt throughout the country. Industry will prosper, more jobs will be available, home values will be enhanced, neighborhoods will be improved and greater tax revenues will be realized.

Home deterioration is a progressive blight. A repair that goes undone one year may cost twice as much to correct in the second year, and four times as much in the third year.

Eventually, if regular periodic maintenance work has not been carried out, there comes a point where the cost of repairs becomes so prohibitive as to be impossible. From that point on, creeping blight becomes rampaging blight.

The Bureau of the Census in 1960 reported that only 74 percent of all the housing in America could be deemed to be in sound condition.

Since then, there has been a steady increase in the costs of home maintenance. We can hardly hope that the rate of deterioration has decreased. In fact, we can safely assume that the dilapidation has spread.

The \$1,000 deduction could be an effective way of stopping the spread of home

dilapidation and community deterioration.

And the depreciation allowance which I am today proposing, would give the homeowner the same break now granted to the owners of income-producing property. Why should there be any differential? Surely the taxpayer who invests in home property has the same taxes, overhead, and maintenance problems as a commercial property owner.

Mr. Speaker, I urge my colleagues to join me in support of this legislation.

MAGAZINE SUBSCRIPTION SERVICE OWNER SUBPENED BY PENNSYLVANIA ATTORNEY GENERAL

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, the fraudulent sales practices of magazine subscription sales companies operating throughout the country have produced firm, positive action in the Commonwealth of Pennsylvania today.

I am pleased to include in the RECORD for the information of my colleagues a news release issued this morning by the office of Pennsylvania Attorney General William C. Sennett.

The Pennsylvania attorney general outlines some of the specific deceptive tactics which have produced scores of complaints in Pennsylvania. They are similar to the complaints being registered against subscription sales organizations across the country.

The above-mentioned follows:

Attorney General William C. Sennett announced today that the Pennsylvania Bureau of Consumer Protection has issued a subpoena on a Harrisburg operator of a magazine subscription service.

The subpoena, signed by Sennett, was served on Edwin Johnson, owner of Home Reader Service of Harrisburg.

"We have received numerous complaints regarding Home Reader Service, such as high pressure sales tactics, false offers of free gifts, misleading contacts and frequent and disturbing notices for payment once a subscriber falls behind in payments," Sennett said.

"Perhaps the most serious problem is that the contract does not comply with the Pennsylvania Goods and Services Sales Installment Act and furthermore, that it violates the provisions of the recent state consumer protection legislation," Sennett added.

Mrs. Virginia Knauer, Director of the Capital Bureau of Consumer Protection, reported that the subpoena was served by J. C. Scruggs, special agent, on Johnson at his office today.

The subpoena calls for Johnson's presence before Benjamin F. Kirk, Deputy Attorney General at the Harrisburg office of the Bureau of Consumer Protection on March 20.

At that time Johnson will be questioned regarding his firm's selling practices. He is also being requested to bring along certain records.

The subpoena was issued under the auspices of Pennsylvania Act 386, signed by Governor Raymond P. Shafer in December, 1968, which prohibits unfair or deceptive sales practices.

"The cases on file in our bureau reflects the fact that many of these complainants are young people or the elderly," Sennett said.

"I should like to remind all Pennsylvanians that a contract such as this magazine contract is not binding unless a person is 21 years or over. I mentioned this because many of the magazine complainants are minors."

ED WIMMER DISCUSSES INVESTMENT TAX CREDIT

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. REUSS. Mr. Speaker, Ed Wimmer, president of Forward America, Inc., and public relations director of the National Federation of Independent Business, Inc., discussed the 7-percent investment tax credit in a recent radio broadcast. I commend the text of this broadcast to my colleagues:

In recent months, and particularly in the past few weeks, we have heard or read one statement after another from men in high places, that inflation is undermining the foundations of our economy, and leading swiftly to possible price controls, wage controls, and other governmental actions which could alter the entire structure of our society.

These possibilities are not exaggerated, so it behooves all of us to listen and examine any proposal that might aid in getting us back on the right track, and not go on until, as Karl Marx predicted, we end up neck deep in monopoly-socialism.

On the causes and effects of inflation, one might take any facet of the subject and spend a whole day merely penetrating its potential for disaster, but right now our time is limited to 14 minutes, which will be confined pretty much to a tax proposal that could, in one way or another, touch every person in this audience.

I am talking about the 7% investment tax credit for which our National Federation of Independent Business, Inc. fought so hard, and which we argued would be an incentive for family farmers, small businessmen, and other property owners to repair, modernize and better equip themselves in the competitive struggle, and, at the same time, upgrade their properties.

Thousands of independent businesses were among the people and corporations that did take advantage of the tax credit, and the modernization which resulted unquestionably saved a great many smalls from being forced out of the competitive race. Materials costs, labor and taxes had risen to such heights that persons of small means needed something to motivate them into taking risks, and it has been our contention since 1947, that no war on blight, on run-down homes or apartment rental properties, factories, wholesale houses, stores, or whole communities, would ever be a success if it were left to the government, or if some kind of tax incentive motivation wasn't offered to get private enterprise into the picture on a broad scale.

With inflationary pressures now heating up the economy to a point of extreme danger, Congress and officials of the Federal Reserve, Treasury Department, and leading authorities in almost every walk of life are searching for any means of cooling off the economy, and the 7% investment tax credit has come into the line of fire, led by some of the most stalwart defenders of those who would be hurt the most.

Congressman Henry Reuss (Wis.) is one of these men, and he says the investment tax credit has built up inflationary pressures in the capital goods sector of the economy, caused largely by the excessive spending of bigger businesses that are trying to avoid

rising costs before they really need to expand and modernize their plants and equipment.

Mr. Reuss expressed a belief that the family farmer, small business, housing, and state and local governments have been hit so hard by high interest rates, tight money, and other depressing factors, that little if any good can be accomplished by retaining the tax credit. He said in a letter to our office, however:

"In your commentary you oppose repeal of the 7% investment tax credit on the grounds that repeal would be harmful to small independent businesses. Treasury Undersecretary Walker in testimony before the Joint Economic Committee last week confirmed to me that small businesses presently are getting only a very small percentage of the tax benefits that flow from the investment tax credit. Furthermore, as I indicated in my recent letter to you, it is possible to retain the credit for bona fide small businesses, and I think this will be done if the credit is repealed."

Here is how the tax credit could work for the independent, as we wanted it to work and as it strengthened those who were able or could be induced to accept its challenge. And may I repeat, whatever your job, whatever your profession, business or other occupation, what Congress and the Administration, the states and municipalities do about taxes, interest rates, and prices, will affect your pocketbook and the future of those little ones we all love so much.

So, let us do some analyzing of the proposal I have been discussing, and which Mr. Reuss and his colleagues will be weighing in the critical weeks ahead.

A small retailer with a federal income tax bill of \$2,000, for example, invests \$1500 in new fixtures with a useful life of say, eight years. His tax credit would be \$105 which isn't much but it is an incentive; with interest rates, overhead, taxes and other inflationary and competitive pressures closing in on him from all sides.

A professional man, on the other hand, with a tax bill of \$6,000 can invest \$12,000 in equipment, air conditioners, et cetera, and under the tax credits passed by Congress in 1962 and upheld in 1967, enjoy a savings of \$747. A garage with a \$7,000 tax bill could invest \$7500 and deduct a tax credit of \$350, while a corporation with a tax bill of \$5,000 might spend \$30,000 with a trade-in of \$15,000, on equipment with a life span of eight years, and deduct \$1,050.

What bothers Mr. Reuss and others who have confronted this issue under present inflationary conditions, is the condition which he has not only emphasized in the following letter, but also in his remarks before Congress. He writes:

"As the legislation is now written, the credit is not limited to expenditures of from \$25,000 to \$50,000, as you suggest. For example, a firm spending \$1,000,000 in new equipment during a year would have a tax credit of \$70,000 on a tax bill of \$205,000. We are therefore talking about big tax breaks for very large firms."

On the floor of the House, the Wisconsin Congressman declared:

"We are subsidizing business to create excessive investment at a time when, to restrain inflation, we are imposing restrictions on consumers, in the housing industry and on the social programs of federal, state and local governments."

Mr. Reuss could prove his case, I am sure, just as he has proven to the full satisfaction of any reasonable, informed person, that those of us who have been insisting that the 10% surtax and high interest rates have not only harmed the family farmer, small businessman, and those least able to borrow or meet their obligations, but instead of reducing inflationary pressures, have increased them.

Small businesses and family farmers are closing out all over this country, because they cannot make it under present monop-

olistic, competitive conditions, credit restrictions and over-burdening taxation, and when Mr. Reuss declared in his opposition to the Pentagon's potential \$100,000,000,000 anti-ballistic missile system boondoggle, that what this country needs most is to focus its "financial and scientific power on enabling mankind to live the good life," he wrapped up our whole problem in a nutshell.

This country, the overwhelming majority of the people, this Congress and past Congresses, and the past and present administrations have gotten us into the fix we are in in Vietnam, in the migration of our farm families to God knows where, into one crisis after another in our cities and towns—because too many listened to too much talk about treatment of effects instead of appeals to get at the root of our problems. We used billions of dollars worth of salves on our cancerous slums, billions to bulldoze millions out of slum areas, to create more slums, because we spent pennies on prevention, pennies on taking the slums out of people before taking people out of the slums.

On the agricultural front, we subsidized huge corporate farming with tax advantages that made taxless farming a profession in the United States. We treated the monopolies that rigged farm prices, controlled whole markets and drove 5,000,000 families off the land since 1950, by circuitous routes that passed up the real issues; and we let a handful of banks, corporate combines, chains and conglomerates flaunt our antitrust laws, our tax laws, and our traditions of fair play that we practiced only on the football field, baseball diamond, and basketball court.

There are enough men in Congress in this year of 1969, however, who know we cannot continue our past course and not end up in chaos, whose voices are going to be heard. There are economists, publishers, commentators, federal agency officials, governors, and men with great concern over events who are now speaking up from the ranks of labor, farm organizations, business and professional groups such as our own; educational institutions, from the stock exchanges, Securities and Exchange Commission, in military circles and men deep in the new Administration who with enlightened support from the grass roots can return us to the social, economic and political sanity the whole world is crying for.

A simple investment tax credit of 7% may be a small thing to talk about with all that is going on around us, but if it motivates 100,000 smaller enterprisers to put some light and color into their operations, or make themselves a little more efficient, it is important because saving one small business is important to this country; because keeping one school bus filled with happy farm children is important, and because we cannot permit blighted properties to take on more blight, and because the Federal Government cannot meet this or any other major issue without the private initiative of private citizens, generated on the widest possible front.

During the past several months, we have won Congressional victories on many issues that are going to help halt the liquidation of a large number of independent enterprises. There have been decisions handed down by the courts that will wipe out discounts, tax evasions, discriminatory practices and acts of unfair competition that, while far from our ultimate goals, will lead to conditions more favorable to family farming and the chance of young people again striking out on their own.

As a result of continuous efforts of so many organizations, publications, commentators, economists, et cetera, and high minded men in Congress and government agencies, we are witnessing a study of the whole farm problem, and the tax structure, for the first time in our history. The conglomerates, chain stores, oil depletion allowances, trading stamp companies, games and other market

practices are all coming under the full spotlight of investigation. Consider the spotlight on the big foundations, bank-holding companies, our unbelievable mistakes in foreign policy, the industrial-military-labor-government complex President Eisenhower spoke of in his farewell address, and above all, I urge you not to overlook the principal challenge now staring all of us straight in the face: the rejection of society by an overwhelming number of our young people who, silent or vocal, have indicated a deep yearning for a cause, unaware that the cause is the times in which they live.

The gentleman from Wisconsin, Mr. REUSS, whom I have quoted this week, is one among many of our lawmakers who are as deeply concerned about the future as you or I, for they are on the scene where great decisions must be made which could determine the course of our nation for generations to come.

A tremendous responsibility must rest in part on the shoulders of every enlightened citizen in this country, and the fewer there are who carry the burden the more uncertain the future.

TWENTY-THIRD ANNUAL CUYA-HOGA COUNTY BAR ASSOCIATION MERIT AWARDS LUNCHEON

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FEIGHAN. Mr. Speaker, February 19 the Cuyahoga County Bar Association held its 23d annual Public Servants Merit Awards luncheon.

At the annual Public Servants Merit Awards luncheon the persons selected for the particular year are saluted and each presented with a Certificate of Merit. The merit awards are based on long and faithful service, devotion to duty, unflinching patience and courtesy, and helpfulness to the public and to the members of the bench and bar of this county.

The plan, to award deserving public servants, was inaugurated by Raymond D. Metzner, a past president of the Cuyahoga County Bar Association, 1947-48, and has been followed continuously every year since its inception.

Five court attachés were selected by the association this year for their outstanding service to the public and the legal profession and have spent a total of 200 years in the city and county offices:

Samuel J. Durante, presently with the legal service, intake department of the Cuyahoga County juvenile court, has a long career in social service work, having been a caseworker with the Cleveland welfare department from 1933 to 1937, with the Cuyahoga County welfare department from 1937 to 1942, a caseworker, part time for the American Red Cross home service from 1941 to 1942 and full time from November 1945 to May 18, 1946.

On May 19, 1946, he became a probation officer for the Cleveland municipal court and remained in said post until September 3, 1963, when he was appointed to his present post.

He is a graduate of the Chicago Law School and received his LL.B. degree in June 1932. He attended Northwestern University for 2 years of prelaw. He took special courses at Yale University, School

of Alcoholic Studies, and also took courses at Western Reserve University, School of Applied Social Sciences.

He served in World War II with the U.S. Army 118th Radio Intelligence Company attached to the 3d Army, European theater of operations.

Tom S. Dwyer, assignment commissioner for the court of appeals, has served the courts for 32 years, having been a probation officer in municipal court for 7 years assigned to war veterans, bailiff for 3 years for the then Common Pleas Court Judge Burt W. Griffin and his present post which he has held since 1947. Prior thereto, he was a member of the Cleveland Fire Department for 2 years and was 7 years a deputy county treasurer and paymaster.

Widely known as an announcer at boxing and wrestling exhibitions, he served as a member of the boxing and wrestling commission and as boxing commissioner in 1926 to 1932 he introduced rules that still endure, and as an announcer, he announced the first boxing show in Cleveland which was broadcast over a national TV network.

He was a sergeant of engineers in the 37th Division in World War I and served overseas. He has been on the managerial staffs of the campaign committees of many successful candidates.

He is married to the former Florence Kodidek, who holds the position of chief administrative officer for the general administration of the data control center for the city of Cleveland.

Sylvester J. Konlarski, deputy clerk, assigned as night auditor in the title bureau, in the office of Emil J. Masgay, clerk of courts, has been in that position since September 1950. His service dates back to July 1, 1936, when he was first appointed to the county clerk's office, as deputy clerk, by John J. Bushner, who was then clerk of courts. He can justly be proud of his work record, inasmuch as he has, consistently, never missed a day at work in 20 years.

He is active in ward politics, having joined the Seventh Ward Democratic Club on January 2, 1921, when he was 21 years of age and remained a member until 1963, when he transferred to the Sixth Ward Democratic Club, where he is presently a member.

He is a graduate of St. John Cantius School and was graduated from the Polish National Alliance College, now known as Alliance College, Cambridge Springs, Pa., in 1919.

Eva M. Peterlin, deputy clerk in the probate court, has the distinction of having worked in practically all of the departments of the probate court. Her first position was as a clerk-typist with the city of Cleveland, Department of Health, Bureau of Vital Statistics, to which she was appointed on October 13, 1924. She remained in that position until March 15, 1927, when she was appointed to a position in the probate court and has remained there since, becoming deputy clerk in January 1956.

A gracious and charming person, who is zealously devoted to her work, she is blessed with five nieces, two nephews, and is a grandaunt to nine grandnephews and three grandnieces, all who adore her. She makes her home with her older

sister, Mary Ivans, and brother-in-law, Frank Ivans. She enjoys doing needlework and a good game of cards.

Max A. Silverberg, presently deputy bailiff of the Cleveland municipal court since October 16, 1932, and a deputy clerk 1 year prior thereto, equally holds the distinction of having served in practically every branch of the bailiff's department; namely, in the office of said department, bailiff to the jury commission, in the field for 15 years, in all the courtrooms in which civil and criminal cases are heard, as referee in courtroom No. 1, and for the last 6 years assigned to courtroom No. 3, known as the motion room.

A lawyer since 1925, he attended Adelbert College, Western Reserve University, and was graduated from Cleveland Law School in 1923. He recalls some fond memories as a newspaperboy and his membership in the Council Educational Alliance on East 38th Street and Woodland Avenue. He and his wife, Edith, are the proud parents of two sons, one of whom is a pharmacist and the other a captain in the U.S. Army Reserves and employed in the Defense Department, and a daughter who is a registered medical technologist, and they also have four grandchildren.

Highly popular among lawyers for his generous and kindly assistance, he is equally helpful to the public. During World War II, he helped in the formation of the rationing boards in the county and served as clerk in rationing board No. 1.

Already hailed for their distinguished public service were the following recipients of the awards in the years listed below:

1947: Frank T. Kelly, P. E. Knowlton, George Martin, R. E. Mollenkopf, Guy L. Spencer, and Charles Tonsing.

1948: William B. Dillon, Sadie L. Drake, Thomas F. Flynn, James M. Kelsey, and Edward T. Murray.

1949: Olcott M. deRosset, Helen M. Finucan, Anna Mary Harrington, James A. Lavelle, and Charles Sovish.

1950: Thomas A. Albertson, George P. Heldt, Anna Mae Lahiff, Lillian G. McGinty, John F. Ray, and Ellis V. Rippner.

1951: Frank R. Love, Charles T. Murphy, Ann Tobin, Walter G. Whitlatch, and Fred H. Wilker.

1952: David C. Brown, Marie Friebohn, Edward L. Hilliard, John E. McCracken, James F. Meade, and Raymond E. Smith.

1953: Lottie Bialosky, Paul DeGrandis, C. A. Dunham, George A. Froelich, and Kenneth V. Wilson.

1954: Grace A. Berger, Dominic C. Demorbus, Peter P. Mokris, Harry T. Shannon, John B. Sheller, and Harry J. Walker.

1955: Fred W. Bocke, Lucy C. Cunneen, William L. Gibson, William Schroeder, and Carl Yedlicka.

1956: Helen S. Beck, Bruce J. Boutall, Robert Fasciano, Winnona L. Hampton, and Nathan Suid.

1957: Joseph A. Cachat, Alma A. Lucht, Robert J. Miller, Merle S. Norris, and Beth Parker Zack.

1958: Jacob Bendau, Bernard A. Bingham, Eugene A. McCabe, Anthony E. Patton, and Lucille D. Ungvary.

1959: Harry W. Arnold, Louis B. Schram, Norma L. Stoll, Walter G. Sykes, and Elmer J. Whiting.

1960: Helen R. Auslander, E. Dana Brooks, Leo G. Chimo, Frank E. Dempsey, and Ruth E. Littman.

1961: Frank J. Claffie, Edward DiLeone, Eva Kanzeg, Elisabeth Morrison, and Ralph J. Simon.

1962: Elizabeth Bertram, Lewis W. Blackman, George H. Callister, Helen Long DeGrandis, and Myron T. Moses.

1963: Lavina Brock, Leo Catalano, Andrew C. Lillie, Raymond C. Noonan, and Leota Steever.

1964: William A. Franz, James A. Green, Raymond C. Johnson, Walter A. Morsefield, and Anne Sheboy Neeson.

1965: Peggy DeTemple, John T. Donnelly, Henry G. Primosh, Marie Turner, and Lucile B. Yaeger.

1966: Sam J. Berman, Walter A. Dorsey, Erwin W. Falch, Maude H. Maddie, and Anne E. Spisak.

1967: Ray C. Basel, Harry L. Bral, David M. Kikstadt, Bernadette Quigley, and Leonard D. Smolinski.

1968: J. Frank Hoban, Joseph A. Kader, Harriet M. Kwarciany, Martin F. Murphy, and Joseph S. Pietrafese.

SALUTE TO THE SEABEES

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RIVERS. Mr. Speaker, Wednesday, March 5, marked the 27th birthday of an organization to which we owe a great debt of gratitude. I refer to the U.S. Navy's construction battalions, well known as the Seabees.

Their accomplishments are many. They have been indispensable in every war we have fought since their inception. We owe them the highest sort of tribute.

In this connection, I would like to insert at this point in the RECORD an article which aptly describes the Seabees. I refer to the column entitled "The Rambler," which appeared in the Evening Star on Wednesday, March 5.

The article follows:

THE RAMBLER SALUTES THE SEABEES

(By John McKelway)

Man came around and deposited a great deal of material on the Rambler's desk involving the Seabees, the construction battalions of the United States Navy.

It seems that today the Seabees are celebrating their 27th birthday and, try as he might, the Rambler could see no reason not to celebrate the birthday.

This is a good outfit, according to a grizzled Marine the Rambler talked to, and it is true you rarely hear of what they do, so why not mention a few things?

What they do do is furnished by the public relations department of the Seabees and while it does show our deep commitment in Vietnam it does seem time some of their accomplishments might be published. At least the Rambler has never seen a breakdown on what the Seabees have been up to. He found the following interesting:

If lined up together, quoting from some of the Seabee material, "all the warehouses, administration buildings, troop housing, repair shops and other structures built by Navy Seabees in Vietnam would fill 800 football fields."

This, of course, is the sort of stuff that all branches of the armed forces ought to be armed with and the Rambler can't resist repeating it here.

Some others:

If all the housing facilities constructed by the Seabees in Vietnam were converted into

a hotel covering one city block, that hotel would rise twice as high as the Empire State Building.

The Seabees have set enough "instant airfield" matting to cover the whole Los Angeles International Airport, including its runways, terminals, parking lots and aircraft maintenance buildings.

They have paved enough open storage area to provide every home in the State of Delaware with a super-sized patio. (This is the sort of information the Rambler should check out—at the moment, he is too tired. But he believes it.)

They (again the Seabees) have built enough fuel-storage area to send the average American motorist on 47 round-trips to the moon. (Whew!)

They, with the rock provided by Navy Seabee quarries and crushers in Vietnam, could have built an 8-foot-high, one-foot-thick wall around South Vietnam's entire borders.

(On reading this the Rambler's first reaction was that perhaps this might have been done in the first place. But he gathers somebody turned it all down in favor of air power.)

And the Seabees have constructed so many vehicle and aircraft maintenance facilities that if built into a single complex it would make a service station nearly four miles long and capable of handling 1,500 cars at a time.

(There are stretches in the United States that appear close to that but let us emphasize that the Seabees have had nothing to do with it.)

But on a serious note:

There have been 52 Seabees killed in combat, while another 700 have been wounded in action, some more than once.

The Seabees are constantly at work building bridges, wells, electrical and sanitation systems and farm-to-market roads.

They have opened five rock quarries and the product goes into something of a super-highway from Da Nang to Khe Sanh.

In three months, during one period, the Seabees came up with accommodations equivalent to a city of 50,000, after a call to get Army and Marine Corps units out of the monsoon mud.

Richard Tregaskis, author of "Vietnam Diary," called the Seabee Teams: "The hottest troops in this war."

Well, it might appear that the Rambler has been taken in by all this. He has. But you know the type. The guy with the cigar moving his bulldozer into a sloppy mountain of mud, deadpan. You can see him around Washington.

During a war they are not vastly different. Only a few of us really understand what they are doing. But they do it and in an impressive sort of way.

So Happy Birthday to the Seabees. They've got a recruitment program going, naturally, and the war might be easier to take so long as you're building. Something, anything. Not killing.

The Rambler salutes.

THOMAS G. MASARYK, FIRST PRESIDENT OF THE CZECHOSLOVAK REPUBLIC

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. STOKES. Mr. Speaker, today is the birthday of Thomas G. Masaryk, first President of the Czechoslovak Republic, which will be in observance throughout parts of our country by Americans of Czechoslovak parentage.

Mr. Masaryk, a teacher, a philosopher, and an advocate of freedom for the Czechoslovak people was elected President of the Republic in 1918 and re-elected in 1920, 1927, and 1934, before resigning in December of 1935. Czechoslovakia was then an infant of democracy, guided and sponsored by the United States of America. Under the leadership of President Masaryk, this country became closely identified with our basic democratic principles.

Czechoslovakia was first crushed under the Nazi imperialism, and was later subjected to the tyranny of Soviet Communist domination of her land. For the second time, Czechoslovakia is in bondage under the iron heel of the Soviet Kremlin.

In keeping with the traditions of this country in giving recognition to other ethnic leaders who have valiantly fought the cause of liberty, I urge all of the citizens of our great Nation to join in the observance of this day. Let us accord full honor to this great fighter for human decency and freedom, and hopefully look forward to the day when the people of Czechoslovakia will again be able to practice the great principles of a democratic nation.

CAR INSURANCE DENIED—HOME LACKS TIDY TOUCH

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, during the first session of the 90th Congress my distinguished colleague from New Jersey (Mr. CAHILL) and myself began a colloquy on the problems posed by the multibillion-dollar automobile liability insurance industry.

Since that time I am pleased to report that there has been considerable interest in the problem. The House Judiciary Committee undertook a survey of the cancellation and renewal practices of companies. Its report, in turn, led to the full-scale probe of automobile insurance currently being conducted by the Department of Transportation. What is more, a number of States, including my own, have moved to protect the public more against malpractice and the highly questionable procedures employed by many companies.

Despite this activity, we have made little progress. Company procedures are still shrouded in mystery. Premium costs, particularly in large cities, are still high. And the company methods for evaluating the risk potential of their insureds is extremely unfair and seems to have little connection with an individual's driving skill.

Mr. Speaker, I think the following article, which appeared in this morning's Washington Post, makes this point all too well:

CAR INSURANCE DENIED—HOME LACKS TIDY TOUCH

(By Mary Ann Seawell)

A bewildered Kensington man has complained to Maryland officials that his auto-

mobile insurance was canceled because an investigator felt his house was filthy.

The man, Noel C. Thornton, a bachelor, admits, "I haven't got the woman's touch, but I keep the place neat." In addition, he fails to see the connection between the appearance of his house and his ability to drive.

Thornton, 39, who came to this country from Northern Ireland seven years ago, and now works at a service station, gives this account:

After buying a second-hand car from a friend late last year, he applied to All-state Insurance Co. for insurance. He was given a policy with National Emblem Insurance Co. of Roanoke, a subsidiary of Allstate.

In January, a man who identified himself as an inspector for Allstate came to Thornton's 1½-story frame and brick house. Thornton says he was in the middle of a decorating project, that he had just taken up the dining room rug and was preparing to tile the dining room and kitchen.

"My settie needed recovering and I needed a rug in the living room. . . My two dogs were chewing bones on the floor," he says.

Ten days later Thornton received notice that his auto insurance was cancelled. No reason was given. Thornton wrote the company asking the reason and received, in part, the following reply:

"As you may know, many insurance companies, under certain circumstances, conduct routine investigations to assist them in selecting and retaining an average group of policyholders. In your case, it is alleged that your house is filthy. For this reason, it was determined that we could no longer carry your insurance."

Thornton, of 4204 Brookfield dr., complained to the office of Maryland Insurance Commissioner Newton Steers, who said the case is being investigated.

Spokesmen for Allstate and National Emblem could not comment on the case. James Kelly, regional underwriting manager for the firms, issued this statement:

"Under Maryland law, when an insurance company cancels a policy, the applicant has the right to ask the company for the reason for the cancellation. When the company gives that reason in writing, the law protects the company from any lawsuit that might allege that the reason was libelous.

"Our attorneys have advised me that in any further discussion of this matter or this type of matter the company has no protection of this sort. Therefore I can make no further comment."

Thornton says he was turned down by ten other automobile insurance companies after the cancellations but now has obtained a policy with another firm at a higher cost.

EARL F. HAYES 1968 OAK CLIFF, TEX., MAN OF THE YEAR

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Earl F. Hayes, an outstanding businessman, developer, and civic leader, has been named Oak Cliff Man of the Year. I am inserting below an account of his unusual achievements which appeared in the Oak Cliff Tribune.

Not included in the Oak Cliff Tribune account is a current project undertaken by Mr. Hayes to help returning war veterans obtain employment. He has financed this effort from his personal funds and has succeeded in placing lit-

erally hundreds of veterans in the Dallas area in jobs.

It is remarkable that a man who has achieved high success in the business world could take time to concern himself with the problems of returning servicemen, but this is an indication of Mr. Hayes' compassionate character.

The article follows:

EARL F. HAYES, 1968 MAN OF THE YEAR

Earl F. Hayes bought the Avis franchise at Love Field a number of years ago for \$58.

The fact that there weren't any other bidders was ample proof that car rentals around the airport weren't a very lucrative business at the time. And the competition was very formidable from No. 1.

But a man of unusual perception and keen business acumen, Earl Hayes believed that only the sky was the limit for commercial aviation. And that busy and impatient travelers would rent automobiles in great numbers at major airports.

Now Earl Hayes is a franchised Avis dealer all over Texas in the bigger towns and cities and one of the most important stockholders of the parent company.

A man of unbelievable drive and energy, Earl Hayes has no patience with inefficiency or with dull people. When he tackles some project, he is an insuperable ally or a powerful enemy should he be opposed.

Because of his intensity and drive, Earl Hayes has made friends and enemies. Few people who know him well have neutral feelings about the automobile tycoon.

But even his worst enemies will admit that Earl Hayes has been good for Dallas and Dallas has been good to Earl Hayes. Not only has Hayes tackled the really big assignments with regularity, there is very little quarrel with his performances. And despite health problems, Hayes stays deeply involved in the elite circle of top Dallas builders. Dynamic men, as the late Uncle Bob Thornton called them.

And those in political and city affairs are keenly aware that Earl Hayes is one of the few men of Oak Cliff who puts his money where his mouth is. He comprehends that city building and civic affairs and cultural excellence are expensive. He pays his share as few men in Oak Cliff are prone to do.

Earl Hayes may have put together the most affluent business empire ever built by a single Oak Cliff businessman. His holdings are not only highly diversified, but far flung. Nearly every phase of his business operations nets him a handsome return.

From the automobile business—and the physical plant and land accumulated for the Chevrolet operations is worth a small fortune—Earl Hayes has branched out into one of the major Avis stockholders, airport parking, car leasings, limousine service, real estate, land development, apartments, industrial parks, insurance, stocks and bonds, finance. The breadth has long since transcended the Dallas city limits in many other cities.

The only serious reverses along his mad dash to affluence came during the Eisenhower administration and this was to influence his politics profoundly. From a staunch conservative, Earl Hayes became an unapologetic Democrat who supported Lyndon Johnson and the other nominees of the party with vigor and with funds.

Earl Hayes managed Joe Pool's tough campaign against Jim Collins and had accepted the post again before Pool's untimely death. But he likewise backed liberal Democrats and the national ticket.

A tough-talking, no-nonsense infighter, Earl Hayes plays the game of politics with vigor.

During the days when it was expedient to retrench, many employees of long standing

were severed as Earl Hayes was forced to cut back. Some of these onetime Hayes executives are still bitter enemies. But most have made business successes of their own, undoubtedly as beneficiaries of the training in his organization.

After he graduated from Harvard's School of Business, young Robert Hayes was groomed to become his father's trusty right hand. And although the younger Hayes has shown increasing political and social independence, as a business partner he has gradually taken much of the burden from his father.

Suffering a severe heart attack as a relatively young man, Earl Hayes has been forced to pace himself very carefully. At times he has found it necessary to leave the business for months on end. In recent years he and Mrs. Hayes have vacationed at a villa in Italy, leaving behind the pressures of business.

Among other accoutrements of wealth and health, his office includes a modern kitchen with well-stocked larders. Tasty luncheons are prepared and served up to a dozen or more visiting friends, dignitaries or business acquaintances at frequent intervals.

There is a quiet office where Earl Hayes can nap or rest in a motorized bunk which is gentle therapy for poor circulation in his legs. Included are full baths and dressing rooms for himself and Bob.

With a tendency to be retund at times, Earl Hayes has carefully watched weight and diet and has remained a very trim man since his attack. The Heart Fund has been one of his principal charities and civic endeavors as a result of his experience.

The Earl Hayes home in Kessler Lake Estates is probably the most lavish ever built in the community. Furnishings come from exotic lands around the globe including many Mayan relics. The investment must exceed \$300,000.

And although he received some early criticism for organizing Red Bird Industrial Park around some longtime personal land holdings, this has proved to be unfair comment. As chairman of Red Bird Park he has been one of the most devoted and energetic developers of the industrial complex which will eventually pour hundreds of millions of dollars worth of resources and payrolls into the community.

Only last year, Earl Hayes and James Dycus, an earlier man of the year, made several trips to the midwest and spent hundreds of hours trying to land a major factory for the district. Their spadework might still pay off in a 1,000-man payroll one day. And already Red Bird Park has made a substantial contribution to Oak Cliff's economic health.

Born and reared in Aurora, Missouri, Earl graduated there from high school. After a course at Draughon's Business College, he began his business career as office manager for the Willis Overland distributorship in Springfield, Missouri.

In six years he progressed to Sales Manager of that firm. Later he left to become a Willis Overland car distributor in Kansas City, Missouri.

Next he became associated with Willis Overland factory, attaining the position of regional organization manager.

In 1931 he became a district manager of the Chevrolet Motor Division in Oklahoma City. By 1938 he was national sales promotion manager for Chevrolet.

In May of 1945, he purchased a thirty per cent interest in Roy Hill Chevrolet Company in Oak Cliff and in 1949 he bought out two partners and formed Earl Hayes Chevrolet Company. Since that time, the dealership has grown to be among the country's largest Chevrolet dealerships and is the No. 1 Chevrolet truck dealership.

The Earl Hayes Foundation was chartered in 1950 to accumulate and administer funds for the charitable activities of the family.

In 1951 he organized Earl Hayes Rents Cars & Trucks. In the years 1952 through 1955 he purchased Avis franchises in Dallas, Fort Worth, San Antonio, Austin, Midland-Odessa and Lubbock. And he has set a fast pace for his competitors in these seven cities in vehicle renting and leasing.

In 1953 he secured his state insurance license and formed Earl Hayes Insurance Agency to handle needs of friends and customers of the Chevrolet company and affiliated enterprises.

In 1954 Oak Cliff Life Insurance Company was formed, primarily to write creditor life insurance in connection with automobile notes discounted by the Earl Hayes Chevrolet Company. This company was sold in 1967.

In 1963 Earl Hayes was among the organizers of Red Bird Industrial Park, currently the fastest growing planned industrial area in Dallas. He now serves as chairman of the board of that corporation.

In early 1964 he secured the Valet Parking franchise from the City for ten years at Love Field Airport. Besides rendering a service to customers of the airport, the Valet Parking service has increased the overall parking revenue received by the city.

Only last month he won the parking franchise in Houston.

Earl has been Oak Cliff Chamber president, Dallas New Car Dealers president, chairman of Oak Cliff Christian Church, chairman of the Central Highway Committee, Dallas Chamber vice president, Heart Fund chairman, Oak Cliff Kiwanis president and has held an endless string of less glamorous jobs.

He takes his turn at fund-raising and the civic challenges which require sweat and time in addition to money.

While his life is steeped in controversy, no one can honestly deny that he has been a giant among Oak Cliff community builders.

PRESIDENT NIXON'S TRIP TO EUROPE

HON. W. E. (BILL) BROCK
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 1969

Mr. BROCK. Mr. Speaker, President Nixon has just returned from a triumphant journey to Europe. The success of his mission can be measured in many ways: by the surging crowds of friendly people who flocked to greet him in each of the nations he visited; by the strongly favorable impression he made on the leaders of the free world community; and by the new sense of purpose and life which he has infused into NATO.

Less apparent on the surface is another achievement which may outweigh the others in the long run. President Nixon has emphasized the importance of planning and prevention—the role of NATO and our European friends in organizing together to forestall crises rather than be confronted by them at the last moment when they have taken on ominous proportions.

By consulting with the leaders of free Europe, and proving to them that America can be a good listener as well as a good leader, President Nixon has strengthened European friendship and European respect for our country and the man who leads it.

I would like to add my expression of gratitude to the many that President Nixon has already received for an outstanding diplomatic success.

FASCELL CITES NEED FOR BILINGUAL EDUCATION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 1969

Mr. FASCELL. Mr. Speaker, bilingual education is of increasing importance in the United States, not only to train our citizens in other languages, but to teach English to those who have come to our Nation, as well. In my own congressional district, where so many of those who fled Castro's Cuba now live, instruction in English is vital. Similarly, a knowledge of the Spanish language would be valuable for many native-born citizens of south Florida who come in frequent contact with Spanish-speaking persons on a business or social basis.

The need for bilingual education, however, is not confined to any one State or area of our country. The need is nationwide. Increasing trade and travel between the United States and other countries make it more necessary than ever before that our citizens be able to converse with our neighbors on this ever smaller, increasingly interdependent planet.

As chairman of the Inter-American Affairs Subcommittee of the Foreign Affairs Committee I am especially aware of this need in our own hemisphere where four separate languages are spoken. If we are to fully understand one another and strengthen the bonds of friendship among the American countries, we will have to pay increasing attention to language instruction in Spanish, Portuguese, and French.

In view of these needs, I was heartened to take note of recently reported possibilities that a Spanish-American citizen may be chosen to become a special assistant for bilingual education to the U.S. Commissioner of Education. I hope that a well-qualified educator who is widely respected in this field will be chosen for the job.

In the meantime, for the benefit of my colleagues, I include in the RECORD an editorial on this subject from the Diario Las Americas newspaper of Miami, Fla. It reports on current developments and declares that the apparent intention to choose a qualified Spanish-American for this post "deserves applause and backing."

The article follows:

BILINGUAL EDUCATION IN THE UNITED STATES OF AMERICA

It is a statistical fact that in the United States of America, with the exception of groups of foreign ancestry of one or two generations living in the country, English is almost the only language spoken. That is, generally speaking, the Americans only know their own language. This limits considerably the possibilities of a cultural, political, economic, commercial and social closeness of the United States with other nations of the world, especially those in our hemisphere, almost all of them Spanish speaking, and with which the United States shares a common destiny.

In this great American nation there are more or less fifteen million Spanish-speaking persons, the ranks of which are formed to a great extent by immigrants from Spain or Latin America, or their descendants. There also are, of course, many Americans who, of

their own free will, without any ethnic ties whatsoever with Spain or Latin America, speak Spanish. The presence of these fifteen million bilingual inhabitants, who speak English and Spanish, gives Spanish a very significant importance in the United States.

In the Washington Evening Star recently was published the news that the Secretary for Health, Education and Welfare, Mr. Robert H. Finch, "is looking for a Spanish-American to serve as Special Assistant to the Commissioner of Education, Doctor James E. Allen, Jr." The mentioned information adds that Secretary Finch "made the announcement at a news briefing recently, and said that the post would carry the title of Special Assistant to the Commissioner of Education for Bilingual Education."

Surely the Federal Government is thinking about bilingual education not only in order that the children and youths of Spanish origin may learn English, but also so that children and youths from English-speaking families may also have the opportunity to learn a foreign language which, because of the geographic position of the United States and its extraordinary ties with Latin America, should be the Spanish language.

May this important office of the Executive Power wisely choose the American citizen of Spanish origin to fill the post of Special Assistant to the Commissioner of Education for bilingual Education. The measure mentioned by Secretary Finch, that tends to support the job of Commissioner Allen Jr., deserves applause and backing. When bilingual education is generalized in the United States of America in a good percentage of the population, this great Nation will derive from it great advantages of a political, cultural, commercial, economic, and social nature.

BLACK LUNG DISEASE

HON. RICHARD D. MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 1969

Mr. MCCARTHY. Mr. Speaker, one of the most serious hazards to the health of our working population has begun to receive the attention it has long deserved. I speak of pneumoconiosis, otherwise known as black lung disease. This so-called occupational disease has long plagued the coal miners of America. We have too casually accepted as the price for coal mining the crippling and shortening of life of thousands of miners.

Fortunately, there are those who recognize that there should be no such term as "occupational disease." Representative KEN HECHLER has led the fight to pass necessary legislation requiring that measures that will eliminate this disease be taken.

He has also pushed for a strengthening of the mine safety regulations that would go far to reduce unnecessary toll from mine accidents. Employee safety should be the first consideration of every coal operation.

I include two editorials appearing in the New York Times on February 25 and March 5, respectively, on this subject at this point in the RECORD for the information of my colleagues. The gentleman from West Virginia (Mr. HECHLER) should be highly commended for his forthright and energetic action on this problem.

The editorials follow:

[From the New York Times, Feb. 25, 1969]
COAL MINERS' REVOLT

The wave of wildcat strikes by West Virginia coal miners makes it plain that action on mine health and safety cannot wait. The strikers are seeking stronger state laws, but action at the Federal level is even more urgently needed. It required the loss of 78 lives in the Farmington mine disaster last November to get the Johnson Administration moving on these issues.

The Bureau of Mines has traditionally been more concerned about the economic health of the coal industry than the personal health of the miners. Only in the last four months under the leadership of John F. O'Leary, its new director, has the bureau begun to make surprise spot checks and crack down on mines with dangerous conditions.

Similarly, the Department of Labor had long been reluctant to use its powers under the Walsh-Healey Act to prescribe working conditions in mines which sell directly to the Federal Government. The United Mine Workers, to its lasting discredit, has been more interested in protecting jobs by keeping marginal mines open than in protecting the health of its members. This U.M.W. attitude had a good deal to do with the Labor Department's pussyfooting. The union has even attacked Representative Ken Hechler of West Virginia for what it regards as his excessive crusading against "black lung" disease and other health hazards affecting miners.

But after the Farmington tragedy, Willard W. Wirtz, the retiring Secretary of Labor, finally imposed stringent safety and health standards for mines selling coal to the Government. These standards were to have gone into effect this month, but George P. Shultz, the new Secretary of Labor, suspended them for ninety days. He argues with considerable warrant that he needs the time to determine whether the proposed regulations are "workable, administrable and sensible." But an even better guide to that judgment would have been to install the new rules and let enforcement experience show if revision was needed.

Secretary Shultz points to the inconsistency between the Labor Department's proposed regulations and the less stringent standards called for in a Johnson Administration bill prepared by the Bureau of Mines. But this is not a convincing rationalization; rather it is fresh confirmation of the Mine Bureau's traditional torpor and pro-industry bias.

Given that sorry record it is good news that Secretary of the Interior Hickel is moving away from his original intention to fire the dynamic Mr. O'Leary and replace him with a traditionalist. It is time for the miners to stop losing. The record of their defeats is written in blood.

[From the New York Times, Mar. 5, 1969]
PROGRESS ON MINE SAFETY

The Nixon Administration has wisely responded to the growing public pressure for reform of the dangerous conditions in the nation's coal mines. The Coal Mine Health and Safety Bill which Secretary of the Interior Walter J. Hickel has presented to a House subcommittee was in some respects stronger than the bill recommended by the Johnson Administration last year. Controls on coal dust are more stringent and standards for mine electrical equipment and for protection against cave-ins are more comprehensive.

Secretary Hickel has also joined Representative Ken Hechler of West Virginia in opposing the previous efforts of the United Mine Workers and of many owners to separate the health and safety sections of the bill. Since miners are dying both from poor safety conditions and from occupationally-caused disease, there is no excuse for even

contemplating their consideration as separate issues.

Good as the Administration bill is, however, it can be improved in two important ways. When a mine owner appeals a Government inspector's findings of health or safety violation, the burden of proof should be on the owner rather than on the Government. The statute should establish a minimum as well as a maximum fine for violations instead of leaving the penalty to the discretion of the director of the Bureau of Mines. In the past officials of the bureau have often been supine in enforcing safety laws.

If the House Committee on Education and Labor and its counterpart in the Senate resist lobbying pressures and put through a strong law, there will still remain the problem of administering it effectively. The Administration has apparently decided to retain at least for now John O'Leary Jr., the new and aggressive head of the Bureau of Mines. Doubts about the long-term prospects for a revitalization of the bureau would greatly diminish if Mr. O'Leary were appointed on a permanent basis.

Meanwhile, in West Virginia, a State Senate committee refused to go along with the progressive bill to liberalize the state's Workmen's Compensation Law passed last week by the lower house of the Legislature. As a result, the wildcat strike of miners is spreading. It is a scandal that thousands of ex-miners suffering from "black-lung" disease have never collected any workmen's compensation. It is an even worse scandal that so many legislators are openly reluctant to rectify this injustice.

THE VISIT OF THE PRESIDENT OF DAHOMEY

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LOWENSTEIN. Mr. Speaker, this city and Nation are honored this week by the visit of President Emile-Cerlin Zinsou, of the Republic of Dahomey.

Dr. Zinsou is the first head of state to come to the United States since President Nixon took office. He brings with him the greetings of a friendly people and of a courageous government, whose decision to permit Red Cross relief flights into Biafra has won the gratitude and admiration of men of good will everywhere.

Those who have known Dr. Zinsou through the years cannot help but feel that Dahomey is a wise and fortunate land to have so talented and compassionate a President. Physician, journalist, and experienced participant in world affairs, he serves his people and the international community with unusual scope and vision. His discussions with President Nixon, Secretary Rogers, and with many Members of the House and Senate have given Americans invaluable insights about his country and about the problems and points of view of independent Africa.

He will leave the United States with the respect and best wishes of all who have come in contact with him.

Dr. Zinsou will be especially remembered in Congress for his graciousness and patience during his visit to this

building. We know much more now than we did about the hopes and needs of Dahomey, and indeed of West Africa generally, and many will view these hopes and needs with new understanding and sympathy.

THE WRIGHT SCHOOL DECISION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a resident of the District of Columbia who is a retired attorney at law, Mr. Allen C. Phelps, wrote a letter to the editor of the Washington Star which was published on February 27.

Mr. Phelps believes the subject of his letter, the decision by Judge Skelly Wright in the case of Julius Hobson against the District of Columbia Board of Education, should be investigated. He has asked that I bring his letter to the attention of the Members of this House, and I therefore welcome the opportunity to insert the text of the letter, in full, at this point in the RECORD:

THE WRIGHT SCHOOL DECISION

SIR: In a letter to The Star a short time after Judge J. Skelly Wright's decision in the infamous case of Julius Hobson vs. the District School Board, Dr. Carl Hansen, et al., I characterized that proceeding as a bald usurpation of judicial power, a misconception of the traditional judicial function and, in a practical sense, a social and political disaster. Subsequent events, in my opinion, have confirmed this judgment.

Now that this judicial monstrosity has been laid to rest, temporary at least, by a face-saving decision by four out of seven members of the Circuit Court of Appeals, some further comment may be in order.

The Hobson case should have been thrown out by the trial court at the first hearing; it was lackadaisically defended, since a majority of the old school board seemed to favor the plaintiff; the real parties in interest, the citizens and children of the District, were not represented; Dr. Carl Hansen, the superintendent, one of the finest educators in America, found himself in an impossible position, badgered because he believed in ability grouping for pupils and a sensible and gradual approach to the unsolvable problem of integration. In short, the militant liberals were in the saddle, not only among the defendants, but in the judiciary as well.

So the people and the children lost the contrived battle. A decree came down from the trial judge in effect outlawing de facto neighborhood segregation, ordering busing of students ostensibly to overcome overcrowding in schools (Congress had prohibited busing to achieve racial "balance"), faculty integration, and the end of optional attendance zones (freedom of choice), and last, but not least, abolishing the track, or ability-grouping system. To enforce his order, Judge Wright took over the function of administering policy in the area involved from the school board.

There is no doubt that this outrageous case was a major factor in causing the decline of any real quality education in the public schools of the District of Columbia and that it has contributed greatly to bringing about the present turbulence, infighting and maladministration characterizing the school system. How can any school educate children without recognizing and making provision for differences among pupils in

intelligence and ability to absorb learning? The ideal of equality as applied to such factors is simply nonsense.

As to integration, Appellate Judge Bazelon neglected to face up to the fact that the District enrollment is well over 90 percent black and growing blacker by the year. "Residential patterns and the heavy concentration of black children in the District public schools may defy the best efforts of the Board of Education to achieve racially balanced schools," he said. Thus, it appears that this was the purpose of this litigation from the beginning. But the jurist had no answer to the problem of complete or near-complete black resegregation, now in the offing. He did suggest, however, that the long-run solution might be to extend the District school district into the suburbs, which would presumably bring about a better racial mix.

If there is any lesson to be learned from all this, it is that no universal, enforced integration in the schools in Washington (or elsewhere, in my belief) will ever work, and that, ultimately, the nonbelievers will rouse themselves and militantly and effectively demand that the politicians and the judiciary quit tampering with the country's school districts and that the schools themselves be permitted to go back to old-fashioned, traditional concepts that have educated most of our leaders and in a sense helped mightily in making this country great. Education, if mixed up with or subordinated to social objectives, is bound to languish and perhaps perish entirely.

ALLEN C. PHELPS.

THE MAN IN THE "DIRTY" HOUSE VERSUS THE AUTO INSURANCE INDUSTRY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RODINO. Mr. Speaker, an article in today's Washington Post regarding one man's "filthy" house versus the National Emblem Insurance Co. of Virginia describes, I submit, an incredible example of the absurdities in which the automobile insurance system becomes embroiled. This is the kind of fantastic case that starkly points out how far afield from rational judgment and equity the present system has traveled. I place the article and a letter relative thereto in the RECORD at this point:

CAR INSURANCE DENIED—HOME LACKS TIDY TOUCH

(By Mary Ann Seawell)

A bewildered Kensington man has complained to Maryland officials that his automobile insurance was canceled because an investigator felt his house was filthy.

The man, Noel C. Thornton, a bachelor, admits, "I haven't got the woman's touch, but I keep the place neat." In addition, he fails to see the connection between the appearance of his house and his ability to drive.

Thornton, 39, who came to this country from Northern Ireland seven years ago, and now works at a service station, gives this account:

After buying a second-hand car from a friend late last year, he applied to Allstate Insurance Co. for insurance. He was given a policy with National Emblem Insurance Co. of Roanoke, a subsidiary of Allstate.

In January, a man who identified himself as an inspector for Allstate came to Thornton's 1½-story frame and brick house. Thornton says he was in the middle of a

decorating project, that he had just taken up the dining room rug and was preparing to tile the dining room and kitchen.

"My settie needed recovering and I needed a rug in the living room . . . My two dogs were chewing bones on the floor," he says.

Ten days later Thornton received notice that his auto insurance was cancelled. No reason was given. Thornton wrote the company asking the reason and received, in part, the following reply:

"As you may know, many insurance companies, under certain circumstances, conduct routine investigations to assist them in selecting and retaining an average group of policyholders. In your case, it is alleged that your house is filthy. For this reason, it was determined that we could no longer carry your insurance."

Thornton, of 4204 Brookfield dr., complained to the office of Maryland Insurance Commissioner Newton Steers, who said the case is being investigated.

Spokesmen for Allstate and National Emblem could not comment on the case. James Kelly, regional underwriting manager for the firms, issued this statement:

"Under Maryland law, when an insurance company cancels a policy, the applicant has the right to ask the company for the reason for the cancellation. When the company gives that reason in writing, the law protects the company from any lawsuit that might allege that the reason was libelous.

"Our attorneys have advised me that in any further discussion of this matter or this type of matter the company has no protection of this sort. Therefore I can make no further comment."

Thornton says he was turned down by ten other automobile insurance companies after the cancellations but now has obtained a policy with another firm at a higher cost.

NATIONAL EMBLEM INSURANCE CO.

Roanoke, Va., January 29, 1969.

NOEL C. THORNTON,
Kensington, Md.

DEAR MR. THORNTON: Thank you for your letter requesting the specific reasons regarding the recent cancellation of your National Emblem Automobile Insurance Policy.

As you may know, many insurance companies, under certain circumstances conduct routine investigations to assist them in selecting and retaining an average group of policyholders. In your case, it is alleged that your house is filthy.

For this reason, it was determined that we could no longer continue to offer you coverage under this policy.

Under Maryland Law, an explanation furnished by National Emblem in answer to the named insured's request is privileged, and will not constitute grounds for any course of action against National Emblem or its representatives or any firm, person or corporation who in good faith furnish to National Emblem information upon which the reasons are based.

I sincerely regret that we cannot be of further service to you.

Sincerely yours,

Underwriting Department.

(NOTE.—Insurance firm in letter alleges client's home was filthy, canceled his policy.)

MAKING THE PUNISHMENT FIT THE CRIME

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. SPRINGER. Mr. Speaker, all of us, particularly those living in the Capli-

tal City area, are concerned with crime in the District of Columbia and have been shocked at published statistics showing the rapid increase in just the past 3 years in major crimes. David Brinkley of NBC News recently spoke eloquently on this problem. His idea is food for thought and I bring his comments to the attention of my colleagues:

In the last year armed robberies in the District of Columbia increased 107 per cent. In the last three years, they have increased 452 per cent. In December, 1965, there were 114 or about four armed robberies a day. In December, 1968, last month, there were 629—more than 20 a day. An armed robbery almost every hour, around the clock, seven days a week.

Other kinds of crime increased, too. And visitors are astonished to find that among the natives there is more talk about crime, and the fear of it, than there is about politics, money or even sex. And so it is a formidable public concern—and rightly so.

I have talked with a famous criminologist who is an expert in this field and his fear is that if it isn't stopped soon, somehow—in Washington and the other big cities—there will soon be an unhealthy and dangerous public reaction. What he fears is that there will appear a public cry to unleash the police, or some phrase like that—to forget all the Constitutional niceties and all the lawyers' courtroom technicalities—and to let the police do whatever they think needs to be done to make the cities safe to live in. It hasn't happened yet, but it is a danger.

Here is one reason why it's a danger. Some time ago, a woman in her sixties, a widow, was beaten and robbed in the street and left badly injured. The police caught two young punks and they were tried and convicted and they got 60 days in jail, which they served. But when they got out of jail, their victim was still in the hospital and she came out of it totally bankrupt, from hospital and doctors' bills which she had to pay herself at a time when she lost four months' income because she was unable to work. Her attackers, even though convicted, got off lighter than she did. The law was very solicitous about the rights of the robbers while paying absolutely no attention to her.

What I've thought for a long time is that a criminal, in a case like this, ought to get both criminal penalties and civil penalties. They ought to have to pay their victim for the damage done, the court to decide how much. Street bums generally have no money, of course. But if they were put to work in a prison factory or prison farm—at prison wages—until the victim's damages were paid for, there would be then some element of fairness in this sordid mess. Instead of 60 days, it might take them 10 years to earn enough money. If so, too bad.

In some ancient civilizations that was the law. We have learned other things from the ancients. We might do well to learn that. President Nixon announces a war on crime. There is an idea worth trying. He can have it.

THE CHEMICAL INDUSTRY AND INTERNATIONAL TRADE

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. HELSTOSKI. Mr. Speaker, of the most vital importance to the economy of the State of New Jersey is the chemical industry; and of vital concern to the chemical industry is its position in international trade.

This subject was the theme of a talk given by our colleague and the dean of the New Jersey delegation, Mr. PETER W. RODINO, JR., at a luncheon of the chemical industry association in January.

The talk is so clear, concise and to the point, that it has been received with enthusiasm by all—both inside and outside the industry.

Because this Congress will have to face the facts on the tariff agreements, I feel that this article should be carefully read by all the Members of this honorable body. Since it is on a topic of interest to the Congress, I would, Mr. Speaker, request that it be printed in full at this point of the RECORD.

The text of the speech follows:

TALK BY THE HONORABLE PETER W. RODINO, JR., U.S. CONGRESSMAN, 10TH DISTRICT, NEW JERSEY, DELIVERED AT THE LUNCHEON MEETING OF THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURERS ASSOCIATION OF THE UNITED STATES, NEW YORK, N.Y., JANUARY 9, 1969

Thank you very much Mr. Turchan; my good friend Dr. Ernie May, distinguished officers of this very distinguished organization and its membership.

First of all, let me wish you all a very happy new year.

Bennett Cerf tells the story of a ladies' club over in New Jersey that invited a female book reviewer to speak at one of its monthly meetings. Her subject was a triple-A tear-jerker of a novel, and the speaker spared none of the heart-rending details of the plot. The entire assemblage broke into tears. All but one, that is. This one lady sat dry-eyed and unmoved through the entire recital.

After the lecture, the reviewer asked her why she hadn't cried. The lady's answer stopped her cold.

"Oh, I'm not a member," she explained.

Well, I am not a member of SOCMA, but neither am I as stoical as the dry-eyed lady of Bennett Cerf's anecdote. Member or not, I recognize a sad story when I hear it, and I do not sit through it unmoved.

I am, of course, deeply honored to take part in this luncheon meeting of your Association, and pleased to have this opportunity to share with you my views on a subject of vital concern to both of us: the chemical industry's position in international trade.

As most of you already know, my interest and concern for the health and well being of the chemical industry has spanned many years—two decades at least—for one cannot be an elected official in my New Jersey without being aware of the vital importance of chemicals to the economy of the state.

I must say, however, that earlier problems and concerns pale in contrast to the intense activity that has taken place since the inauguration of the historic Kennedy Round. In fact, so much ground has been covered during the decade of the sixties that the ancient historian's dictum "The Past is Prologue" seems particularly applicable to the tremendous growth and expansion of world trade that has taken place before our very eyes.

How easy it is to become overburdened by immediate challenges and daily emergencies in this overly competitive world, so that we forget and neglect to properly view the success of expansion that only yesterday was undreamed. Our current gross national product derived from foreign trade runs over 25 billion and is, of course, a much larger percentage than had been the case prior to World War II.

But, as you all know, growth never occurs evenly, and expansion, like the Malthusian population formula, seems to multiply prob-

lems geometrically rather than by simple addition.

Benzenoids, unfortunately, have been in that problem category of uneven growth. And New Jersey has been the leading state in the manufacture of benzenoids. Our chemical plants are major employers with Jolly-Green-Giant payrolls—and the continued growth and expansion of these plants are essential to the creation of new job opportunities.

But none of this vital expansion and growth can take place if these plants are thwarted in their capacity to sell their products at home and in the international market place.

I vividly recall the summer of 1966 when Dr. Ernie May brought to me the results of his analysis of the adverse effects of converting ASP. And I recall how we put the entire New Jersey Congressional Delegation on record supporting SOCMA in its drive to be heard, and listened to, in its support of the retention of ASP.

Much has happened since then—I can't even remember the number of times Special Representative Roth came to my office—ever polite, always urbane: but his follow-up was always something different. And I do remember, with dismay, reading the results of the Kennedy Round as it affected benzenoids.

But then I, and a number of my colleagues who have an understanding of what ASP means—especially in terms of our Constitutional prerogative to look after the "General Welfare" of the people of the United States—saw clearly that the "Separate Package" should not receive Congressional approval.

And the Administration, after taking a few soundings, wisely decided not to challenge us by immediately sending up implementing action.

What I have been describing here actually resulted in a situation where decisions have been purposely stalled until a time when the climate of opinion might be trusted to produce satisfactory results.

But I think that I as a Congressman who has dealt with this problem can safely predict that the 91st Congress will maintain a cool climate of opinion for negotiating away the protection of the American Selling Price. I think the members of the 91st Congress will be insistent on clear, straight answers to the nagging questions on ASP that remain unanswered to this very day. Indeed, Ambassador Roth has persisted in refusing to release the Tariff Commission's 1966 Report on the economic impact upon the benzenoid chemical industry that would occur if the ASP package is implemented.

But what does that mean for SOCMA, for the EEC, for Domestic Employment, and for the future of foreign trade. It means first of all that what the Europeans proudly proclaim as the largest industrial market of the world, the Common Market, must come to understand that a tariff adjusting mechanism such as ASP may have as useful a role as their own valuation practices.

For example, border taxes must be reinterpreted, stripped of their domestic justification, and become a valid issue of international negotiation. ASP, similarly, has already been on the negotiating block. But a rose by any other name is just as sweet. I mentioned "Congressional climate of opinion." Well, in order for it to change we must get away from the semantics of protective labels in order to honestly negotiate on the basis of the terms of trade.

We must look at our trading partners throughout the non-communist world not in the terms of World War II recovery, when paternalism meant survival, and the dollar sustained the life forces of shattered economies: rather, we must now adjust to more mature international economies, fully competitive and eager to penetrate the heartland of the dollar.

The United States took on the burden of being the world's banker in a fantastically short period of time. And just when we realized all the implications of that unreal situation, we began to act as if it would never change; while in fact, the world of international trade and finance had already entered a new epoch. The statisticians and the computers began telling us things that we were not ready to fully comprehend.

So now we find ourselves in a position where a minor percentage of the chemical trade between Europe and America became the cause celebre of the Kennedy Round.

Well, adjustment is painful, and if we have learned something from the ardour of international trade negotiations, I think that it can now be said that the Europeans may have to take another look at themselves.

For I believe that we may find the Common Market, to coin a phrase, somewhat more flexible in their attitude toward "What's mine is mine and what's yours is negotiable."

For two years during the Geneva Negotiations, we heard a lot about *quid pro quo*. Clearly, the separate ASP package did not produce a *quid pro quo*. But the Common Market must become aware of the fact that a real *quid pro quo* can only be achieved by honest negotiations that lay on the table all questions of international trade restriction, including particular non-tariff barriers.

Last November, I had the pleasure of again representing the Congress at the North Atlantic Assembly. This body grew out of the NATO Alliance, and represents a yearly opportunity for legislators of the free world to come together and exchange views on the search for solutions to pressing problems.

Through the good offices of our Ambassador to the Common Market, I had the pleasure of meeting formally and informally with a number of Common Market commissioners. I welcomed the opportunity to give them a fresh slant on ASP; the human element that links the domestic situation in the United States with its benzenoid industry.

Instead of reciting facts and figures already familiar to them, I told them about the extremely tense and explosive social conditions in the major cities of New Jersey and across the land.

I told them about benzenoid workers, with years of seniority and excellent pay, who depended upon ASP and could not be expected to depend upon "adjustment assistance."

I told them about Newark's 9% unemployment rate when the national average had declined to under 4%.

I relayed to these gentlemen, who by the way are not without experience as politicians, the facts of life as lived by a U.S. Congressman. As the recent cliché goes: We got down to the nitty gritty.

I do think that a meaningful international discourse took place. I know they understood me, and they were receptive to the suggestion that an imaginative solution must be forthcoming to break what has become an indefensible deadlock.

In the meantime, I would hope that the new Administration will take to heart the lessons learned by the President's Special Representative for Trade, and take a long look at the "separate package," recognize its shortcomings, and formulate a new negotiating approach.

The easy way out, of course, is for the Congress to reject the "separate package."

However, the creative and responsible road toward an effective solution is for the U.S. and the E.E.C. to immediately sit down and start anew to work out, in an atmosphere of reciprocity, and in the spirit of genuine give-and-take, an equitable solution to border taxes, and all other existing obstacles to fairer world trade.

Thank you.

THREE MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Glenn Karl Leino, Sp4c. Donald M. Jennings, and Pfc. Henry D. Custen, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

THREE MARYLANDERS DIE IN VIETNAM: WHEATON MAN, TWO FROM CITY AREA REPORTED KILLED

The Defense Department announced yesterday the deaths of two Baltimore-area soldiers and a Wheaton marine, in Vietnam. The dead were:

Pfc. Glenn Karl Leino, of the Army, the only son of Mr. and Mrs. Kaleva Leino, of 3419 Liberty Parkway, Dundalk, who was killed February 27, when a military vehicle ran into him as he was directing traffic at Long Binh, 20 miles from Saigon.

Spec. 4 Donald M. Jennings, of the Army, son of Mr. and Mrs. Clarence Jennings, 2226 North Calvert street, who was killed February 27, during a firefight.

Pfc. Henry D. Custen, (USMC), son of Mr. and Mrs. Lawrence Custen, of 35 Olympic street, Wheaton, Md., who was killed February 23 in hostile action.

Private Leino had been serving in Vietnam five months as an MP with the 615th Military Police Company, when the traffic accident at Long Binh took his life.

"BIT OF EVERYTHING"

A lifelong resident of Dundalk, the 21-year-old soldier was drafted into the Army last summer. He received his basic training at Fort Bragg, N.C., and his MP training at Fort Gordon, Georgia.

Private Leino, of Finnish-American descent was "a little bit of everything," according to his father. "He was an all-around kid," said Mr. Leino, an electrical department supervisor at Bethlehem Steel Corporation's Sparrows Point plant.

Private Leino had worked as an apprentice electrician at Bethlehem Steel for a year, and was a 1965 graduate of Dundalk Senior High School.

The youth had a passion for automobiles, according to his father, and was saving up for one of his own when he was drafted. He also liked bowling.

In the Army, Private Leino was engaged most often in escort and guard positions. "He did it as a duty; he wasn't resentful," said Mr. Leino.

Besides his parents, he is survived by a sister, Karen Leino, 13.

Funeral arrangements are incomplete, but the parents said they are planning a full military burial.

Private Jennings, the youngest of seven children of Elmira and Clarence Jennings, enlisted last June, and was trained as an Army machine gunner at Fort Polk, La., before he was sent to Vietnam November 15.

He was born and reared in East Baltimore and attended Booker T. Washington High School before working for the Maryland Cup Company in Owings Mills and later a fishnet factory.

An athletic and "jolly" youth, according to his mother, Private Jennings liked playing football and basketball in his spare time. "He liked to be social with his friends," his mother said. His father is a disabled steelworker.

In Vietnam, the soldier had a few days'

reunion with his brother John, an Army sergeant, who was on his way home last June after a year of combat. John Jennings has re-enlisted for another tour in Vietnam.

Besides his parents, Private Jennings is survived by five brothers, Clarence Jennings, Jr., 32, Ruben Jennings, 30, Arthur Lee Jennings, 29, John, 27, and William Jennings, 21; a sister, Dorothy Jennings, 25, and his maternal grandmother, Mrs. Caroline Rogers.

A TRIBUTE TO DR. JAMES A. SHANNON

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MILLER of California. Mr. Speaker, Dr. James A. Shannon, the retired Director of the National Institutes of Health, has made a great contribution to the people of the United States and to the world.

The January/February issue of Federation Proceedings, published by the Federation of American Societies for Experimental Biology, contains a tribute to Dr. Shannon which I am privileged to insert in the CONGRESSIONAL RECORD:

A TRIBUTE TO DR. JAMES A. SHANNON

In 1949 the late Dr. Cassius J. Van Slyke, then Director of the National Heart Institute at NIH, asked Dr. James A. Shannon to join the Institute as Associate Director (in charge of research). No intramural research function yet existed at the Heart Institute, which had recently been created by the enactment of Public Law 80-655. Dr. Shannon had been director of the Squibb Institute for Medical Research in New Brunswick, New Jersey, and was a newcomer to the Government scene.

National Institutes of Health was not a typical Federal agency and certainly Dr. Shannon was not a typical employee. His immediate task was to recruit able and well-trained scientists to head the laboratories and to conduct research on the various cardiovascular diseases.

With great care and deliberation, men such as Robert Berliner, Bernard Brodie, Sidney Udenfriend, Luther Terry, Chris Anfinsen, Evan Horning, Dan Steinberg, Robert Bowman, Earl Stadtman, and many others were recruited to carry out the intramural mission.

It soon became evident that the research efforts and contributions of this Institute under Dr. Shannon's able leadership were outstanding. Dr. Shannon's major task at the time was to draft an appropriate budget for the support of research functions and to provide interpretive language. Although he felt that such tasks tended to dissipate scientific manpower, his strenuous efforts paid off. His translation of scientific accomplishments and objectives into nontechnical language was so clear and concise that the administrators and the Congress had no difficulty in accepting the importance of the investment in research support.

In 1952 Dr. Shannon became Associate Director (in charge of intramural affairs) of NIH and assumed the overall responsibility for in-house research.

Since Dr. Shannon was never one to confine his interests to a limited sphere, this position as a member of the Director's staff of NIH enabled him to acquire a broad knowledge of the Department of Health, Education, and Welfare and the U.S. Public Health Service as well as the entire NIH operation.

Upon the retirement of Dr. Henry Seabell as Director of NIH in 1955, Dr. Shannon became the logical successor. The new Director had learned to articulate the financial requirements of medical research to the appropriate bodies of Congress and to create a new atmosphere of understanding between the scientific community and the Federal Government.

As this new leadership emerged at NIH, significant scientific advances became the paramount element of the NIH achievement.

Congressional leadership under John Fogarty in the House of Representatives and Lister Hill in the Senate provided the financial tools to support biomedical research and training and enabled Dr. Shannon to build the Nation's greatest center for biomedical science. Since World War II the United States has become the undisputed leader in medical research, and NIH has earned a great international reputation.

As recently as this year, under Dr. Shannon's leadership, NIH established the John E. Fogarty International Center for Advanced Study in the Health Sciences. In addition, the 90th Congress passed Public Law 90-456 for the establishment of the Lister Hill National Center for Biomedical Communications at the National Library of Medicine. This Center will be dedicated to Senator Lister Hill who, like John Fogarty, supported Dr. Shannon's vision of United States leadership in the life sciences.

The growth of NIH under Dr. Shannon's direction is shown in the chart on page 3.

James Augustine Shannon was born in New York, N.Y., August 9, 1904. He received his undergraduate education at the College of the Holy Cross, his M.D. degree from New York University in 1929, and his Ph.D. degree from New York University in 1935.

Dr. Shannon's professional association, activities, honorary degrees, and awards are as follows:

SCIENTIFIC SOCIETIES

American Physiological Society.
American Public Health Association; Governing Council 1959-1962; Fellow 1956.
American Society for Pharmacology and Experimental Therapeutics.
American Society for Clinical Investigation.
Society for Experimental Biology and Medicine.
American Association for the Advancement of Science.
Association of American Physicians.
Washington Academy of Sciences.
Harvey Society.
Alpha Omega Alpha.
Sigma Xi.
American Academy of Arts and Sciences.
American Philosophical Society.

PROFESSIONAL ACTIVITIES

1951-1956 Member, Subcommittee on Malariology of the Committee on Medicine, National Research Council.

1952-1956 Member, Subcommittee on Shock of the Committee on Surgery, National Research Council.

1953-1956 Chairman, Malaria Panel, National Research Council.

1953-1954 Member, Panel on Allocation of Gamma Globulin, National Research Council.

1953- Member, Division of Medical Sciences, National Research Council.

1953-1960 Member, Executive Committee, Division of Medical Sciences, National Research Council.

1955- Public Health Service Representative, Division of Medical Sciences, National Research Council.

1955-1962 Member, United States National Committee for the International Union of Physiological Sciences.

1954- Member, Board of Directors, Gorgas Memorial Institute of Tropical and Preventive Medicine.

1956-1966 Member, Expert Advisory Panel on Malaria, World Health Organization.

1959-1963 Member, Advisory Committee on Medical Research, World Health Organization.

1959-1964 Member, Standing Committee, Federal Council for Science and Technology.

1959-1965 Consultant, President's Science Advisory Committee.

1962-1966 Member, Advisory Committee on Medical Research, Pan American Health Organization.

1963- Consultant to Advisory Committee on Research to the Agency for International Development.

1965- Department of Health, Education, and Welfare Alternate Representative to Federal Council for Science and Technology.

1965- U.S. Delegate to the United States-Japan Cooperative Medical Science Committee.

1967-1969 Member, President's Committee on the National Medal of Science.

1967-1968 Member, Board on Medicine, National Academy of Sciences.

HONORARY DEGREES

1952 Doctor of Science, College of the Holy Cross.

1957 Doctor of Laws, Notre Dame University.

1958 Doctor of Science, Duke University.

1958 Doctor of Science, Providence College.

1959 Doctor of Science, Loyola University, Chicago.

1960 Doctor of Science, Catholic University.

1960 Doctor of Science, University of West Virginia.

1962 Doctor of Humane Letters, Albert Einstein College of Medicine, Yeshiva University.

1964 Doctor of Medicine, Catholic University of Louvain, Belgium.

1964 Doctor of Medicine, Karolinska Institute, Stockholm, Sweden.

1965 Doctor of Science, University of Maryland.

1965 Doctor of Science, New York University.

1965 Doctor of Science, The Jefferson Medical College and Medical Center, Philadelphia.

1967 Doctor of Science, Columbia University College of Physicians and Surgeons.

1968 Doctor of Laws, University of California, Berkeley.

1968 Doctor of Humane Letters, College of Mount Saint Vincent.

1968 Doctor of Science, University of Kentucky.

1968 Doctor of Law, Yale University.

HONORS AND AWARDS

1945 Harvey Lecturer.

1956 John F. Anderson Lecturer.

1958 Scientific Award for Outstanding Achievements in the Field of Renal Physiology, Malaria Control, and National Administration of Medical Research, New York University.

1961 The Mendel Medal Award, Villanova University.

1962 Public Welfare Medal, National Academy of Sciences.

1964 Rockefeller Public Service Award.

1965 Election to Membership in the National Academy of Sciences.

1965 Honorary Fellowship in American Association of Hospital Administrators.

1966 Public Health Service Distinguished Service Medal.

1966 The Modern Medicine Award for Distinguished Achievement in Medicine.

1966 Presidential Distinguished Federal Civilian Service Award.

1966 Honorary Member, American Hospital Association.

1966 John M. Russell Award, Markle Foundation.

1966 Abraham Flexner Award, Association of American Medical College.

1966 Alan Gregg Lecturer.

1968 Hadassah's Myrtle Wreath.

1968 Jesse L. Rosenberger Medal, University of Chicago.

THE FLAG

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. GROSS. Mr. Speaker, I take this time to insert in the CONGRESSIONAL RECORD a timely and well-written article by Mrs. Frederick Becker, women's chairman, District 1 of the Iowa Farm Bureau Federation, which was published in the Iowa Farm Bureau Spokesman.

Of recent years, there has been far too much disrespect and even contempt for the U.S. flag. There has also been growing disrespect for our national anthem. A shocking demonstration of the latter was the closing of the inaugural ceremonies at the Capitol on January 20.

As the Star Spangled Banner was being played following the oath-taking ceremonies, hundreds of people, either caring not or oblivious to the music which was amplified throughout the grounds, paid no heed to their national anthem. Troops stood at attention and saluted, but only here and there on the Capitol Grounds did the great mass of onlookers pause to pay proper respect.

There must be a rebirth of respect for our flag and for the anthem in which we sing of our proudness in hailing that flag.

The article follows:

ABOUT THE U.S. FLAG AND WHAT IT STANDS FOR

(By Mrs. Frederick Becker)

What do you see as you stand and watch the flag raised in a touching, inspiring ceremony, or passing by in a parade?

Does it mean anything to you?

Yes, we can see many things. I see our United States and truly I mean our. That flag is you and me and many more things.

As we stand gazing at our flag, we see the blue field, blue for loyalty, devotion, friendship, justice and truth. (Reminds me also of the sky, oceans, lakes and flowers.)

Then our eyes go on to the red, red for courage, zeal and fervency. (I think of the blood shed by pioneers, soldiers, and sailors who fought for this land, as well as the red we see in many bright spots—rocks, soil, sumac or flowers.)

Our eyes travel to the pure white stripes, the purity we all strive for but never achieve, also for cleanness of life and rectitude. We see it in many other things, too—the tiny baby's christening dress, the white hair of those growing old, and in church spires, white sails, sand or snow.

Our 13 stripes, of course, remind us of the early history of our nation.

The stars are our states with points in all directions, to cities, towns or farms; to all directions, east, west, south or north; and to all people in the world.

The flag is the people over whom it waves—those who have gone on, those of today and those of tomorrow. Yes, you and I are flag makers and it is up to us to make our country a place where it can wave proudly.

At functions or parades we have people (adult and younger) who sit lazily on their chairs instead of standing in honor and re-

spect as the flag is raised or passes by. What has happened to cause these actions? Are we too prone or indifferent to care? Has our respect been cast aside by too many other things?

How can we help it wave proudly?

By each home and business having a flag for its own use.

By encouraging our families, schools and businesses to display and respect it properly.

And most importantly—by being true "flag makers" ourselves.

How do you become a true "flag maker?" By being an interested, concerned citizen. And may I emphasize one of many ways.

In election years we find ourselves keyed to a high interest in politics and the individuals for public office. After election it is so easy to say, well, that's over for 2 years or 4 years.

Our Iowa State Legislature and U.S. Congress (people we elected) are now in session. Are you interested in what they are doing?

Your interest and concern, your letters, your personal contacts are important to each of these men as they make decisions. Let's remember they like both criticism and praise.

President Wilson once said, "This flag which we honor and under which we serve, is the emblem of our unity, our power, our thought and purpose as a nation. It has no other character than that which we give it from generation to generation. The choices are ours. It floats in majestic silence above the hosts that execute those choices, whether in peace or war."

Yes, let's remember we are flag makers each day in all we do or say. We do help make these choices. Are you doing your part?

Remember—"I am only one, but I am one. I cannot do everything, but I can do something, and what I should do and can do, by the grace of God I will do."

Long may our flag wave in freedom under God's watchful eye.

JAMES B. PERRY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MARSH. Mr. Speaker, James B. Perry has retired, as you know, as director of the House Recording Studios, and I am sure many Members of the House have appreciated his conscientious service in the administration of the fine facilities for television tape and film and radio tape—particularly his accommodation to the needs of individual Members, taking into consideration the limitations we have on time to make these recordings requested by stations in our districts.

I have had a special interest in James Perry, because he is a native of Winchester, Va., in my congressional district, and his family associations continue there. I might state that it was characteristic of James Perry that he always gave me most courteous consideration in any services of the House Recording Studios, but never contracted for any service over and above what he would give to any other Member. He was, therefore, a civil servant of competence in the highest tradition of the dedication which we have found in career people who have served this House.

Because of the recommendation of his

physicians, James Perry has thought it prudent to retire, but he has assured me that he will continue to have an active interest in the sight and sound services to communications media provided by the House Recording Studio and that in due course, he will engage himself in some new efforts in the field in which he has such extensive qualifications.

In this connection, I should like to include a copy of an article which appeared in the Northern Virginia Daily, published in my home community of Strasburg, Va., on February 17, 1969, together with a brief biographical sketch of James Perry, a valued friend and adviser to many Members of this House:

[From the Northern Virginia Daily, Feb. 17, 1969]

PERRY RETIRING FROM FEDERAL CIVILIAN SERVICE

James B. Perry, former Winchester resident, is retiring at the end of February after completing 28 years of federal civilian service. He entered the government in 1941 as an employee of the Department of the Army, at Fort Belvoir, Va.

He was assigned to the Combat Engineer Underwater and Beach Obstacles Demolition Group where he produced numerous training films and visual training aids depicting engineer beach assault tactics which aided and contributed to the successful breaching of German fortifications on the Normandy coast by American Combat forces in World War II.

Following the war, Perry was assigned to the Pentagon in Washington, D.C., where he served on the staff of the Army Signal Communications Agency as an administrative photo information specialist. He was responsible for procuring photography from the Army overseas commands for distribution to the various Army Research and Technical Services.

Perry joined the office of the clerk of the House of Representatives in 1955 and was given the responsibility to organize, staff, and equip the House Recording Studios, a TV-film, radio and videotape facility serving the members of the House of Representatives. He has worked in this capacity as the director of the studios for the past 14 years.

Perry is a native of Winchester, attended Handley school, and was formerly associated with the Barr Studio. He and his wife the former Marie Obaugh reside in Alexandria, Va.

JAMES B. PERRY

James B. Perry, born in Winchester, Va., February 3, 1910; son of James Oliver and Josephine Grimm Perry; educated in the public schools of Winchester, Va., attended American University, Maryland University, and the Department of Agriculture Graduate School. Completed Photo Journalism and Pictorial Communications Specialists courses. Married Lillian Marie Obaugh of Winchester, and have two children—James B. Perry Jr., and Mrs. Josephine Carlyon Grant. Entered the Federal civilian service in 1941 as an employee of the Department of the Army at Fort Belvoir, Va. Served with the Combat Engineer Underwater & Beach Obstacles Demolition Group, producing training films and visual training aids depicting Engineer Beach Assault tactics. Following WW II, transferred to the Department of Defense in the Pentagon, served on the staff of the Army Signal Photographic Agency as an Administrative Photo Information Specialist. Joined the office of the Clerk of the House of Representatives in 1956—organized, staffed, and equipped the House Recording Studios. Served as Technical Director from 1956 to 1962, and as Director of the Studios from 1962 to retirement. Past Deacon and Elder in the Presbyterian Church. Member of Lions International.

FRANK POMPI: A FINE PUBLIC SERVANT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. DULSKI. Mr. Speaker, we have many loyal and dedicated employees in the Federal Government.

An outstanding example is Frank Pompei, immigration inspector-in-charge of the three international bridges in the Niagara Falls-Lewiston area, near my home city of Buffalo, N.Y.

Frank Pompei is dealing directly with the public in his inspection role, and over the years he has seen many millions of persons crossing the border from Canada.

He was singled out by the Niagara Falls, N.Y., Gazette in its February 23 edition for his "firm faith in human nature."

Frank Pompei is a credit to the Immigration and Naturalization Service, and merits the attention from his local newspaper in the following article:

IMMIGRATION INSPECTOR HAS FIRM FAITH IN HUMAN NATURE

(By Cecil Farrell)

Frank Pompei, who enjoys people, is the immigration inspector-in-charge of the three international bridges in the Niagara Falls-Lewiston area.

He also enjoys helping people and looks upon this job as a hobby as well as a means of earning a living.

Despite the fact that he is directly or indirectly responsible for some 15 million persons crossing into this country via the three bridges each year, he still has faith in human nature and is not disenchanted with people.

He started his career as a Border Patrol officer in Buffalo on May 1, 1931 after moving to Buffalo from Providence, R.I., where he was a stenographer with the U.S. Department of Engineers. He was a graduate of a business teachers college and intended to become a teacher but, as he said, "The depression caused a slight change in my plans. I took the job with the engineers, was transferred to Buffalo, met a girl, fell in love, and joined the Border Patrol all in the same year."

After serving with the Border Patrol in the Buffalo area for six years he was sent to Cleveland as a naturalization examiner with the U.S. Immigration Service. In 1942 he was transferred in the same capacity to Erie, Pa., and then to Buffalo in 1945.

In 1952 he was appointed special inquiry officer and in this capacity presided at deportation hearings in the Buffalo and Cleveland areas. During this time he was responsible for the deportation of some 2,000 undesirable aliens over a seven-year period.

During World War II he was engaged in the investigation of enemy alien agents and later was involved in proceedings against about 50 agents or subversives of various "iron curtain" countries.

He said he has processed some 10,000 naturalization papers for individuals who came to this country.

During the month of December last year, more than one million persons entered the U.S. across the Rainbow and Whirlpool Bridges. Of these, 1,466 were denied admittance. Mr. Pompei said, "This is a very difficult situation, it is never nice to interrupt a person's journey but we try and do it with tact and diplomacy so that no one is too upset. Most people are very understanding."

The highlight of his career of 38 years was

in April 1959 when he was selected to star in a 15-minute television documentary called "Are You a Citizen." The film was made with John Charles Daly as narrator. Daly had misgivings about allowing a nonprofessional actor to play the role of Frank Pompei.

When the series was nearly completed and the final shots were being wrapped up, Daly ran to Pompei, threw his arms around him and said, "you're a real pro." Pompei received a special citation and an award of \$300 from the immigration services for his portrayal and the film is still being shown throughout the country today.

He is justifiably proud of his two sons, Robert, an assistant professor at the State University of New York at Binghamton, and Kenneth, now preparing his doctoral thesis on bio-psychology at the University of Chicago. Kenneth is on a National Defense scholarship and Robert is the holder of a doctorate in physics.

Commenting on the "younger generation" he said, "I'm afraid they have left me behind." He drew attention to the rash of drug arrests on the Rainbow Bridge during the past year as an example of the unrest of today's youth and praised the U.S. customs and immigration officers for their diligence.

Married to the former Clementine Lombardo of Buffalo, they reside at 47 Danebrock Drive, in Eggertsville. Mr. Pompei said however, "I just love Niagara Falls, this has to be the most exciting location for any immigration officer in the country."

He added, "In fact, Niagara Falls is unique throughout the country. At the Rainbow Bridge we have what is known as a 're-entry guarantee slip' which is unusual as this is the only place in the country where such a system is used."

He said, "we have so many dignitaries and visitors from foreign countries who, by all normal regulations, would not be permitted to enter Canada or vice-versa, but they want to view the Falls from both sides that we devised this system in cooperation with Canadian Immigration authorities."

He also cited the growth of the Niagara Falls International Airport and said "Why, we used to handle only two or three charter flights a year and in January this year we have been called out for 23 of them." He added, "This area is in for the damndest business and population explosion you will ever see."

A man of many talents he served for four years as a member of the faculty of the National Immigration School in Washington where immigration officers are trained. He is proud of the service he and his men offer to the public and when asked if he planned to retire in the near future he looked perplexed for a minute and then said, "Why, I love my job, why would I want to retire when the job is so exciting, you meet so many nice people and are able to help them. I never thought about it."

THE CAMPAIGN AGAINST THE NATIONAL LABOR RELATIONS BOARD

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, last October 7, I called the attention of my colleagues to a well-financed and distorted public relations campaign which was then being waged by certain business groups to promote public support for drastic and punitive amendments to the National Labor Relations Act. Since then this campaign to inflame public opinion has continued and intensified.

The public relations firm of Hill & Knowlton has been engaged to guide this campaign, euphemistically called an educational effort. One of this firm's principal efforts has been to plant stories and editorials with newspapers and magazines across the Nation. Hill & Knowlton recently admitted to a Los Angeles Times reporter in a published story that it has been conducting meetings with the editorial boards of magazines and newspapers and that it contributed "material" to an exceptionally gross and misleading article in the Reader's Digest last year.

The U.S. Chamber of Commerce and the National Association of Manufacturers, the leaders of this effort to weaken the fabric of labor laws, are also conducting conferences building up the labor law reform drive with various informational materials and speeches which I have examined and believe to be serious distortions.

It has also been reported in the public press that between \$500,000 and \$1,000,000 has already been raised to underwrite this educational effort.

The Special Subcommittee on Labor has recently issued a report, based on extensive hearings and study, in which the subcommittee characterized some of the proposals of this labor reform campaign as aimed at weakening, rather than strengthening, the rights of workers to self-organization.

Mr. Gerald A. Brown, a distinguished member of the National Labor Relations Board, recently delivered an address at the University of Arizona in which he responds to some of the more extreme distortions which the Hill & Knowlton-NAM-chamber of commerce campaign has circulated. The text of Mr. Brown's thoughtful speech follows:

FABLES, FANCIES, AND FACTS

(By Gerald A. Brown, member, National Labor Relations Board, before fifth annual Labor Management Conference on Collective Bargaining and Labor Law, the University of Arizona)

When I was here a few years ago I discussed with you collective bargaining as an institution. Today I would like to review some of the current comments about the role of the NLRB in that process. I'm sure that you are aware of a crescendo of criticism that has been aimed at the Board, having a primary theme that the Board is flouting the will of Congress and has "subordinated the public interest and the rights and freedom of employers and employees alike to the power-lusts of the big unions and their leaders, and to the political advantage of pro-union politicians."

Initially, I confess to some aversion to personal participation in public discussion of such charges. Both you and I must be aware of the propensity of every individual to view matters in a light most favorable to himself. Yet, if there is to be a dialogue in our society concerning the proper role of the Board or if it should have a role, I doubt that it can be complete without some word from Board members. If a labor representative charges the Board with operating a slave labor law, or a business spokesman contends that the Board is operating as a tool of the unions, replies from the opposing side tend to be discontinued as partisan responses. Recently before a Senate Committee we had a number of academic experts give the Board rather high marks for the performance of its duties in this controversial field. I think further

analysis from non-partisan, academic sources would be enlightening. In the meantime, a few general reactions on my part may not be inappropriate.

Borrowing some recent words from Board Member Howard Jenkins:

"For openers, let me assure you that my colleagues and I are not insensitive to constructive criticism. We neither seek, nor do we expect public quiescence or immunity from fair comment about our stewardship. By the same standard and to the same extent we are not insensitive, institutionally or individually, to personalized attacks upon the honesty and integrity of our administrative and decisional processes."

I am even more concerned about what I consider to be the harmful effects of the existing well-financed propaganda campaign on the type of collective bargaining which has evolved in our democracy.

Of course, time and the nature of the campaign prevents a detailed analysis of these issues today, but I would like to express some general thoughts on the matter. The Los Angeles Times reported last year that the nation's major corporations had joined with the Chamber of Commerce, the National Association of Manufacturers and a number of other employer associations, had a fund of at least one million dollars and had hired Hill and Knowlton, one of the country's largest public relations firms to, in the words of a spokesman for the Chamber of Commerce, "help create an atmosphere of public opinion which would be conducive to changes in present labor laws." A prominent communications analyst has defined propaganda as "the deliberate attempt to influence the attitudes or behavior on controversial public issues," and has listed among the effective techniques the use of slanted or biased news, ridicule and belittlement, color words, fear technique, guilt by association, false conclusions from fallacious reasoning, and name calling. Examples of each technique can be quickly discerned in some recent diatribes against the Board. I hope I may be excused for not accepting the Chamber of Commerce or their associates as the chief spokesmen for the public interest or the rights of individual employees.

I have copies of three editorials appearing on April 27, 1968, in the Macomb, Michigan Daily, on April 29, 1968, in the Richmond, California Independent and in the Northern Virginia Sun on May 21, 1968. The first headline is "NLRB Leanings—Impartial or Not?" The second is "Impartiality of the NLRB is Investigated," and the third is "Impartial Labor Board." Each editorial appears to represent the independent view of the paper in which it appeared. Two of the editorials are identical. One of the editors must have been impressed with his English teacher in that he combined several one-sentence paragraphs and changed a date to "last month." Perhaps an age of extra-sensory perception is developing. A typical passage in all three editorials repeats allegations that the Board has "disregarded fraud and gross misrepresentations on the part of unions and rewarded strikers for flagrant misconduct by forcing employers to reinstate them with back pay." For some reason, we were not charged with beating our wives.

An editorial in the Wall Street Journal of December 2, 1968, referring to the Board's requirement that lists of employees' names and addresses be made available to parties in Board elections, implied that the unreasonable Board was forcing employers to help unions organize their employees; and said, in part:

"In this instance the Board didn't even find out what employers thought. The regulation was adopted without benefit of the sort of formal rule-making procedure where companies and unions could argue for or against it. The summary nature of this action led an appeals court to declare the rule invalid."

The fact is that on May 20, 1965, before the adoption of the rule on February 4, 1966, the Board not only heard oral argument by the parties to the several cases, but also upon the Board's invitation, heard oral argument and/or received written briefs from a number of other organizations which included the Chamber of Commerce of the United States and the National Association of Manufacturers. Another fact is that the rule has been approved by more than a dozen courts including the Second, Fourth, Fifth, Seventh and Ninth Circuits; and the First Circuit, while stating "... that the matter comes before us in connection with a rule to which we see little or no objection and for which there is much to be said," concluded that the Board should have followed the formal rule-making procedure since this rule was prospective in nature rather than applied in the pending case.¹ The Supreme Court has agreed to review this question.

Distorted accounts of the Board's activities have appeared recently in the Readers Digest and other publications. These descriptions carefully select a few cases, gloss over or misrepresent the facts, accuse the Board of bias and prejudice and conclude with emotional words predicting dire consequences for our system of free enterprise, consumers and the civil rights of all citizens. They do not mention that almost all of the cases cited have been approved by the courts after the judicial review provided in our system of government. The quoted authorities usually represented the losing side in the cases discussed, but this fact is nowhere mentioned. If a case is to be reargued before the public, both sides should be heard. It is true that the Board has sometimes been reversed by the courts.

Our critics ignore the fact that the reversals have been at the expense of unions as well as employers, and blame the Board whatever the results. In *Tree Fruits*² the Board found the union guilty of illegal secondary picketing, but the Supreme Court concluded that some consumer picketing at a secondary site was protected activity. In a *General Motors*³ subcontracting case, the Board found that the company had met its bargaining obligations, but the D.C. Court of Appeals reversed. In the *Serpa*⁴ case we found that an employer was not required to bargain under the circumstances despite a card majority, but the Ninth Circuit ruled otherwise. In *Colson and Stevens*⁵ and several other cases the Board ruled that unions in the construction industry could not strike for a hot cargo clause in a contract, but the Third, Fifth, Ninth and D.C. courts of appeal ruled that we were interpreting the statute incorrectly. In the *Long Lake Lumber Company*⁶ case the Board found that a company's unilateral change of schedules was insubstantial and a Board order was unnecessary. A court ordered the Board to provide a remedy. In the *H. K. Porter*⁷ case the Board found that the company had failed to bargain in good faith about a checkoff clause, but directed additional bargaining without requiring that the company accept such a clause. On review, however, a court of appeals in effect directed the Board to prescribe a checkoff clause in that particular case. The final result in each and every one of these cases has been attributed to the Board's antiemployer bias, although each Board decision sustained the employer's position and was reversed by the courts.

The NLRB has no original jurisdiction and can be concerned only with the cases brought to us by the parties. We receive approximately 30,000 cases a year, and one sign of progress is that almost 95 percent of these cases are disposed of by agreement of the parties or without the necessity of formal litigation. While more charges are filed against employers, the Board each year finds

¹Footnotes at end of speech.

unions guilty of violating the law in almost exactly the same proportion of the cases involved as for employers. It has been true historically that approximately 95 percent of Board decisions have been unanimous regardless of the political affiliation of Board members and that a large majority of the cases subjected to the appellate process of review has been approved in whole or in part by the courts. That does not say that we are free from error, but it does suggest that a careful look should be taken at such generalized charges as that the Board "restructures the Federal Labor Law to coincide with the political and socio-economic predilections respecting industrial relations of those individual members who happen to constitute a majority of the Board at any particular time" or has undermined "the very foundation of the federal-state structure under our constitutional system."

Please let me note again that the Labor Board welcomes honest and informed criticism. That can help us perform our difficult tasks. I have been in this field long enough to become more or less resigned to irresponsible criticism and to the fact that when one side or the other loses a case it is less than enthusiastic about the tribunal making the decision. But I have a different reaction to an organized campaign which represents a disservice to employers, employees and the general public.

Board decisions state the facts relied upon and the reasoning underlying the application of the statute. These decisions are, of course, aided by briefs and arguments from both sides of the controversy, and are subject to review by the courts.

Court review of Board decisions involves a rational analysis after hearing from all sides. Year after year Board orders are enforced in full in approximately 57 percent of the cases, affirmed with some modification in approximately 20 percent, and reversed in less than 20 percent of the cases presented to the courts of appeal. The small percentage of cases remanded to the Board for further consideration would have to be included to total 100 percent. In the last 6 years the Supreme Court has upheld the position of the Board in 23 of 27 cases. A high-powered public relations campaign is more difficult to subject to objective reasoning. How do you argue with a soap commercial? How do you reply to a contention that Board losses in the courts are proof of the Board's errors, while victories won by the Board are proof of the courts' errors?

What concerns me much more is that a campaign admittedly designed to influence public attitudes and basic labor legislation, may have very serious effects on the practice and procedure of the collective bargaining which both management and labor accept as an essential part of economic democracy. My experience convinces me that progress is contingent upon cooperation. In the words of Alexander Meiklejohn, "Mutual confidence is the prerequisite of freedom. Unless men can trust each other, there is no hope of reasonableness between them."

There are many anomalies in labor relations in the United States. We have more controversy and emotional reactions to labor problems than any other country in the world. We have more law than almost any other country designed to encourage parties to engage in voluntary collective bargaining. In the past we have had more violence. In spite of all of this we have what probably is the most conservative labor movement in the world in the sense that there are few advocates of the Marxist class struggle and more acceptance of our type of free enterprise and our democratic political traditions. When I studied labor history as a college student, the accepted thesis was: "Labor

unions which have to fight for their existence will be led by warriors; but with a full acceptance of their status, labor statesmen will emerge. When employers dissipate their energies and assets in an effort to destroy labor, they will reap the whirlwind. When each recognizes the rights of the other, cooperation will lead to industrial peace and freedom." The ensuing years have seen tremendous progress in all of those directions, and it might be fruitful to dwell upon our successes. Yet, there is much evidence that a substantial part of the business and labor community disregards fundamental rights of other parties. Thousands of cases coming to the NLRB indicate flagrant and repeated violations of the basic law of the land. Emotions still run high even in a discussion of a potential labor problem.

It is my opinion that the explanation of this curious persistence of controversy and emotional reactions to labor problems is to be found in our own history. Our strongest traditions still stem from our history of conquering a new continent. Our national attitudes and social institutions are, in large part, based upon concepts of individual initiative and self reliance developed from the frontier days which really lasted almost until the beginning of this century. Our log cabin to president concepts still play a dominant role in the political thinking and behavior of the nation. Every boy sometime wants to be Daniel Boone, and every business man sees himself as the self-contained master of his fate.

The availability of free land on the frontier was, on the one hand, a vast welfare program where return was based on individual efforts rather than need and, on the other hand, it delayed the consequences of an industrialized market economy on our national ethos. Only the advent of the "Great Depression" brought America into the 20th century in the fields of social legislation and made meaningful our constitutional approach to the general welfare. But nostalgia for the frontier or the good old days creeps into almost every philosophical discussion.

The great depression and the New Deal of Franklin D. Roosevelt brought substantial changes in our reaction to governmental protection of the public interest largely because all of us seemed to be threatened with catastrophe. In our affluent society of today our problems are more complex. Industry and the growing middle class are moving to the suburbs taking the jobs with them and the tax base for schools. This helps conceal and permits many to ignore the problems of the inner city. Seventy percent of our population live in metropolitan areas, the number of white collar workers exceeds the blue collar more and more every year, technology eliminates the need for more unskilled laborers and changes the needed skills, the Negro is more insistent on being accorded the rights of citizenship and we have at least 30 million Americans still living under conditions of poverty.

Recognizing that you are part of a society means that you may fight within that society, but you do not try to destroy it. A precondition for business and labor to try to do something about unemployment in the ghetto is prosperity and relatively full employment elsewhere, and in the 20th century we know that that requires joint cooperation of government, business and labor.

The old frontier is no longer with us. To those who question whether collective bargaining has become obsolete, I would answer that these changing conditions make even more imperative our democratic method of mutual cooperation if our free society is to survive.

Part of the problem is, as always, semantical. I can recall when I was in San Francisco where collective bargaining has been accepted somewhat longer than in most parts of the

United States. Business men who came to my office with labor problems were most practical, rational and cooperative in achieving solutions under the law. These same men would appear at a public meeting the same week discussing such broad topics as free enterprise or prerogatives of management and would become emotionally upset. By contrast, lawyers representing those same business men would sometimes be very difficult in particular cases, but at dinner or over a cocktail discussing philosophy were the most broadminded and understanding persons you could meet. I think that as our approach to labor relations becomes more legalistic in some of its aspects, the art of advocacy sometimes overshadows the officer-of-the-court concept of justice under a rule of law.

The current campaign serves to aggravate hostilities and to open up old antagonisms. While these matters have always been subject to emotional controversy, the challenges of the present day would seem to require a more rational approach. When we can cooperate to send men to the moon in a trip which Colonel Borman said proved that men were "truly brothers" and "riders on the earth together", surely we can cooperate and "reason together" to make our system of economic democracy more effective.

Loss of confidence in justice under law endangers the existence of the free society. When the problems of hot and cold war, suburb and ghetto, Blacks and Whites, crime in the streets and revolutions on college campuses polarize our society, it is time to assess the facts of life in an honest manner and to endeavor to build more bridges between the groups in our society. Division and dissension creates more problems. We must try to find ways to communicate the common purposes and the interest all groups of our society have in a rule of reason rather than the jungle of selfishness. When some of our protest groups announce that their demands are not negotiable, it is reminiscent of some of our good-faith bargaining cases. Collective bargaining as it has evolved in the United States has opened avenues of communication and has expanded the opportunity for more and more individuals to participate in the making of the decisions which affect their lives. That is the true essence of democracy, and I am proud of what the NLRB has done to help make that approach to problem-solving effective. I believe that some of the techniques developed and some lessons from this history may contribute to the solution of other domestic and foreign problems.

I would close with two quotations which I find meaningful. The first is from Archibald Cox:

"... The future of collective bargaining—indeed of what we call civilization—depends more than anything else upon renewing a quality which in recent years has sometimes seemed almost to disappear—tolerance, faith in the powers of reason, recognition of the fallibility but belief in the essential rationality and perfectibility of man."

The second is from Robert Hutchins:

"... It seems likely that this age will be one either of innovation or of extinction. Without innovation the human race may not be extinguished, though the technical means of achieving this result are now available. What will be extinguished, in the absence of innovation, is the free society, the political community. Only if we can tear ourselves loose from our prejudices, from our ideology, from slogans, only if we can take a fresh look at the world and exercise the same kind of intelligence, character, and inventiveness that the Founding Fathers showed can we hope to revive, reconstruct, and preserve the political community. . . ."

FOOTNOTES

¹ *Wyman-Gordon Company v. N.L.R.B.*, 397 F. 2d 394 (C.A. 1), cert. granted — U.S. —, November 12, 1968.

² *N.L.R.B. (Tree Fruits Labor Relations Committee) v. Fruit & Vegetable Packers, Local 760*, 377 U.S. 58, reversing 132 NLRB 1172.

³ *Automobile Workers v. N.L.R.B. (General Motors Corporation)*, 381 F. 2d 265 (C.A. D.C.), reversing 158 NLRB 229.

⁴ *Retail Clerks Union, Local 1179 v. N.L.R.B. (John P. Serpa, Inc.)*, 376 F. 2d 186 (C.A. 9), reversing 155 NLRB 99.

⁵ *Construction, Production & Maintenance Union Local 383, AFL-CIO v. N.L.R.B. (Colson and Stevens Construction Co.)*, 323 F. 2d 422 (C.A. 9); *Essex County and Vicinity District Council of Carpenters and Millrights, etc. v. N.L.R.B. (Associated Contractors of Essex County, Inc.)*, 332 F. 2d 636 (C.A. 3); *Orange Belt District Council of Painters No. 48, AFL-CIO v. N.L.R.B. (Calhoun Drywall Co.)*, 328 F. 2d 534 (C.A. D.C.); *Building and Construction Trades Council of San Bernardino and Riverside Counties v. N.L.R.B. (Gordon Fields)*, 328 F. 2d 540 (C.A. D.C.).

⁶ *Woodworkers Local 3-10 v. N.L.R.B. (Long Lake Lumber Company)*, 380 F. 2d 628 (C.A. D.C.), modifying 160 NLRB 1475.

⁷ *Steelworkers v. N.L.R.B. (H. K. Porter Co.)*, 389 F. 2d 295 (C.A. D.C.), remanding 153 NLRB 1370.

MISSISSIPPI HAS LOWEST CRIME RATE IN NATION

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. GRIFFIN. Mr. Speaker, Mississippi had the lowest crime rate in the Nation in 1967, according to a revealing crime index report prepared by the Library of Congress, from the latest statistics available. The rate of serious offenses in Mississippi per 100,000 population was 574.9, or less than one-third the national average of 1,921.7. Furthermore, crime in Mississippi declined from the previous year by a greater percentage than in any other State.

These figures are of particular importance, in my opinion, because of the distorted accounts of conditions in Mississippi often conveyed to the rest of the Nation by the mass media, most of which is headquartered in Washington, D.C., and New York. These self-styled protectors of the public interest appear to take morbid delight in sensationalizing minor incidents in Mississippi which would not even have received passing mention had they occurred elsewhere. By encouraging irresponsible and biased reporting, the policymakers of the mass media have attempted to create a false impression of widespread lawlessness in my State. Accordingly, I invite their attention to the fact that Washington's crime rate exceeded that of Mississippi by 850 percent while New York State had over 500 percent more serious crimes than Mississippi during 1967.

Mr. Speaker, I take great pride in the enviable position Mississippi enjoys as the most law-abiding State in the Nation. This is a notable tribute to a people who place great emphasis on moral values and the rights of others.

I include at this point in the RECORD, portions of the Library of Congress index listing the five States with the lowest and highest crime rates in the Nation:

STATES WITH LOWEST CRIME RATES IN 1967

State	Rate per 100,000	Percent change in crime rate 1966-67
Mississippi.....	574.9	-2.1
North Dakota.....	596.1	+6.4
West Virginia.....	658.7	+11.4
New Hampshire.....	706.7	+3.9
Maine.....	798.9	+21.1

STATES WITH HIGHEST CRIME RATES

State	Rate per 100,000	Percent change in crime rate
District of Columbia.....	4,899.1	+33.5
California.....	3,207.5	+13.5
New York.....	2,908.0	+15.7
Nevada.....	2,763.1	+17.1
Maryland.....	2,661.2	+29.0

THE VIETNAM POLICY REVERSAL OF 1968

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RYAN. Mr. Speaker, in March of 1968 the Johnson administration, after General Westmoreland's request for 206,000 additional men for Vietnam had resulted in an indepth reappraisal of the policy in Vietnam, concluded that it should embark upon a new course. That course culminated in the cessation of the bombing of North Vietnam on November 1 and, a few weeks later, in the commencement of peace negotiations in Paris.

A detailed story on the reversal of Vietnam policy in March 1968, appeared in the New York Times of March 6, 1969. I urge my colleagues to carefully study the basis for the policy reversal which that article documents. One year has now passed since the United States changed course in Vietnam. Yet the war rages on in undiminished fury. Every effort must be bent toward bringing about an immediate settlement of that conflict. The longer negotiations drag on, the greater the danger becomes that the Nixon administration may tragically and ill-advisedly return to already repudiated strategies of retaliation and escalation. The American people through the primaries of last spring repudiated those strategies. It is time the Government of the United States recognized the mandate to bring this tragic war to an end.

The New York Times article follows:

THE VIETNAM POLICY REVERSAL OF 1968

(NOTE.—This is the first of two articles written by Hedrick Smith in collaboration with William Beecher, and incorporating reports by Peter Grose, John W. Finney, E. W. Kenworthy, Roy Reed, Benjamin Welles, Edwin L. Dale Jr. and Max Frankel.)

WASHINGTON, March 5.—On a cold and cheerless early morning of Feb. 28, 1968, the Chairman of the Joint Chiefs of Staff, Gen. Earle G. Wheeler, landed at Andrews Air Force Base after an urgent mission to Saigon. Pausing only to change into a fresh uniform, he hurried through the rain to the White House to deliver a report and make a request.

The report was designed to encourage an anxious President and his beleaguered advisers, but it served only to shock them into extended debate.

The request—for more troops—was designed to bring military victory at last in the eight-year American military effort, but it led instead to a fateful series of decisions that stand in retrospect as one of the most remarkable turnabouts in United States foreign policy.

The month of March, 1968, became a watershed for a nation and a Government in turmoil. The Johnson Administration, by pulling back from the brink of deeper commitments and moving toward disengagement, set a course that affects the daily decisions of the Nixon Administration.

Many of the ingredients of decision then—troop strength and what to do about bombing North Vietnam—are still live issues, and many of the principal actors involved a year ago are participants in yet another crucial policy debate on Vietnam.

On that day at the end of February President Johnson and his closest aides assembled for breakfast around the Chippendale table in the elegant family dining room on the second floor of the Executive Mansion. Before rising from the table, they had set in motion the most intensive policy review of the Johnson Presidency—and one of the most agonizing of any Presidency.

The wrenching debate began almost by accident and then gained a momentum all its own. One dramatic record of its progress appeared in the 12 versions of a Presidential speech that evolved during the month—the last draft pointing in the opposite direction from the first.

The entire episode also provided a remarkable demonstration of how foreign policy is battled out, inch by inch, by negotiation rather than decision. The turnabout emerged through sharp confrontations and subtle, even conspiratorial, maneuvering—with compromises struck for bureaucratic purposes and with opponents in agreement for contrary reasons.

At the time of that breakfast meeting, President Johnson had been thinking for about two months about not seeking re-election. His principal advisers had little inkling of his thoughts, and the President himself had no expectation that the tensions in the Government would shatter the consensus of his inner circle.

Clark M. Clifford, appointed but not yet sworn in as Secretary of Defense, was to play the pivotal role in the Vietnam reassessment, but it was not a one-man show.

Mr. Clifford had to be persuaded. He immediately came under pressure from a faction of civilian dissenters at the Pentagon who believed the war was deadlocked, questioned American objectives and felt that time to salvage American policy was fast running out.

When the debate was over, the President had set the Government on the path toward peace negotiations and disengagement from the war. He had imposed a limit on the military commitment to South Vietnam, ordered a reduction in the bombing of North Vietnam, and offered to negotiate with the Hanoi regime. And he had coupled the offer with the announcement of his withdrawal from the 1968 political campaign.

The replacement of the quest for military victory with the search for compromise might have been reversed by North Vietnam if it had not—to almost everyone's surprise—responded favorably to Mr. Johnson's offer. Furthermore, the hawkish faction in the White House inner circle sought to resist the new trend until the Johnson Administration left office in January.

THE TET DRIVE ASSESSED

The catalytic event in the policy reappraisal—and the centerpiece of General Wheeler's vivid report—as the enemy's Lunar

New Year offensive, which began January 30, 1968, and swelled into coordinated assaults on 38 South Vietnamese cities and included, in Saigon, a bold penetration of the United States Embassy compound.

Confident and secure one day, Gen. William C. Westmoreland, then the American commander in Saigon, found himself on the next dealing with a vast battle the length of South Vietnam.

The psychological impact on Washington had outrun the event: The capital was stunned. But General Wheeler, with murals of the American Revolution behind him, offered a more reassuring picture to the White House breakfast on Feb. 28.

The Tet attacks had not caused a military defeat, he said. The enemy had been thrown back with heavy losses and had failed to spark a popular uprising against the South Vietnamese regime. Not only had the Government in Saigon and its army survived the hurricane, he continued, but the offensive has "scared the living daylights" out of non-Communists, and they were beginning to cooperate.

On the other hand, the general said that more—many more—American troops were needed because the allied forces were off balance and vulnerable to another offensive.

General Westmoreland felt, General Wheeler reported, that massive reinforcements would guard against a quick repetition of the Tet offensive and would allow the allies to regain the initiative, to exploit the enemy's losses and to "speed the course of the war to our objectives."

General Wheeler gave the Westmoreland request his personal endorsement. It added up to 206,000 more men.

IT WAS ROUGH AS A COB

General Westmoreland, who did not actually use the figure, regarded the proposal as a planning paper. But President Johnson and other officials, knowing that, as a matter of administrative technique, no request became formal until the President had decided how many troops would be sent, treated the Westmoreland paper as a request. Even without a precise total they sensed how much was being sought. The "shopping list" outlined by General Wheeler called for three more combat divisions, with sizable air, naval and land support.

Once the plan was fed through the Pentagon computers the precise number emerged. It became so secret that to this day some officials will not utter it—a reminder of the President's wrath when it did leak to the press during the March debate.

The sheer size of the request—a 40 per cent increase in the 535,000-man force committed to Vietnam—stunned Mr. Johnson and the civilians around him, though the initial impulse was to see how the commander's needs might be filled.

"It was a hell of a serious breakfast," one participant recalled. "It was rough as a cob!"

Some of the participants believed that a substantial troop increase could well revive arguments for widening the war—for giving General Westmoreland permission to go after enemy sanctuaries on the ground in Cambodia and Laos, and perhaps even in North Vietnam.

The President was wary about a massive new commitment. Had he not gone to extraordinary lengths to send half a million men to Vietnam without calling up reserves or imposing economic controls? Every year the generals had come to him—sometimes more than once a year—with the plea for "a little bit more to get the job done." Now, with the nation sharply divided over the war, they were asking for mobilization.

They had confronted Mr. Johnson with a dilemma. The gist of the Wheeler-Westmoreland report, in the words of one breakfast guest, was blunt: "We've got to have a big infusion of troops or we can't achieve our objectives."

No one at the breakfast table that day advocated lowering objectives. It was a time, however, when many pressures for a change of course were converging on the White House.

SPREADING DOUBTS ABOUT WAR

The Tet offensive had punctured the heady optimism over the military progress reported to Congress by General Westmoreland and by Ellsworth Bunker, the Ambassador to South Vietnam, in November, 1967. Not only had the pool of disenchantment spread by late February to fence-sitters in Congress, to newspaper offices and to business organizations. It had also reached the upper echelons of the Government.

If tolerance of the war had worn thin, so had the nation's military resources—so thin, indeed, that there was almost nothing more to send to Vietnam without either mobilizing, enlarging draft calls, lengthening the 12-month combat tour or sending Vietnam veterans back for second tours of duty—all extremely unappealing.

Congress was in such ferment that the process of legislation was partly paralyzed. The dollar was being battered by the gold crisis in Europe and inflation at home.

More fundamentally, the nation was seriously divided. The fabric of public civility had begun to unravel as opinion on the war polarized.

RUSK BREAKS A PRECEDENT

President Johnson chose his long-time friend, Clark Clifford, to head a task force to advise him on the troop request. It quickly became a forum for debating the entire rationale for the war.

At 10:30 A.M. on Friday, March 1, in the East room of the White House, Mr. Clifford took the oath of office as the successor to Robert S. McNamara. Three hours later he gathered the task force around the oval oak table in the private Pentagon dining room of the Secretary of Defense.

Secretary of State Dean Rusk, for the first time in his seven years in office, went to the Defense Department for a formal meeting.

The others present were all, like Mr. Rusk, veterans of arguments on Vietnam policy—Walt W. Rostow, the President's assistant for national security affairs, Richard Helms, Director of Central Intelligence; General Wheeler, General Maxwell D. Taylor, former Chairman of the Joint Chiefs of Staff, former Ambassador to Saigon and a Presidential adviser on Vietnam; Paul H. Nitze, Deputy Secretary of Defense; Under Secretary of State Nicholas deB. Katzenbach; Paul C. Warnke, Assistant Secretary of Defense for International Security Affairs; Phil G. Goulding, Assistant Secretary of Defense for Public Affairs; William P. Bundy, Assistant Secretary of State for East Asian Affairs, and, for financial advice, the Secretary of the Treasury, Henry H. Fowler.

None of the civilians present advocated a flat commitment of 206,000 more men, nor did they want to reject the request out of hand. Several insiders later suggested that a smaller request, for 30,000 to 50,000 men, would probably have been granted and the Administration crisis would have been avoided, or at least delayed.

Instead there was an early collision in the task force over war strategy and the possibilities of victory. There were, of course, shadings of viewpoint on most questions, but two broad coalitions emerged:

One favored continuation of General Westmoreland's strategy of wearing down the enemy by intense military pounding. The argument's assumption was that the Tet situation was less a setback than an opportunity. By boldly seizing the initiative, according to this view, the allies could decimate and demoralize the enemy and open the way to a favorable settlement.

The other group challenged the very premises of the old strategy. Its members urged a less aggressive ground war, called for new

efforts to open negotiations and, implicitly, laid the groundwork for political compromise.

FOUR EXPONENTS OF CONTINUITY

The exponents of continuity were Mr. Rusk and Mr. Rostow and Generals Wheeler and Taylor. Mr. Rusk, by then the staunchest defender of the war in public, patiently bore the heat of criticism. Tall, unbending, composed, he was, in his own words, "the ice-man."

Mr. Rostow and General Taylor, who had gone to Vietnam early in 1961 as President Kennedy's personal envoys and who came back advocating intervention, were even more opposed to "letting up the pressure." Mr. Rostow, athletic and ebullient, funneled the news from Saigon to the President.

The advocates of change were Messrs. Nitze, Warnke, and Katzenbach, and later—most powerfully—Mr. Clifford. Mr. Helms, thoughtful and angular, was neutral on policy questions. The weight of his C.I.A. analysis called into question military judgments, past strategy and the quest for victory implicit in so many earlier decisions.

Although Mr. Clifford was never alone, his eventual role was remarkable because it was wholly unexpected.

He came into government with a reputation as a hawk, as a trusted, loyal "back-room" counselor to Mr. Johnson who had steadfastly supported Administration policy. In December, 1965, he had opposed the 36-day bombing pause then advocated by his predecessor. One man acquainted with the circumstances of the Clifford appointment said later:

"I am sure the President felt, 'Here is a good, strong, sturdy supporter of the war, and that's what I need.' Mr. McNamara was wobbling—particularly on the bombing issue. I think the President felt Clifford was strong and sturdy."

But Mr. Clifford had begun to have doubts during a trip in August, 1967, to Vietnam and allied countries contributing troops to the war. On his return he confided to the President that he was deeply uneasy at having discovered that the American view of the war was not fully shared by Australia, New Zealand, Thailand and the Philippines.

Disturbed he was, but he remained a supporter of Administration policy. He was encouraged by secret diplomatic efforts in August, 1967, and again in January, 1968, to get negotiations with Hanoi started on the basis of the so-called San Antonio formula.

That proposal, made public by President Johnson in a speech in the Texas city on September 30, 1967, offered to halt the bombing of North Vietnam provided it would lead promptly to productive talks and "assuming" that Hanoi would not take military advantage of the cessation.

At Mr. Clifford's Senate confirmation hearings on Jan. 25, 1968, he had added the important interpretation that this meant that the President would tolerate "normal" levels of infiltration from North to South Vietnam.

The president had not cleared Mr. Clifford's remarks in advance and, as a result according to one informed source, "all hell broke loose at the White House and the State Department."

Secretary Rusk was said to have argued for two days with President Johnson against giving Administration endorsement to the interpretation. He was overruled. On Jan. 29 the State Department said Mr. Clifford's remarks represented United States policy.

He plunged into the minutiae of Vietnam like a lawyer taking a new case. He had private talks with Mr. McNamara, whose own misgivings had sharpened in his final months at the Pentagon.

As a newcomer with limited knowledge, Mr. Clifford had to rely on civilian subordinates more than had his brilliant and experienced predecessor. The large faction of dissenters from Administration policy was quick to

seize the opportunity to press its views. The Tet offensive, recalled one dissenter, "gave us something we could hang our arguments on, something to contradict the beguiling upward curve on the progress charts" from Saigon.

With the lid off, the new Secretary discovered a nest of "hidden doves" at the Pentagon, including his deputy, Mr. Nitze; Assistant Secretaries Warnke, Alain C. Enthoven, Goulding and Alfred B. Fitt; the Under Secretaries of the Army, Navy and Air Force—David E. McGiffert, Charles F. Baird and Townsend W. Hoopes; a few younger generals and colonels and a score of young civilians brought in by Mr. McNamara, principally Dr. Morton H. Halperin, Dr. Les Gelb and Richard C. Steadman.

The men who clearly had the greatest impact on the new Secretary's thinking were Messrs. Nitze, Warnke and Goulding—perhaps Mr. Warnke more than the others.

"Warnke was deeply upset about Vietnam and he was persuasive," a colleague said. "His style and Mr. Clifford's meshed." As a measure of their mutual confidence, Mr. Clifford chose Mr. Warnke as a law partner when both left the Government.

When the Clifford task force got under way, a number of officials took the troop request as evidence of panic on General Westmoreland's part. But ranking officers who were in Saigon headquarters during and after the Tet offensive assert that there was no thought of asking for many more troops until shortly before General Wheeler's visit late in February.

"The President asked General Wheeler to go out to Vietnam to find out what General Westmoreland thought he could use," a Pentagon official said. Civilian officials were irritated by this approach. "It was a mistake to ask a damned-fool question like that," a State Department official remarked.

The Joint Chiefs of Staff had their own reasons for favoring a massive increase and a reserve call-up. For months they had been deeply concerned that the strategic reserve had been dangerously depleted and they had been looking for a chance to reconstitute it by persuading the President to mobilize National Guard units.

Another view was held by Ambassador Bunker, who never fully endorsed the troop request and who wanted first priority for re-equipping and expanding the South Vietnamese Army—a suggestion endorsed by Pentagon civilians.

The Wheeler-Westmoreland plan presented to the task force called for 206,000 men by June 30, 1969—roughly 100,000 within a few months and two later increments of about 50,000 men each. The first segment was to come from available active-duty units in the United States; the rest were to come from the reserves.

In the view of the Joint Chiefs, only the full number would assure victory. The implication was that with 206,000 more men, the war would "not be terribly long," as one Pentagon civilian put it—but there was no precise forecast.

At this point Mr. Warnke, in his nasal Massachusetts accent, read a C.I.A. paper that challenged the military thesis head on. Hanoi, he said, would match American reinforcements as it had in the past, and the result would simply be escalation and "a lot more killing" on both sides.

Besides, the task force was told, the financial costs would be immense. The proposed scale of reinforcements would add nearly \$10-billion to a war already costing \$30-billion a year.

As an alternative, Mr. Warnke urged a turn toward deescalation—a pullback from General Westmoreland's aggressive search-and-destroy tactics and the abandonment of isolated outposts like the besieged Marine garrison at Khesanh. He said that American forces should be used as a mobile shield in and around population centers and that more

should be demanded from the South Vietnamese Army.

The sheer complexity of the troop issue began to raise doubts in Mr. Clifford's mind.

QUESTIONS OTHERS AVOIDED

"Part of it was Clark's intelligent questioning and part of it was his naiveté," a colleague recalled. "He asked about things that others more familiar with the details would not have asked."

"He just couldn't get the figures straight on troops. He drove Bus Wheeler mad. He would say, 'Now I understand you wanted 22,000 men for such and such,' and Wheeler would point out this didn't include the support elements, and if you added them, it would be 35,000 in all."

"This happened again and again every time Clark wanted to get the numbers down as low as possible, and it had a psychological impact on him," the source added.

The first weekend in March was consumed by a study of the papers drafted for the task force and by questions. "It was meet all day, sandwiches in for lunch, sandwiches in for dinner," a participant recalled.

Word was passed to President Johnson that the review "wasn't going well" and had hit a "discordant note." But Mr. Clifford's doubts had not hardened into convictions by the time he handed the President his first report on March 5.

A short, unsigned, four-or-five-page memorandum, it recommended giving General Westmoreland 50,000 more troops in the next three months and set out a schedule for readying the rest of the 206,000 men for dispatch over the next 15 months.

FROM DIVERGENT POINTS OF VIEW

Characteristically, the President's advisers disagreed on the recommendation's significance. The Pentagon saw it as a move "to get the pipeline going"—general approval of the troop request; State Department officials viewed it as part of a process of "whittling down" the 206,000 figure.

Although Mr. Clifford had passed along the report, he was uneasy about it. He was worried that if the President approved the first batch of troops, that action would move him irrevocably toward the whole 206,000. But the Secretary did not challenge the report directly; he tried to stall, suggesting that the task force check General Westmoreland's reaction to be sure the "mix" of forces was right.

General Wheeler wanted to move ahead, but others, including Mr. Rusk and Mr. Rostow, were willing to have the issue studied further, so the task force carried on for several more days.

This seemed to suit Mr. Johnson's mood, too. His instinct, a White House aide explained later, was to delay implementing the plan. "He kept putting off making an initial decision," the aide said.

For the President had heard the grumbles in Congress over the danger to the dollar from the gold drain and from the rising costs of the war. Politicians were alarmed by the size of the troop request.

Old, trusted friends like Senator Richard B. Russell, the Georgia Democrat who headed the Armed Services Committee, were complaining tartly about General Westmoreland. Influential men like Senator John Stennis, the Mississippi Democrat, were privately warning the President to go slow on mobilizing reserves.

As the task force persisted, Secretary Clifford himself was putting more pointed questions. "What is our military plan for victory?" he asked. "How will we end the war?" He was not satisfied.

Then the bombing campaign came under his scrutiny. Mr. Hoopes wrote him a memorandum urging a halt, arguing that the bombing was not having significant results and that, because of Soviet and Chinese Communist aid, North Vietnam had become "on

balance a stronger military power today than before the bombing began."

Mr. Hoopes contended that it was "a military fiction" that American combat casualties were halted. American losses, he said, were primarily a result of the aggressive ground strategy in the South.

Under the impact of such arguments, Mr. Clifford's doubts became convictions. He supported the President's previous restrictions on the war—no invasion of North Vietnam, no expansion of the ground war into Laos or Cambodia, no mining of the Haiphong harbor—and he became convinced that within those restrictions there was no military answer. He began the search for a path to disengagement.

The debate, by now in the White House, seesawed through the middle of March. At this time, Mr. Clifford began to state his case for a fundamental change in American policy: It was time to emphasize peace, not a larger war.

He now challenged the task-force recommendation for more troops. "This isn't the way to go at all," he told the President. "This is all wrong."

HIS WORDS CARRIED WEIGHT

With the nation bitterly divided over the war and in desperate need at home, he maintained, it would be immoral to consider enormous added investment in Vietnam—a "military sinkhole."

His outspoken challenge was deeply disturbing to President Johnson, who always preferred a consensus among his close advisers. Although he never turned his celebrated temper on Mr. Clifford, the argument chilled their personal relations and left the Defense Secretary, a friend for 30 years, feeling oddly frozen out of the White House at times.

Secretary Rusk apparently did not disagree with Mr. Clifford so sharply on troop numbers, but he was opposed to the long-run implications of Mr. Clifford's arguments—that in the end, the United States would have to settle for less. Mr. Rostow felt that the new Defense Secretary had fallen under the influence of "the professional pessimists" in the Defense Department.

At the Pentagon morale was rising among civilian advocates of a new policy. "We used to ask," a former Pentagon civilian said of the Secretary, "is he one of us? Well, there was 'one of us' at the White House." He was Harry McPherson, the President's speech drafter, who, unknown to the Pentagon or the State Department, was already at work on a major Vietnam speech. The final version was Mr. Johnson's address to the nation on Sunday, March 31.

FIRST A PLEA FOR A STIFFER STAND

The speech was originally conceived late in February on the basis of Mr. Rostow's analysis that the Tet offensive had not been a real setback and that the allies should pull up their socks and hang on until the enemy came to his senses. While discussions of troop strength were proceeding, Mr. McPherson was developing his draft.

Initially, it included an opened-ended commitment to the war—a willingness to carry on at whatever the cost. But as the internal debate over troop figures raged on and the numbers dwindled down to 50,000 and the tone softened. But the President would not commit himself to any draft or any figure.

Then came a series of signal events: Senator Eugene J. McCarthy scored a stunning upset in the New Hampshire Democratic primary on March 1. American dead and wounded in Vietnam reached 139,801—exceeding over-all Korean-war losses. American and Western European bankers held an emergency meeting in Washington to stem the run of gold as the price soared. Senator Robert F. Kennedy announced on March 16 that he would seek the Democratic Presidential nomination.

All this formed the backdrop for the most delicate argument of all—that about the bombing.

On March 15, Arthur J. Goldberg, the American representative at the United Nations, sent an eight-page memo to the President urging him to halt the bombing to get negotiations started.

Others in the Administration favored such a step—Mr. Katzenbach and Ambassador-at-Large W. Averell Harriman, among them—but it was Ambassador Goldberg, increasingly frustrated by his sense of powerlessness on the Vietnam issue, who dared brook the President's anger by raising the issue directly.

Few officials knew he had done so. He drafted the memo himself and sent it labeled "For the President's Eyes Only." Copies were given to Secretaries Rusk and Clifford, and Mr. Rostow, as the President's aide, saw it in due course, but Mr. Goldberg discussed it with none of them.

Still others, including Assistant Secretary of State Bundy, favored waiting for several weeks on the ground that another enemy offensive might be near.

A day after the Goldberg memo arrived, the subject came up in Mr. Johnson's inner circle. The President, his patience sorely tested, sat up in his chair and said:

"Let's get one thing clear! I'm telling you now I am not going to stop the bombing. Now I don't want to hear any more about it. Goldberg has written me about the whole thing, and I've heard every argument. I'm not going to stop it. Now is there anybody here who doesn't understand that?"

There was dead silence.

The bombing issue was dropped at that meeting, but it was not dead. Mr. Clifford, the lawyer, had noticed a loophole.

JOHNSON'S FOLLY, UTAH

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BURTON of Utah. Mr. Speaker, on his last day in office, by the stroke of a pen, President Johnson expanded Capitol Reef and Arches National Monuments in Utah by 215,000 and 49,000 acres, respectively. This action was accomplished through issuance of two proclamations. It was done without prior consultation with Members of Congress from Utah, State officials, or people in the area who might be adversely affected by the monument extensions. This, in my judgment, was completely wrong. There should have been advance notice; there should have been public hearings; there should have been consultation. But, unfortunately, neither the President nor Secretary Udall considered this important.

I think it fundamental that the work of Government, particularly when it directly affects the economic livelihood of the people it governs, should not be conducted in secret except in those relatively rare cases where the security of the Nation is at stake. There was no justification for clandestine action in this case. What was done here should have been done in the light, not the dark. It frequently happens that when people act furtively, they do so because they expect their acts will not be favored by the public. This must have been the case in this instance. Certainly the "land grab" has not set well with the people who live in the area adjacent to the monuments.

The following article, which appeared in the February issue of the Utah Cattleman, explains their point of view:

THE STORY OF BOULDER, UTAH: IT WAS A NICE LITTLE TOWN

Boulder, Utah, a town with a listed population of 108 people, is nestled in the border area of the Dixie National Forest of Garfield County, and used to be about 25 miles south of the Capitol Reef National Monument. That is correct, used to be. With the final decision of Lyndon B. Johnson, and his partner Udall, concerning this bit of beauty in Utah, the area was expanded by 255,000 acres, and they find themselves much closer to it.

In this community, as in others of the west, the main economic resource is cattle raising. Almost without exception, the welfare of everyone in the town depends on this industry. What has happened to them is without a doubt a real catastrophe. It is easy for newspaper editors to sit in an easy chair somewhere in the east, or at least east of Utah, and write glowing phrases about the glorious past of LBJ and Udall when it comes to conservation. They do not know the facts, and apparently don't wish to find them out. What they can't realize is a lot of difference between conservation and preservation reserves these acreages for a very small percentage of our population.

If this decision is allowed to stand it appears the cattle business will be extinct in this section of the country. Homes and buildings will go by the wayside. Huge investments will go the way of grazing permits. It is a sorry picture. Bankruptcy is something that has hung over the heads of many livestock operators for years, but bankruptcy by presidential decree is a bitter pill to swallow, and this is what has occurred.

In light of all this the Town Board of this community has signed a resolution and sent it to Secretary of State Clyde Miller, as follows:

"RESOLUTION MADE BY THE BOULDER TOWN BOARD ON JANUARY 21, 1969, AT BOULDER, UTAH

"Whereas the town of Boulder was established as a home site and farm area as an adjunct to livestock operations which are highly dependent upon Federal range. The last official act of President Johnson, withdrawing a principal part of the grazing land for the town of Boulder, has sounded the death knell for our community,

"Whereas our many visitors to the valley have been surprised and impressed with the emerald greenness of our Boulder Valley which suddenly appears to the visitor as a beautiful green oasis surrounded by sandstone hills. These visitors have accepted this greenness as a natural phenomenon of nature when, in fact, it is the result of large scale investment in time and money by the livestock operators of the valley. The "rule by decree" of President Johnson has destroyed the economic justification for our valley's farming operation since distance to markets and other economic factors rule out profitable farming except in support of livestock range operations,

"Whereas while the name of Boulder, Utah has a special meaning in the true western traditions of livestock operations we, the community members do not wish to see the death of our valley occur under the name of Boulder and therefore officially change the name of this town to a more appropriate one: Therefore, be it

"Resolved, That in commemoration of President Johnson's "parting gift to the American people" the new name for our valley will be *Johnson's Folly, Utah.*"

To these people we offer our congratulations, our sympathy, and our promise to do everything in our power to have this ruling reviewed, and if possible, rescinded.

Those who say it can't happen here, or it

can't happen to me had better talk to some of those people in Boulder. They know!

BLACK SECESSIONIST UNIVERSITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, Congress last year appropriated the money to establish a new Federal City College in Washington, D.C., to provide quality education to our many youth who want to go to school in our Nation's Capital.

The university is halfway through its first year in existence and already we are told it is establishing a black studies program working toward an emerging and "wholly separate black nation."

This can be but the same black secessionist movement being promoted in absentia by Robert Williams of RAM, the Black Panthers, and the New Africa.

The people at the Federal City College must be naive if they feel the taxpayers of the United States are going to continue to fund a university specializing in teaching the catechism of revolution, confiscation of lands, and destruction of culture of the United States, and as a base of operation for a bunch of loudmouthed anarchists.

Mr. Speaker, the report from the college indicates it will ask for a \$11.4 million appropriation this year. Until I have written assurance that the college is going to be used as an educational facility, I will never cast my people's vote for any such funding.

I include the column by Herbert H. Denton from the March 6 Washington Post:

BLACK STUDIES ISSUE SPLITS FEDERAL CITY COLLEGE

Federal City College, more than halfway through its first year, is bitterly divided over a black-studies program explicitly working toward an emerging—and wholly separate—"black nation."

The emergence of this political issue has raised serious questions about the future development of Washington's only public college.

The immediate issue is standards for hiring the 174 new faculty now being sought for next fall.

Separatists who have won ascendancy in the faculty hierarchy are pressing the college administration to discount traditional academic credentials, like doctoral degrees, and give weight to experience with black political and social action organizations.

Last year, black studies were planned as merely a group of courses in the humanities and social sciences divisions.

Next year, after a series of bruising internal political fights over recent months, black studies will be the second largest division of instruction at Federal City and will approach the status of being a separate college.

Courses will include not only black history and black English but also black physical education and black mathematics.

The proposed curriculum would devote the first two years to the "decolonization of the mind," described as the systematic eradication of "white values" held by entering students.

The latter two—"or three"—years will con-

centrate on training an elite for what is believed to be the coming "black nation," including Negroes world-wide.

But even before the program has got under way, its planners have attempted to export its message of "revolution" and "nation building."

James Garrett, head of the City College's black studies program, lectured students at the University of Oregon on techniques of making fire-bombs and hand grenades, on the anniversary of the assassination of Malcolm X this year. A busload of students from Federal City went to assist protesting students at Cheyney State College in Pennsylvania last fall.

RECRUITING CRITICIZED

The college has brought in many instructors of "dubious quality and competence" and is recruiting more, said Margaret Just Butcher, a former professor at Howard, and now professor at Federal City College.

"I'm a little tired of this nonsense of black, black, black," said Mrs. Butcher, a Negro.

Other faculty members expressed these views:

William Couch, chairman of the humanities division and also a Negro: "Isn't it conceivable that (activists) would have something to offer that Ph.D's would not?"

One senior professor who preferred to remain anonymous: The college is in danger of becoming a "glorified high school."

Joseph Brent, the faculty chairman who is white but sides with the separatists: The "genteel tradition of scholarship" might not be effective at predominantly black Federal City. "Street education has produced a very sophisticated individual even if he can't write well or add."

STUDENTS NOT CONCERNED

Separatism has been almost exclusively a faculty issue.

Surveys of the greater than 90 per cent black student body last fall revealed that most were interested in pursuing careers in business, teaching and science-related fields. Business and science courses are always the first to fill up a quarterly registrations.

But the black studies department will get 40 out of the 172 new faculty slots open for next year for a total of 54 teaching positions.

By contrast there will be 51 instructors in the natural sciences and only 41 in the professional division, which includes teacher training, and business administration.

After a year of intramural battle within the college faculty, the separatist influence has prevailed in other divisions, humanities in particular. (The current ratio of white to black teachers is roughly 50-50).

Some young Negroes without doctorate degrees have been made department heads while senior, more traditional-minded, faculty have, in several instances, been relegated to positions of little influence or control.

Kenneth Lynn, former professor at Harvard and the college's most well-known academician has said he is "seriously considering" leaving.

It is also widely reported that both the college president and the provost, Frank Farner and David Dickson, are seeking positions elsewhere.

APPEAL TO FARNER

Some faculty members in the losing faction have appealed without success all school year to Farner, the president, and Charles Horsky, Washington lawyer and chairman of the board of trustees, to resolve the situation.

Farner, who is white, was visibly distressed last week by the developments at the college. He had not realized that the separatist impulse would be so strong and domineering, he said.

"I have not made any policy decisions on my own. That's probably the wrong style of administration for this situation," he said.

Horsky said that he had been aware all

year that there was "argument, debate," but had not taken it as a "sign of anything going wrong."

"We assumed that was a part of a normal university atmosphere. I think we are beginning to be aware that there is a little bit more to it than that," he said.

But the issue soon will be out of the control of Farner and the trustees. This Spring it will come to the congressional appropriations committees, with highly inflammatory racial overtones.

MORE FUNDS SOUGHT

The college will ask for \$11.4 million, about \$7 million more than last year, to double its current enrollment of about 4000.

Problems at the college have been complicated by its hasty organization last year and the rapid growth planned. By 1975, the school plans to have in excess of 17,000 students.

The school still is finding it difficult just getting organized. Although negotiations are under way, no buildings have been acquired to accommodate the increased enrollment next school year. Fewer than 15 per cent of new faculty needed for the fall had been signed on at the end of last week.

The school library was one of the last facilities to be completed in the remodeling of the school's temporary building at 2d and D Streets NW.

A truck load of books arrives each day and the library still is not in full operation. For one reason or another, it is not widely used by students.

Of the 30,000 books in the library now, only about 60 to 75 circulate daily.

FACULTY ABSENTEEISM

And throughout this academic year there has been a problem of attendance at classes by teachers.

Joseph L. Brent, chairman of the faculty, said he was aware of the teacher problem but had not yet made an investigation to determine its extent.

But there are a "mixed-bag of non-attenders," he said. "Patterns appear to be individual rather than social," he added.

David Dickson, the college provost, said he knew that there were "goof-offs" on the faculty. "The students are very outraged. . . . They will be the lever to detect this sloppiness and also to cure it," he said.

Dickson, who is Negro, told a national convention of educators last fall that the college was wracked by "racial tensions . . . suspicions . . . and polarization."

A "well-disciplined and intense cadre of white radicals and black separatists (who) neglect academic principles for revolutionary ends" had almost taken over the 100-member faculty, he said then.

His assessment of the state of the college last week was, if anything, more dire. The college had become a "permissive democracy . . . exploited by the politically astute," he said.

HOPES FOR "SOBRIETY"

He held hope, nonetheless, that an element of "academic sobriety" might be brought to the black studies program with the addition of older academically qualified professors.

Recruitment for the black studies program, however, is almost completely in the hands of James Garrett, 26.

He received his bachelor's degree last spring from San Francisco State College and now is acting director of the Federal City College's black studies program. ("I'm director but the administration calls me acting director," Garrett puts it.)

When hired last year, "he (Garrett) was introduced to us as a teacher of creative writing," Dickson remarked, with a note of sarcasm.

SHUNS AFRICAN DRESS

Lean and soft-spoken in conversation, Garrett shuns the hair-do and native dress affected by many black militants.

"Blackness must change its emphasis from that which is seen, such as Afros and Dashikis, to that which is necessary, such as living and working with Black People to achieve our goal of liberation," states the position paper outlining his program.

At San Francisco State he is credited with organizing the Black Student Union—the key organization in the months of violent student protest there. Under his direction the Student Union also began a tutorial project in San Francisco high schools.

Last week Garrett said he had helped start Black Student Unions throughout the West Coast and has been a consultant to students and college administrations nation-wide on the development of black studies curricula.

"I get four offers a week for jobs; three offers a week for traveling," he said.

During the mid-60s he worked for the Student Non-Violent Coordinating Committee (SNCC) in its voter registration project in Mississippi.

He was accepted for a graduate program at Harvard last fall. But he declined the offer, in order to teach at Federal City.

One colleague at the college, skeptical of the black studies program, described Garrett nonetheless as "brilliant, shattering" and, coming down hard on each syllable, "politically astute."

PROGRAMS VARY WIDELY

Black studies had been the ever-recurring cry and demand of student protests across the country this school year. Colleges and universities in many cases have responded hastily with programs that differ sharply.

At Harvard, before any significant student demonstration, a scholarly program was planned bringing history, sociology, economics, and other disciplines to focus on the American Negro.

At the same time Harvard announced it would expand an existing African studies program. The two departments would not merge.

At San Francisco State College, a different kind of program was envisioned. African and Afro-American subjects would be in the same black studies department, but the courses themselves would be a supplement to regular study.

DRASTIC DEPARTURE

At Federal City College, the black studies program departs drastically from existing academic traditions.

Conventional college courses are imbued with white values, said Couch, head of the humanities division—the largest instructional segment in the school.

"The British Empire in rhetoric becomes an honorific term," he said. Actually, he said, it meant in large measure going into Africa and Asia and coercing people into slavery.

But the scope of the black studies program extends beyond historical perspective and is pointedly aimed at structuring attitudes and technical skills for the nascent "black nation."

A position paper prepared by the black studies program states:

"Whether the Nation is to be a collection of enclaves or a geographical location, existing within or without the United States, is a question we must ultimately answer as a people. Yet, the Black Education Program recognizes the necessity for Black People to be prepared to face and decide that question in the foreseeable future."

CURRICULUM SET

The first two years would be spent inculcating the revolutionary instinct and ideology, according to the curriculum. Courses in writing and composition would be stressed as well as a historical, social and cultural survey of Negroes in Africa, the Caribbean and the Americas.

The scientific segment of the curriculum would examine the principles of math, biological sciences and discuss their "practical

application . . . to the social life of the black community."

Black physical education courses to "strengthen the body and discipline the mind" would include instruction in karate, stick fighting, riflery, gymnastics and the African hunt.

The curriculum described it as a "total immersion" program.

Students enrolled would be virtually unable to take other courses at Federal City. Correspondingly, students not enrolled could take only a few specially designated black studies courses.

Specific problem-study outlined for the final two years include "tropical disease in Africa"; the development of a math curriculum for African secondary schools; the development of an independence movement in Kenya, Mississippi or Washington; and, in the cultural area, the question, "who is our audience and how we reach them."

In the midst of confusion and clashing struggles among faculty and administrators most of the students at Federal City—whose ages average 21—have dug in to studies that they hope will earn a degree leading to a good job.

About 5000 applications have been filed for next year. There are still an additional 1500 applications remaining in the lottery from which students were selected this year.

Everett Watkins, a freshman, is taking one black studies and two science courses this quarter.

He said last week that he had found all of them interesting, but would ultimately major in engineering and not black studies.

The proposed engineering curriculum "looks kind of rugged," he said, and he doubted that he would have the time to take many more black studies courses.

COMMUNAL LIVING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, without financial assistance from without, every communal living attempt has failed.

Such has been the proven experience of man. Question it, deny it, but the truth haunts those who would hide it.

Socialistic living experiments were conducted in 1825-27 at New Harmony, Ind., and in 1841-46 at Brook Farm, West Roxbury, Mass.—both failed.

Man has not changed except for tax subsidies and tax-free grants. Some must work if there is to be production, and those who toil tire of sustaining those who refuse to produce.

Despite the planned contrivances of the parasitical classes of society to continue to undermine the initiatives of work, thrift, and morality, without these, all is threatened to fail.

Mr. Speaker, I include two recent reports on Socialist housing experiments so that our colleagues will document the failures of "communes," or whatever name:

[From the Washington (D.C.) Post, Feb. 13, 1969]

"SOUL CITY" BACKERS NEED \$500,000 (By Jean M. White)

Backers of Soul City said yesterday they are confident that they will come up with

\$500,000 required to buy the land for the "new town" before the option runs out on Tuesday.

The principal sponsor, Negro Floyd B. McKissick, said he has "several sources" lined up during a press conference called to explain how Soul City planners hope to make a capitalist out of every one of the 18,000 residents.

The plan calls for a new town in the North Carolina "black belt," where McKissick said the residents not only will have a "chance to work but also a chance to own."

Yesterday, McKissick called on lawyer-economist Louis Orth Kelso to explain how Soul City would make "capital owners" of poor people without any capital.

KELSO'S EXPLANATION

Kelso delivered an explanation based on an ingenious financing technique—taking advantage of Federal corporate tax laws covering employee ownership of businesses.

In an oversimplified form, it would work out this way:

When a corporation decided to build a plant in Soul City, an employee trust would be set up. The employee trust would borrow the plant-building money from a bank and invest it in the corporation.

Then all profits would go back to the employee trust with the workers as shareholders. The big tax benefit is that the payments are deductible from corporate profits, thus escaping levies of about 55 per cent.

When one reporter referred to the section as a "tax loophole" and wondered whether Wilbur Mills, the No. 1 tax writer in Congress, had heard about it, Kelso bristled at the word "loophole."

"INDUSTRIAL HOMESTEAD" ACT

He said he preferred to call it a kind of "industrial homestead" act. As examples of such corporate set-ups, Kelso pointed to Peninsula News, a chain of newspapers, and First California Co., a brokerage investment firm. But he conceded these employee-ownership plans did not begin from scratch the way Soul City proposes.

Another reporter wanted to know just what attraction such a setup offered business—since it would forgo its 20 to 30 per cent return.

Kelso said businesses will have the advantage of building plants with "pre-tax" dollars.

McKissick cut in to answer the reporter: "Maybe you're right. Industry doesn't have a conscience. But we've had several companies show interest in this."

McKISSICK HOLDS OPTION

His own private investment firm, McKissick Enterprises Inc., holds the option on 1810 acres of land in Warren County, N.C., near the Virginia border, where Soul City would be built—at a profit to McKissick's firm.

In response to a question from a reporter, the Negro leader—a former head of CORE—said yesterday that he had talked to President Nixon about Soul City, but "is unable to say exactly what the President's reaction will be."

The Soul City backers hope to get Federal grants for planning and aid under the New Communities Act of 1968.

[From the Washington (D.C.) Post, Feb. 21, 1969]

ADULTS FAIL IN SEARCH FOR UTOPIA (By Ken Reich)

ORACLE, ARIZ.—The attempt of University of Arizona instructors and Tucson professional people to form a Utopian community here has fallen into terrible, perhaps fatal, difficulty.

Ten months of communal living at Rancho Linda Vista have brought four divorces and searching personal re-evaluation among the 30 adult members of the community.

The fate of Rancho Linda Vista may be significant. Its members represent the strivings of many persons their age and younger for new social forms and institutions.

In recent months, experiments in communal living have cropped up in California, Arizona and New Mexico, particularly in the area around Taos, N.M. But the group from Tucson—whose adults are mainly in their late 20s and 30s—is generally older and better equipped financially for such an effort than the others.

Although Rancho Linda Vista was conceived as a far less radical experiment than the dozen or so "communes" now scattered across the Southwest, even the communal programs it did start out with have been abandoned or sharply curtailed.

MUCH GIVEN UP

The communal store, two communal telephones and communal livestock largely have been given up—the victims either of persistent cash deficits, or, in the case of the livestock, an unwillingness on the part of the urbanized community to do upkeep work.

Communal eating in a central lodge now is infrequent. Proposals for income pooling and inter-family communal living in the houses occasionally have been reviewed but not accepted.

Yet discussions go on about establishing a children's school or an adult art center at Rancho Linda Vista to attract outside students and draw the community members together by enabling them to quit their jobs in Tucson and work at home.

And efforts continue to build the utterly frank communications among the group that some members think have been a factor in the breakup of four marriages since the beginning of last summer. Of the five members of the original "management committee" at the ranch, four have been involved in these breakups.

The ranch itself remains as a major physical asset under common ownership. Eight members of the community originally contributed \$1000 each to make a down payment on the \$67,500 sale price. Rent from others is keeping up the mortgage payments.

LITTLE LIKE TREE

Charles Littler, the 40-year-old University of Arizona associate professor of art who more than anyone else put the community together and remains its nominal leader, reflected recently in an interview:

"We came up here as a large group. It was a little like transplanting a large tree . . . one of our problems was starting as a large group of heterogeneous people.

"Marriages broke up, friendships were disrupted. There were quite a few casualties. I, as an originator, felt quite a burden.

"We failed in the store and in eating at the lodge," Littler said. "I felt these were failures at living together. People found it easier to go back into the old ways. I think we tried too hard to do too much in the beginning and our efforts in some instances collapsed on us."

As an example, Littler told about the effort at first to have women spend some of their time doing men's jobs, such as shoveling dirt, and men spend some of their time cooking and doing other kitchen work. Much of this experiment was later abandoned.

Littler, whose own marriage ended in the early months at the ranch, believes the community can be revitalized if a school is created and more is done to bring about "defenseless communication" among the group, "where you reveal your secrets."

But some members of the community doubt the school—probably a highly progres-

sive institution for board-ins—will be formed. "There's a lot of talk about many things, but there are few things people really want to work on."

CHANGING ENVIRONMENT FOR COLLECTIVE BARGAINING

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FRIEDEL. Mr. Speaker, it has been 21 years since the Congress created the Federal Mediation and Conciliation Service to help solve labor-management disputes by persuasive techniques in order to prevent or minimize interruptions of the free flow of commerce and to assist the disputant parties in industries affecting interstate commerce to settle such disputes through conciliation and mediation. It should be noted that the Service possesses no law enforcement authority, but it does aid and assist in settling labor controversies.

Unfortunately this system has not always worked and when we experience prolonged strikes our constituents usually let us, here in the Congress, know their feelings by urging enactment of stronger legislation.

At a seminar sponsored by this Service earlier this year a very interesting statement was made by Mr. Weldon Mathis, assistant to the president of the International Brotherhood of Teamsters on the question "Changing Environment for Collective Bargaining?" Believing this issue to be of interest to the general public as well as my colleagues, under unanimous consent I submit the material for inclusion in the CONGRESSIONAL RECORD, as follows:

CHANGING ENVIRONMENT FOR COLLECTIVE BARGAINING?

(Remarks by Weldon Mathis, assistant to the president, International Brotherhood of Teamsters)

(NOTE.—The following was prepared as a union view of the question of changing environment for collective bargaining, presented January 6, 1968, in Atlanta, Ga., at a seminar sponsored by the Federal Mediation and Conciliation Service.)

When I began to ponder the subject of this meeting—A Changing Environment for Collective Bargaining?—I was reminded of the packaging engineer who took a look at the egg and then set out to design a more perfect package.

If that packaging engineer were of the same caliber as the other members of this panel on collective bargaining, I surmised, the day would not be too far away when I would sit down to my breakfast of soft-boiled eggs, pull a cellophane tape which would perfectly open the egg shell. No longer would it be necessary for one to crack the egg with a piece of silverware to get to the fruit of the egg.

Or, more specifically, I dreamed of the day when we will have a perfect solution to the problems of collective bargaining, through some fool-proof formula by which "A" and "B" will be computed to give the answer to "X". And, in such a system, we could automatically come up with the answer to "X," making workers, management, politicians and the general public perfectly happy with the final product which we call the contract.

But, I had these thoughts at a time when America was living a long-sought dream—the trip to the moon and return by the astronauts—and I finally resolved that human problems are not as easily solved as mathematical equations fed to a computer which plots a course to the moon.

So, I returned to the world of reality and busied my thoughts with collective bargaining as it exists today, and with the trends and the proposals for a more perfect way in which workers and management will resolve the disputes which evolve on the job.

Of course, my experience has been in the Teamsters, and more specifically with negotiations in the field of freight.

I am sure that you are all familiar with the trends in collective bargaining in trucking. Not too many years ago, our local unions negotiated individually with truckers, whether that trucker was a local carrier or whether he had a multi-city operation. And, I am sure that you are all aware that the results were not too satisfactory to any of the parties involved—the union members, the carrier, or the general public. Labor peace was not one of the results of this type of bargaining.

Then, in the 1930's, the Teamsters through men like Jimmy Hoffa and Frank E. Fitzsimmons, formed the Central States Driver's Council, and a beginning was made toward area-wide bargaining. And the development of this type bargaining, finally, in 1964, was a National Master Freight Agreement.

The results of this type of bargaining, despite the headlines and the fear-mongers who warned the country of a nation-wide truck strike, have been quite satisfactory.

So satisfactory have they been that we have not had a major truck strike in this country since 1958 when the 11 Western states were shut down. And, union members have been satisfied, generally, with the elimination of discrepancies, and the carriers have publicly stated that they want no part of a return to bargaining individually with the local unions involved.

So successful have been the results of this type of bargaining that labor has all but been eliminated as a competitive factor between the carriers, and industry now competes on the basis of service to its customers and to the general public. But, you have read little about this result in the daily press, heard nothing from Huntley and Brinkley or Walter Cronkite on their television shows.

There is little emotion of sensationalism in the fact that there is labor peace in trucking, and, therefore, little news value by today's standards, so this trend in collective bargaining is a little-known fact to the general public.

But here today we concern ourselves with the changing environment for collective bargaining and the trends in the method by which labor and management resolves its differences. I suppose that the word "environment" is the key word to this discussion because it implies political and economic environment, both of which are subject to rather rapid change.

But as I thought about the subject and its ramifications, I could not help but conclude that the economic environment is the more important of the two. During the last 35 years, we have experienced all kinds of political conditions, and we enter 1969 with a new Administration in Washington, D.C., with a new political party occupying the White House.

I rather believe that what evolves during the next four or eight years in collective bargaining will result not from the political environment but from the economic environment. Labor and management will be in dispute over the amount of money in the total economic pie and how it will be distributed.

If we continue as we have over the past several years, there will be more and more

economic growth and there will be more and more money in the economic pie. And labor and management will be at the bargaining table trying to decide just what part of that pie which will be labor's, will go to wages, what part will go to medical insurance plans which we call health and welfare, and what part will go into such deferred wages as pensions for the membership.

During a recent experience under our National Master Freight Agreement, a committee of union representatives had to sit down and decide whether an increase occasioned by a hike in the Consumer Price Index should go toward wages, or should it go to buy more medical insurance for the members and their dependents.

This trend is quite a departure from days gone by when we in the Teamsters were not concerned with where the money would go, but rather were initially concerned that we could commandeer a penny from the employer to begin a health and welfare plan.

And, of course, this all came about in an environment which realized that wages negotiated at the bargaining table can be deflated because of a rising cost of living, and from a willingness on the part of management to negotiate cost of living increases to give real meaning to the fruits of basic collective bargaining.

But I suspect that the political environment had little to do with what was accomplished. It could have not been accomplished if the economic environment had not been healthy enough to provide the money to pay the cost-of-living increase.

Of course, it is rather elementary now to consider the fact that automation and technological advances have changed the environment in which we practice our trade of collective bargaining.

But it was not too long ago that terms such as "vacation banks" for example, were unused in the trade. But, in the highly automated brewery industry, where we have members for example, members bank vacation credits against the day when automation wipes out a job, and it is necessary either to lay a production worker off, or spread the remaining work around a bit so that everyone will have a pay check coming in.

I think, too, that as the working people of the country become more and more health conscious, we see an environment in which more and more attention must be paid to providing union members with the wherewithal to participate in today's medical market place where the price tags lead all others in the increasing consumer price index.

We in labor have had to become more aware of these needs, both because of a moral obligation we have in this area, and also because of a growing demand from our membership for help in this regard.

An example of what has been needed here is among the cannery workers in California, a group of people who are on the bottom rung of the economic ladder and whom we found need medical care probably more than other groups.

So, through a trend in collective bargaining, our representatives on the West Coast negotiated a plan—paid for by the employers—whereby mobil medical clinics, fully staffed and equipped, moved to the gates of the canneries where our members work. Physical exams were given, even to the extent of the job steward pulling an unwilling member off the job and putting him through the clinic. The need here was more than revealed when we found—among adult people who had never been to a doctor—many critical illnesses and physical defects badly needing correction. This is a story in itself, but in the interest of brevity, I think that short description serves to illustrate my point.

There is another trend with which we in the Teamsters have had to deal recently and it involves a new feeling among the rank-

and-file which leads either to contract rejection, or more seriously, to wildcat strikes during the lifetime of the agreement. And, I think this did not characterize bargaining during the past 10 or 15 years. What I am saying here is that we are not having the good fortune which we enjoyed in past years at recommending a contract to the membership and having the members agree.

Our recent experience in the steelhaul industry is a case in point. I am sure that you are all familiar with the wildcat strike which recently occurred in this industry. The union found itself in the position of having to "sit it out" so to speak, if it was to honor its contract obligation with the industry. And certainly if we are to have a semblance of stability in collective bargaining, labor must take a stand against the membership when such an event occurs.

And, then more recently, the carriers in this industry were granted a tariff increase, part of which—under the terms of the agreement with the Teamsters—was to go to the drivers. Management either refused to pass the increase along to the drivers, or paid it under protest. Here the International Union took the position that the carriers would pay the increase, or face a strike.

This whole concept of rank-and-file rejection of recommended settlements and the trend toward wildcat strikes is creating a new environment in which a mutual problem is created for both the leadership of unions and for management.

What lies ahead, at least for union leadership, is the unpalatable prospect of that leadership being put on the side of management against the member, purely as a matter of sticking to the bargain made during negotiations.

In the steelhaul situation, the union has been on both sides of the question. On the one hand, insisting that the membership keep its bargain as spelled out in the agreement, and on the other hand, insisting that management keep its part of the bargain, again spelled out in the agreement.

In yet another area, we in the Teamsters are finding a changing environment in the carhauling industry. With the advent of the bi-level and the tri-level carhauling railroad car, we saw our membership in this industry dwindle from approximately 25,000 members to 15,000 members as the auto manufacturers made the switch to the railroads.

Now, this trend seems to be slowly reversing itself, with the car manufacturers switching back to shipping new autos by truck. They have found it in terms of service and damage, that the railroads may not be the answer they thought in the first instance.

And, this trend, has not been without its problems to the union. I ran across an instance the other day where a driver made \$28,000 for a year's work hauling cars. And, this increase in income has changed the environment for the driver. He is demanding more and more time off to enjoy his new found affluence.

So, when a driver has a haul from point A to point B, he is reluctant to stop at point C on his return to pick up a load. And, here again, the union finds itself between its members and management. We cannot expect to get these high wages from management if we are inflexible in our attitude. We must allow him to carry a return load, and make the adjustments so that he does not deadhead his equipment home. And it is sometimes very difficult to get the member to understand this basic economic fact of life, when he has money in his pocket to spend.

In yet another industry, we see a union having difficulty in resolving the containerization trend. I am told that it takes about 32,000 man hours to empty the hold of an average ship. And, when the cargo is con-

tainerized, those man hours are reduced to something like 1,600.

The workers involved are insisting that each container be unpacked and repacked to protect their jobs. So, while unions generally and with rare exception have gone along with automation and technological advance, over the past several years, perhaps we are now operating in a new environment which is simply a moment of truth in the proposition of a worker displaced by new methods.

We may well have reached the point where unions must demand that the job of the worker be guaranteed, a point where attrition is not merely a consideration of new equipment and new methods.

The Auto Workers, for example, have reached the mecca of the guaranteed annual wage. Cannot we suspect that we have reached the point where we must negotiate something equivalent to a guaranteed "working-lifetime" wage?

In this regard, we find that more than half of our population in this country is 25 years of age or under. And, couple that fact with the growing spirit of revolutionary tendencies among people of that age group, I think you can see that they are forcing a trend upon collective bargaining.

It was your own William Simkin who pinpointed the effect of a younger membership. He declared that the explanation for the growing number of contract rejections—even those recommended by union leadership—stemmed from the revolutionary spirit of today's younger citizens.

He suggested that civil unrest had spilled over into the trade union movement, and good settlements were being rejected by members doing their thing in a 20th century beset with revolution.

But, those are some of the more obvious trends and changes in the environment in which collective bargaining must work. And I think that I would like to address myself here today to the less obvious trends and the less obvious forces which tug and warp the collective bargaining process.

And, I suppose that now I am dealing more with the political than the economic aspects of collective bargaining.

Too often, trends in collective bargaining are motivated by emotions and thrusts which have little regard for the years of experience which we have gained in this country in the field of collective bargaining. They are the unreal motivations which can only hurt collective bargaining which has worked so well for this country.

You all know the Congressman, from a rural area of America, who has gained super seniority and who owes his political longevity to an anti-labor image. He talks in terms of putting some checks on what he calls "big labor" with too much power. His ignorance, or disregard of the facts, is demonstrated when we realize that we will never have any semblance of labor stability in this country unless we do have so-called big labor to deal on an equal basis for big industry. And, yet, when the day's headlines are written, this type of political demagogue has a corner on the front page of the daily newspaper, or he commands several minutes on the evening news on television.

And, he creates an environment in which a collective bargaining system which has worked well for America comes under attack, an environment in which public confidence in the collective bargaining process is shaken unnecessarily, and the only thing which is served is the politician's own political welfare.

Of course, one of his most useful tools is a gullible public, sadly uninformed by the daily press and mass media. He tells the general public how badly it is inconvenienced by a strike—one which may be in effect, or one which the politician tells the public might happen.

I suppose there is a modicum of truth in the proposition that the general public is sometimes inconvenienced by a work stoppage. Yet, I have no sympathy for a public which even though temporarily inconvenienced by a strike—say in public transportation—is always ready to enjoy the benefits which finally evolve from collective bargaining.

Out of such a strike have come wages which make the wage earner a self-sustaining member of his community, paying taxes and contributing to the overall community good, instead of being a statistic in the welfare budget.

Of course, one of the real dangers to collective bargaining is the constant harangue by the press and the politicians which has the effect of demanding perfection from the collective bargaining process—not only from the process but the parties to collective bargaining—and it is a standard which we set for no other segment of our economy or society.

I think there is one trend which demonstrates more than anything else the proposition that those who would change the collective bargaining process propose not refinements in the process, but rather the seeds of total destruction.

And I am forever amazed that these proposals and the ones who propose them are really taken seriously in the first place.

I have in mind the proposal to abolish the National Labor Relations Board and replace it with labor courts. Those who even consider this assault on the collective bargaining process cannot have the welfare of the country at heart. They are willing to scrap 35 years of experience in collective bargaining and the mediation of disputes with a system which is doomed to failure before it begins.

I am told that there are currently pending in the federal courts some 97,000 cases—a backlog which requires approximately three years for a case to come to trial.

Can you imagine the industrial chaos which would result over a simple dispute like a discharge case, or a case of seniority, if the men involved had to wait three years for a determination.

I think too, there is a danger that we try to cope with new problems with old terms which do not apply. For example, we have all heard the old bugaboo that higher wages and the wage demands of unions are causing inflation.

I think that the simple economic definition of inflation is "an economic situation in which there is an abundance of money or credit, and a shortage of products in the consumer markets, with the result that consumers bid their excess money or purchasing power for the few products available."

We all know that that situation does not exist in the classic sense today. But, the economic advisers still refer to quite a different situation in terms which have not applied for many years.

And, as a result, the public is brainwashed by the news media with the false proposition that union demands are causing inflation.

Recent figures reveal that before tax book profits during the third quarter of 1968 rose to a seasonally adjusted annual rate of \$92.25 billion, about \$500 million higher than during the preceding quarter.

Dividends during the third quarter were at an annual rate of \$25.2 billion, up \$1.6 billion over the first quarter and \$800,000,000 over the second quarter. The dividend rate for October was running at an annual rate of \$25.3 billion.

It will be many years hence before the public will become aware of the facts as they are, and as they were recently described in the *Wall Street Journal* which declared

that wage gains are not the cause of today's devalued dollar. But, as we refine and improve the collective bargaining process, we will be handicapped by the detractors who take advantage of old, disproven bromides still accepted as truth by a sadly uninformed public.

And, I think that brings me to another trend or a created environment in which collective bargaining must operate, and one which will cause problems ahead. And now I am talking about today's business conglomerates.

Conglomerates have been described in many ways, but I like the one which calls the conglomerate a bookkeeping blotter which swallows up one corporation after another, strictly and simply for the profit motive.

What will this mean to us who ply the trade of collective bargaining, or what will the emergence of conglomerates mean to us as consumers and the users of products which a unit of the conglomerate produces?

I think we can say that this absentee ownership will create all kinds of problems for unions representing their workers. Can we really expect some superbookkeeper hidden away in some financial district to understand the causes of job irritants, the causes of unrest on the job by the production workers?

We have had some experience in the Teamsters with this absentee relationship with job problems. For years, in California, our local unions dealt with local managers in negotiations for the members we represent in the grocery industry. There was a period of labor peace, and although I am sure our members and our union officials were never quite satisfied with each contract, there was a period of fruitful negotiations and real gains were made.

Then, lo and behold, one day when sessions began on a contract renewal, our negotiators sat down to the bargaining table, not across from the local managers, but across from a labor-management attorney whom they had never seen before.

Well, to shorten this story, a long strike ensued, the labor peace was upset, and the public was greatly inconvenienced because this gentleman representing management—who knew nothing of local problems, of local job irritants and problems—had all the answers worked up and packed in his brief case in New York days before he arrived on the scene of dispute.

If the present trend in conglomerates continues, I think we can expect real trouble in the area of labor-management relations, and as a side effect, I think we can also expect, as consumers, real problems with product quality and problems of who is really responsible to the consumer for product failure or shabbiness.

And I think I can predict with reasonable certainty that these conglomerates will be operated with little regard for the overall economy or the good and welfare of the country in general.

Many of you are familiar, I am sure, with the Labor Department's pamphlet called "Employment Outlook for Tomorrow's Jobs." It is "must" reading for today's youngsters who are choosing their life's careers.

First of all there are now some 80,000,000 Americans who work for a living, a little more than 50,000,000 men over 16 and 27,200,000 women. Of these, three-fourths work in private industry, about 13 percent work for government, 12 percent are self-employed and the rest are family workers.

That's the picture as it exists today, but when it comes to growth, the story is quite different.

On the whole there will be an increase of 20 percent in total employment over the next decade. But the growth in the various job segments of the economy will vary widely.

Biggest gainer—about 41 percent—will be the service industries. This will be especially true in the fields of education, manpower training, health and welfare. There will be a need for 650,000 more teachers over the next decade if the jobs for 1,800,000 teachers that the nation will need are to be filled. More doctors, more registered nurses, more medical technicians will be urgently needed. Sales jobs will increase by at least 20 percent with most of the openings in insurance and real estate.

Government jobs will constitute the second largest gainer, almost 40 percent, with the emphasis largely on state and local jobs where public services are rapidly increasing.

Contract construction will be another job gainer at more than 30 percent. Transportation and public utility jobs will increase somewhat more than 10 percent and manufacturing by just under 10 percent.

Although manufacturing will not grow as fast as the top job gainers it is expected that it will still be the largest employer.

In line with the changing nature of the American job requirements, has come new educational and training requirements. Professional services will require more and more schooling—up to 16.3 years—service and clerical jobs will require up to 12.5 years, skilled workers will need up to 11.7 years schooling: semi-skilled up to 10 years, non-farm laborers up to 9.5 years and farmers 8.8 years. A high school education—now a standard requirement—will be more important than ever.

Jobs for skilled workers will rise by nearly 25 percent, nearly one-half because of new growth and the rest from deaths and retirement.

The number of women in the job market which has been steadily growing, will further increase—36 percent of the job force as compared with 35 percent today.

All in all, the old haphazard days when a boy got out of school and took the first job that he could find in the help-wanted ads are over. Higher education, higher skills, more purposeful training will be needed than ever before. Tomorrow's jobs are being made right now; youngsters still in school must get ready for them.

And, this all means that collective bargaining will be conducted in an environment where workers represented will be much more highly educated than today's union member.

I can state, at least for the IBT, that regardless of the environment—be it political or economic—that we will follow the policy of working with management jointly to resolve the problems which arise in the industries where we represent members. That, I think, more than adequately describes collective bargaining over the past decades, and it describes the collective bargaining process for the future.

I think, regardless of the trends and the environments—real and contrives—that we will operate in the future much as we have in the past, with management and labor in give and take bargaining sessions, hopefully without outside interference.

Any deviation from the free collective bargaining process will also see deviation from the free economy and the free society we know today, and that deviation will not only affect organized labor but society as well.

There are some very real and meaningful trends in collective bargaining, which will serve organized labor well and which will serve the country well. These develop everyday in our industry—trucking and warehousing—where the methods of distribution of the nation's products change every day.

We are continually dealing with change of operations innovated by the carriers with whom we deal, and we are working these out satisfactorily, giving the trucker the latitude he needs to compete successfully and

to do the job of distributing the products from our mass production system. And we are working the problems and the changes out with as little inconvenience to our membership as possible in terms of disrupted domiciles, and in terms of maintaining standards of living which our members enjoy.

And we know that other unions are doing likewise. Sitting down with management to work out problems of automation and technological change to the mutual advantage of both labor and management. And it is all being done in an environment of free collective bargaining.

There are some very dangerous trends or threats to the present environment in which collective bargaining operates, stemming not from legitimate problems, but from the selfish and self-serving motives of those who have little regard or concern for a working collective bargaining process. And I have covered those in my previous remarks.

I am reminded in this regard of the December issue of "Nation's Business," that pitiful journalistic endeavor of the U.S. Chamber of Commerce.

That magazine carried an article called "Unions Are Raiding Your Rights." The first few paragraphs deal with a "mob of employees" who broke through a plant's gates, overpowered guards, overturned executives' desks and used rifles to demand the power to co-manage the company.

Then came the kicker—all this happened last spring, in France.

CONGRESS SHOULD INVESTIGATE CHEMICAL-BIOLOGICAL WAR- FARE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RYAN. Mr. Speaker, on March 4 at the request of our colleague from New York (Mr. McCARTHY), the Department of Defense gave a most informative briefing on the Pentagon's current chemical and biological warfare research. The surprise expressed at the extent of the Pentagon's chemical and biological warfare program, however, points out a very real deficiency in the working of Congress itself.

The fact that the Pentagon is spending between \$300 and \$350 million annually to develop and produce chemical and biological warfare weapons has been documented on a number of occasions by several investigators during the past 2 years.

Congressional ignorance of the chemical and biological warfare program is partly the result of the tightly enforced secrecy that has characterized the Pentagon's program. But it is also partly the fault of the Congress itself. In spite of the fact that almost 1 year ago, on March 27, 1968, I urged the Congress to investigate the ongoing development and production of chemical and biological warfare weapons, neither the House nor the Senate has shown any inclination to initiate a comprehensive review of this program. Indeed, there has been no careful hearing or inquiry into the chemical biological warfare program since then Senator Hubert Humphrey chaired the disarmament subcommittee

of the Senate Foreign Relations Committee in 1960.

As evidence of the immediate relevance of this issue I would point out to my colleagues reports of the use of chemical and biological warfare weapons in Vietnam. I include in the RECORD today articles on this activity by former Associated Press Pentagon correspondent Seymour Hersh which appeared in the April 25, and May 9, 1968, issues of the New York Review of Books. I also insert another article by Mr. Hersh on this subject from the August 25, 1968, New York Times magazine. In addition, I call the attention of my colleagues to a two-part series by Elinor Langer which appeared in the January 13 and 20, 1967, issues of Science magazine. The fact that Miss Langer's articles were written over 2 years ago indicates the length of time the Pentagon's chemical and biological warfare program has been documented in the public record.

I call upon the Congress to initiate an immediate full-scale congressional probe into the Pentagon's development and production of chemical and biological warfare weapons. The dangers posed by the production and transfer of these weapons demand that the Congress respond to this problem by making a full investigation of this area of Pentagon research. Annual expressions of surprise and shock will not get to the root of the problem. I urge the Congress to initiate the full-scale inquiry I first advocated almost 1 year ago.

The articles follow:

[From the New York Review of Books, Apr. 25, 1968]

OUR CHEMICAL WAR

(By Seymour M. Hersh)

Late in 1961, a Defense Department official was making his first trip to South Vietnam. The defoliation program, aimed at destroying jungle used by the Viet Cong for cover, had begun in October and the official planned to take a firsthand look. He later gave a briefing to Premier Ngo Dinh Diem. Diem "pulled out a tremendous map and began to give me a briefing on how much land the Viet Cong controlled in the South," the official recalled. "I found out later it probably was a standard briefing he gave to all visiting officials."

Diem's point was that the use of defoliants to deny the enemy jungle cover was well and good, but to be really effective the chemicals had to be used against the Viet Cong's crops. "This wasn't what we wanted," the Pentagon official said, "but we started using the stuff for crop killing. At first I insisted a Vietnamese officer go along to identify the target as Viet Cong-controlled, but this eventually was prostituted." The whole incident left him disconcerted, the official said.

Early in February, 1962, the Soviet Union accused the United States of waging chemical warfare in South Vietnam. *Izvestia* reported that "the Pentagon has marked the beginning of the new year by an unprecedented action: the use of chemical weapons." It said US airplanes were defoliating jungles and added: "The Air Force even started to destroy by poisonous gas the crops on the peasants' fields in the regions where dissatisfaction is spreading." The article added that the important thing is not the extent of US use of gas warfare, "but the fact itself that an established principle has been vio-

lated." *The New York Times* subsequently reported that the United States had turned down a South Vietnamese request to starve out the Communist guerrillas by spraying defoliants and herbicides on food crops. The dispatch noted that "the reluctance to join the crop-killing program urged by the South Vietnamese is believed based on American sensitivity to the possibility that accusations would be made that Americans took part in chemical warfare."

The story was technically correct; US planes were not then directly involved in the specific spraying of food crops (although American defoliation missions against jungle growth along highways had begun). What the *Times* story did not say, however, is that by the end of November, 1961, according to *Newsweek* Magazine, American special warfare troops had begun teaching Vietnamese fliers how to spray "Communist-held areas with a chemical that turns the rice fields yellow, killing any crop being grown in rebel strongholds [my emphasis]." By early 1963, according to United Press International and the *Minneapolis Tribune*, the Vietnamese Air Force helicopters and planes were regularly using American defoliants and herbicides to destroy crops in Viet Cong territory.

Charles E. Smith, Saigon correspondent for UPI, wrote on March 16, 1963, that chemical defoliants and herbicides "are used in certain places in the central highlands where Viet Cong terrorists grow crops. In such cases the aim is to eliminate sources of food." On April 4, Jack Wilson of the *Minneapolis Tribune* wrote that "crop spraying has been limited to areas dominated by the Viet Cong" in the central highlands area dominated by the Montagnard tribesmen. Wilson said that "Defense Department officials who receive regular reports on the food spraying campaign feel that the Vietnam government is conducting it with proper regard for its touchy aspects."

The American defoliation program, ostensibly aimed solely at jungle growth, had begun modestly enough in late 1961. In November six C-123 transport planes, normally used for carrying troops, were flown to South Vietnam from Clark Field in the Philippines and outfitted with special tanks and high-pressure nozzles. Each was capable of carrying 10,000 pounds of defoliant, enough to spray more than 300 acres. Only 60 flights were flown that November and December and only 107 flights were made in all of 1962, when the program was still considered experimental. By 1967, however, the defoliation program was at least a \$60-million-a-year operation involving 18 of the huge tankers. Early that year Air Force Chief of Staff John P. McConnell told Congress more than one million acres had been sprayed since the program began in 1962, including by Pentagon count, 150,000 acres of cropland out of a total of eight million food-producing acres in all of South Vietnam. As we shall see McConnell's statistics are suspect.

In February, 1968, the Pentagon made public a study on the effects of the defoliation program in Vietnam (to be discussed more fully later) which reported that enough herbicides and other chemicals were used in 1967 to treat 965,000 acres of land. Thus, according to the Pentagon, the total number of acres sprayed in 1967 roughly equaled the acres sprayed during the five previous years. The study added that many areas were treated more than once—and, therefore, the total number of sprayed acres "was significantly less." The report did not specify how many acres of crop-producing land were treated.

The antifood goal of the US defoliation program did not become clear to Americans until late in 1965; perhaps that explains why

it escaped critical attention for so many years. By the end of 1966 protests against Chemical and Biological Warfare (CBW) also included the use of anticrop agents. When a group of American scientists presented President Johnson with a petition against CBW in September of that year, they argued that "a dangerous precedent is being set by the current large-scale use of riot gas and anticrop chemicals by U.S. forces in Vietnam."¹

The use of defoliants to destroy even jungle is, by the military's own definition, an act of chemical warfare. Army Manual TM 3-216, *Military Biology and Biological Agents*, describes the chemicals as possessing "high offensive potential for destroying or for seriously limiting the production of crops and for defoliating vegetation." The manual continues: "There are no proven defensive measures against these compounds. By the time symptoms appear, nothing can be done to prevent damage. The compounds are detoxified in the soil after a period of several weeks to several months."

The United States was aware of its uneasy moral position regarding the use of the chemicals. Roger Hilsman, State Department intelligence chief and later Assistant Secretary of State for Far Eastern Affairs during the Kennedy Administration, has written that "the military headquarters in Saigon thought that these defoliants would be ideal for clearing the underbrush along the sides of roads where the Viet Cong laid their ambushes and for destroying crops in areas under Viet Cong domination. . . . The State Department view, on the other hand, was that political repercussions would outweigh any possible gains. Defoliation was just too reminiscent of gas warfare. It would cost us international political support, and the Viet Cong would use it to good propaganda advantage as an example of the Americans making war on the peasants."

The State Department, led by Roving Ambassador Averell W. Harriman, bitterly protested a subsequent Pentagon-approved plan to test the chemicals in other Southeast Asian nations. In a manner that was to become habitual, the Pentagon went ahead with a series of highly classified tests, despite the State Department warnings. One such program was known as the Oconus Defoliation Test and involved the aerial application of chemical anticrop agents in Thailand in 1964 and 1965. "Aerial spray treatments were applied at a rate of 1/2 to 3 gallons per acre on two test sites representing tropical dry evergreen forest and secondary forest and shrub vegetables," one classified test summary reported a year later.

In mid-1967, another Pentagon official told me that three factors led to the decision to use defoliants in Vietnam:

1. The need to conduct defoliation experiments in heavy jungle areas.
2. The needs of the operation military personnel, who viewed defoliation as a means of avoiding or ending ambushes and perhaps starving out the Viet Cong.

¹ Twenty-two scientists and doctors, including seven Nobel Prize winners, wrote a public letter to Johnson urging him to order an end to the use of chemical agents in Vietnam. The document was then sent to universities and scientists around the nation; by February, 1967, more than 5,000 US scientists, now including 17 Nobel Prize winners and 129 members of the prestigious National Academy of Sciences, had signed. The collection was bound and sent to President Johnson on February 14 after a news conference that put the protest on the front pages of newspapers across the nation.

3. The Chemical Corps promoters who "were always overselling everything."²

Adding to the pressure to get on with it was the fact that the defoliation was the first field program of Project Agile, a high-priority Kennedy Administration attempt to speed up research on "counter-insurgency." More than \$30 million a year was being spent on the research program by 1965. Designed to provide quick results for ending the war, it had been set up by McNamara in 1962.

Yet by the spring of 1965, the defoliation program for jungle clearing was still unpredictable and Congressmen were wondering just what its value was. "Since we have been in Vietnam," Representative Daniel J. Flood told a general during House Defense Subcommittee appropriation hearings, "we have been experimenting with defoliants . . . we have had all kinds of conflicting opinions and our chemical warfare people have been very unhappy for the last four or five years about the whole program . . . what about this?"

Lieutenant General William W. Dick, Jr., then chief of Army Research, provided a lukewarm endorsement. "Why this was decided to be essential, I do not know, Mr. Flood . . . it is certainly not the answer to all of the problems in Vietnam . . . I have not seen where it failed to defoliate. I have seen reports that it has not solved all the problems in a given area where it has taken the foliage off." A few moments later Dick added that "we still have requirements from the commanders in Vietnam for defoliating agents. They continue to ask for supplies of it. They continue to use it. I can only assume that they find it has an ability to perform a job they want done."

General Dick did not tell the Congressmen that the use of defoliants for clearing brush was, at best, of questionable value. Hillsman noted, after one on-the-spot inspection of a sprayed area during a field trip to Vietnam, that "the leaves were gone but the branches and trunks remained. Even if they had not, it was not leaves and trunks that guerrillas used for cover, but the curves in the road and the hills and valleys. Later, the senior Australian military representative in Saigon, Col. Serong, also pointed out that defoliation actually aided the ambushers—if the vegetation was close to the road those who were ambushed could take cover quickly; when it was removed the guerrillas had a better field of fire."

There is evidence that even during these years of experimentation the chief virtue of the defoliation program was its ability to kill enemy crops, and not its jungle-destroying powers. As early as March, 1963, US officials told Washington newsmen that a Communist campaign then being waged against the use of defoliants in South Vietnam showed that the program was interfering with the food supplies of the Viet Cong guerrillas. They added that the chemicals had been used in areas where the Viet Cong were known to be concentrated. It wasn't until December, 1965, however, that the American public first learned that US planes were deliberately using defoliants and herbicides to destroy rice and other crops in South Vietnam. A *New York Times* dispatch, which

said the program "began last spring," reported that up to 75,000 crop-producing acres had been sprayed. "Crop destruction missions are aimed only at relatively small areas of major military importance where the guerrillas grow their own food or where the population is willingly committed to their cause." The dispatch said up to 60 to 90 percent of the crops, once sprayed, were destroyed.

The first official confirmation that the defoliation program was aimed, at least in part, at food-producing areas came in March, 1966, when the State Department announced that about 20,000 acres in South Vietnam, about one-third of 1 percent of the land under cultivation, had been destroyed. The statement was issued as a comment on the case of Robert B. Nichols, an architect who had written President Johnson asking why the United States would attempt to help South Vietnamese grow more food and at the same time attempt to destroy their crops. Nichols had gone on a hunger strike when he received what he considered a less than satisfactory response from the White House. As one critic said later, it took the potential starvation of an American citizen to evoke a clarifying statement from the Johnson Administration about its anticrop program.

A *New York Times* dispatch in July, 1966, noted that the spraying of enemy crops was being stepped up, and added: "The spraying, begun in 1962 [my italics], has blighted about 130,000 acres of rice and other food plants." Another *Times* story, in September, 1966, quoted Washington officials as saying that there would be no relaxation of the crop-destruction program in South Vietnam despite a series of protests. The dispatch, however, reduced the number of acres treated, quoting Defense Department officials as disclosing that approximately 104,000 acres of food-producing land had been destroyed in South Vietnam, 26,000 less than had been reported ruined six months earlier in a stepped-up program. Also in September, the *Times* reported that the US military, "pleased with the effectiveness of chemical-defoliation and crop-destruction mission," was taking steps to triple the capability of those efforts.

There is evidence that the effectiveness of the defoliation program was still a moot question at that time, although anticrop techniques were highly successful. Early in 1967, Secretary of Defense McNamara told Congress that "defoliation is still a rather primitive technique. . . . It depends for its effectiveness on the time of the year, the type of foliage and on wind and other conditions in the area." What McNamara means was that, despite all the research, it still often took more than a month to strip foliage from trees in South Vietnam. Such problems didn't exist with the anticrop agents, which stimulated plants into frenzied growth and death, sometimes within an hour. Although similar chemicals were used for both missions, the gap in effectiveness between killing a food plant and causing a leaf to fall away had not been solved by mid-1967.

Whether or not the Pentagon initially planned to have its defoliation program lead into an anticrop project really doesn't matter; the facts is that by the end of 1966 more than half of the c-123 missions were admittedly directed at crops, and it is probable that any effort at a trebling of capability in 1967 was aimed not at the jungles of South Vietnam but at its arable crop land.

A 1967 Japanese study of US anticrop and defoliation methods, prepared by Yoichi Fukushima, head of the Agronomy Section of the Japanese Science Council, contradicts the statistics on crop damage issued by the Pentagon. The study claimed that US anticrop attacks have ruined more than 3.8 million acres of arable land in South Vietnam

and resulted in the deaths of nearly 1,000 peasants and more than 13,000 livestock. Fukushima said one village was attacked more than thirty times by c-123 crop dusters spraying caustic defoliants and herbicides. The Japanese scientist concluded that "appalling inhumane acts are evident even within the limited admissions officially given out by US Government leaders. . . ." officials have made it plain they considered such claims to be propaganda.

In April, 1966, Joseph Mary Ho Hue Ba, Catholic representative of the National Liberation Front, charged that the US use of defoliants and herbicides was killing newborn babies. The charges were made in a North Vietnamese press agency broadcast monitored in Singapore by Reuters. Its subsequent dispatch quoted the broadcast as contending that hundreds of Catholics had been seriously poisoned by the chemical destruction of crops, which was also causing widespread starvation.

What, exactly, are the chemicals used in Vietnam? Military manuals list five or six potential herbicides, or plant killers, but the Associated Press reported in March, 1967, that three basic types of chemicals are now in use:

Agent Orange, a 50-50 mixture of two commonly used defoliants, 2,4-D (dichlorophenoxyacetic acid) and 2,4,5-T (trichlorophenoxyacetic acid). The mixture is used against heavy jungle and crops.

Agent Blue, a neutralized cacodylic acid sprayed over tall elephant grass and heavier crop concentrations.

Agent White, also known as Tordon 101, a weaker mixture of unknown chemicals used in areas of sizable population.

Many more lethal chemicals may be used in Vietnam, but the Pentagon has not released further data. The other chemicals listed in the manuals are backyard weed killers. When Dr. John Edsall, a Harvard professor, wrote Secretary McNamara early in 1966 to protest the use of anticrop agents, Major General Michael S. Davison, Deputy Assistant Chief of Staff for Force Development, responded. His letter said, in part, "the chemicals used, such as 2,4-D and 2,4,5-T, are those commonly used in agriculture to destroy weeds and other undesirable plants. They harm neither humans nor animals, and do no harm to the soil or water supplies in the concentrations used."

There is much evidence to the contrary. For one thing, cacodylic acid is an organic arsenical acid composed of 54.29 percent arsenic, according to the *Merck Index of Chemicals and Drugs*. Arthur W. Galston, a Yale biologist, has reported that its lethal dose in dogs is one gram per kilogram body weight, administered beneath the skin. "If the same toxicity held for man," Galston wrote in the August-September, 1967, issue of *Science and Citizen*, "then about seventy grams, or slightly over two ounces, would kill the average 150-pound man. . . ."

"The Chemistry and Mode of Action of Herbicides," a study written in 1961 by Alden S. Crafts, a University of California agronomist, notes that "cacodylic acid gives a very rapid top [plant] kill. . . ." Crafts said in a subsequent interview that cacodylic acid would be especially effective against newly sown rice, a main target of the US anticrop attacks; he said 2,4-D and 2,4,5-T have no effect on cereals such as corn, rice, wheat, or barley, but could be used against woody plants. One serious problem with the heavy use of cacodylic acid, Crafts added, is the good chance that it will accidentally spread onto vegetables and fruits in strong enough concentrations to give humans arsenical poisoning.

The cacodylic acid and the phenoxyacetic acids used in Vietnam are described in most reference works as nonselective herbicides,

² Oversell apparently is a constant problem with the CSW generals, who are avid boosters of their arsenal. One former Defense official told me he always had problems with the generals when he served in the Pentagon. He explained why: "The Chemical Corps is a cult. Those generals all have Billy Mitchell complexes to infinity. Ideas that the White House or McNamara emphasized when they boosted CSW spending would end up getting perverted by the generals." Billy Mitchell was the Army officer whose campaign for the airplanes led to his court-martial in the 1920s.

i.e., they kill all vegetation present. One study of anticrop chemicals in Vietnam notes that the weed control handbook issued in 1965 by the British Weed Control Council lists 2,4-D and 2,4,5-T as having relatively short persistence in the soil with relatively low levels of toxicity to man and animals. The handbook adds that "prolonged exposure, notably to oil solutions, may cause skin or eye irritation to some individuals. Plastic gloves and light goggles should be available for personnel mixing spray materials. Also, for some types of mist spraying, a face mask is desirable to avoid prolonged breathing in of oil droplets." It further notes that agents must be handled with caution because they "can cause serious damage if spray is allowed to drift onto nearby susceptible crops" or if liquids used for cleaning the spraying equipment are "allowed to flow into running ditches, streams or ponds." The *Merck Index of Chemicals and Drugs* reports further that 2,4-D can cause eye irritation and gastrointestinal upset.

The Air Force's C-123's are designed to distribute their 1,000-gallon, 10,000-pound loads in four minutes over about 300 acres, a rate of roughly more than 3 gallons per acre, the maximum dosage recommended by Army manuals. The program is known as "Operation Ranch Hand." Its lumbering, low-flying planes are said to be the most shot-at in the war. "We are the most hated outfit in Vietnam," *Flying* magazine once quoted Air Force Major Ralph Dresser, head of "Ranch Hand," as saying. The group's slogan is "Only We Can Prevent Forests." A detailed newspaper account of Dresser's crew, the Aerial Spray Flight of the 309th Aerial Commando Squadron, noted that in an emergency the plane's high-pressure spray nozzles can eject the 1,000-gallon cargo in just thirty seconds. Emergencies apparently happen quite often: the newspaper account mentioned that four planes in the squadron took a total of 900 rifle and machine-gun hits during the previous eighteen months of operation. In such cases, the net result could be a huge overdose for the cropland below.

The going rate for a 1,000-gallon cargo of crop-killing chemicals is \$5,000; in 1967 the Pentagon announced the purchase of nearly \$60 million worth of defoliants and herbicides, enough for 12,000 plane rides over the countryside, each of which would theoretically blanket 300 acres of crop-land. If each mission was successful, 3.6 million acres, nearly half the arable land in South Vietnam, could be covered.³

In his letter to Dr. John Edsall, the protesting Harvard biologist, Major General Davison claimed that "great care has been taken to select [anticrop target] areas in which most harm would be done to the Viet Cong and the least harm to the local population. In some instances the local inhabitants, who have been forced to grow food for the Viet Cong, have requested that the herbicides be used. The Government of Vietnam has taken precautions to care for non-combatants whose food supplies have been affected . . . this is not chemical or biological warfare, nor is it a precedent for such. It is in actuality a

relatively mild method of putting pressure on a ruthless enemy who has no compunctions about the murder of women and children, as well as men, and about the torture and mutilation of captives."

The Japanese study prepared by Fukushima painted a different picture of the American pressure. The report included testimony from Pham Duc Nam, a peasant and Cao Van Nguyen, a doctor. Pham Duc Nam told of a three-day chemical attack near Da Nang, from February 25 to 27, 1966. He said in part:

"Affected areas covered 120 kilometers east-west and 150 kilometers north-south. Five minutes was all that was needed to wither tapioca, sweet potato . . . and banana plants. Livestock suffered heavy injuries. Unlike men, who could keep clear of chemical-stricken things as food, animals had to eat just anything. Most of the river fish were found lying dead on the surface of mountain streams and brooks. The three days of chemical attack poisoned scores of people, took the lives of about 10 and inflicted a 'natus' disease [with symptoms like a severe rash] upon 18,000 inhabitants."

Cao Van Nguyen's testimony included this description of a chemical attack near Saigon on October 3, 1964:

"A vast expanse of woods, approximately 1,000 hectares [nearly 2,500 acres] of crop-producing land, and more than 1,000 inhabitants were affected. A large number of livestock were also poisoned and some of them died. The majority of the poisoned people did not take any food from these crops, nor drink any of the water that had been covered or mixed with the sprinkled farm chemicals. They had only breathed in the polluted air or the poison had touched their skin. At first, they felt sick and had some diarrhea; then they began to feel it hard to breathe and they had low blood pressure; some serious cases had trouble with their optic nerves and went blind. Pregnant women gave birth to still-born or premature children. Most of the affected cattle died from serious diarrhea, and river fish floated on the surface of the water belly up, soon after the chemicals were spread."

No American reporter or witness has told of similar consequences from an anticrop attack,⁴ but an American attached to the United States Operations Mission (USOM) agricultural team in the Bien Hoa area just northeast of Saigon issued a bitter private report to his superiors in April, 1965, noting that:

"I have repeatedly complained of the reckless use of defoliants in the Bien Hoa area. Last season drift over considerable areas of water spinach caused misshapen unmarketable stems. These stems were fed to pigs and several pigs were reported to have died . . . other plants were damaged. The peasants report it is affecting the health of the children . . . in Bien Hoa the military is engendering needless bitterness among the peasants and the government further loses the good will and support they rather desperately need. It seems to me this matter should be brought to the attention of the military liaison officer. . . ."

His complaints prompted USOM officials from Saigon and military advisers to inspect the Bien Hoa area. The visitors were optimistic in their May 4 report to Saigon, and their chief tended to downplay the report of heavy damage:

"The agricultural agents said that 500 complaints or requests for damages had been filed with hamlet chiefs for transmission to the province chief . . . I suspect this number is an inaccurate exaggeration and that of those claims actually submitted many were for damages not associated with defoliants."

The inspection team recommended that the farmers be educated "to enable them to identify damage due to defoliants and avoid confusing it with other troubles." The report concluded:

"If a continued coordinated effort is made by all parties it should be possible to assess the damage and settle the few legitimate claims in a fair manner. Thus there should be no grounds for a hostile reaction of the farmers toward the government."

The Saigon official also had a suggestion for the area around III Corps Headquarters in Bien Hoa, which had been heavily sprayed to prevent ambushes—with a considerable loss of trees and banana crops. "Since I assume that the area should remain clear for an indefinite period, the use of chemicals for soil application only may be worth considering," his report said. "These would have a more lasting effect and drift should not be a problem if hand sprayers are used." Soil sterilization has not been an announced part of the US defoliation program.⁵

According to newspaper reports, the defoliation missions are scheduled through what one called "a ticklish diplomatic business." Nominations of potential targets are made by either US or South Vietnamese Army commanders who then check with the province chief. The recommendation then goes to the Vietnamese Army's Headquarters in Saigon and, if approved, to the Intelligence Section of US Headquarters. From there, it must go to the US Embassy for final approval by the Ambassador. The setup is apparently only *pro forma*. Former officials have admitted that the system was quickly corrupted by both the Americans and the Vietnamese.

In September, 1966, *The New York Times* quoted some "American officials" as conceding that "occasionally some spray may drift from a target area, causing damage to rice crops or rubber trees. When claims are made, prompt action is taken to pay damages. . . . The current price for a mature rubber tree is \$87." Other available USOM field reports, this time from the fertile Can Tho area of the Mekong Delta, indicate that accidental spraying occurs more than occasionally. One report noted that on December 13, 1965, three aircraft flew over Thol An Dong village in nearby Phong Phu district "spraying defoliant extensively. As a result, maturing watermelons, rice, vegetables and fruits . . . were all damaged, thus inflicting serious losses to the farmers . . . Thol An Dong village of Phong Phu district is located in a rather

³ The heavy military purchases of commercial defoliants have vastly outstripped existing production capacity in the United States and a shortage of the chemicals is anticipated. *Business Week* magazine reported in April, 1967. The magazine said some industry sources believe the military demand for 2,4,5-T to be four times production capacity. In 1965 the chemical industry produced nearly seventy-seven million pounds of 2,4,5-T and 2,4-D. *Business Week* said the commercial shortage would hit ranchers, farmers, and utilities the hardest; it added that the Business and Defense Services Administration has been ordered to assure that military orders will be met in full.

⁴ Reuters reported from Saigon early in 1967, however, that "Chemical sprays have played havoc with bird life, destroying vegetation and the insects on which birds feed. Monkey and deer have also been affected." No American news agency has said as much. The military seems to have developed an excellent gambit to combat such stories: both the *Christian Science Monitor* and *Flying* magazine have filed approving dispatches on the defoliation program telling how, at one point, an officer being interviewed suddenly reached out and dabbed some of the chemical on his tongue. The officer's point seems to be that the chemicals are not harmful to human life.

⁵ Still, sterilization plays a big role in US planning. The anti-infiltration barrier between North and South Vietnam, announced by Defense Secretary McNamara on September 8, 1967, calls for the use of soil killers. "The soil poisoners are required," the Associated Press explained the next day, "because military commanders have found that thriving vegetation starts growing back almost as quickly as bulldozers clear a strip" in the Demilitarized Zone. Some soil killers, such as sodium arsenate, can leave the ground arid for up to ten years. When the American scientists presented their anti-CBW petition to the White House early in 1967, the Pentagon said there were no plans to use soil sterilants.

secure area but, according to the leaflet as dropped by the Government authority 24 hours before spraying this village was unbelievably categorized as an area supplying food to the Viet Cong, thus shaking the faith of the rural people in the measures taken by the Government."

Two similar "accidental" sprayings of other hamlets were cited.

A field report dated January, 1966, also noted that crop damage due to the spraying ranged from 40 to 100 percent, "rendering the farmers unable to harvest their crops for profitable marketing during the lunar New Year season as otherwise expected. . . . The total area devastated by defoliation is believed to be much wider than those villages as mentioned, as the assumption is that quite a few farmers have not filed complaints with the local Government offices."

The field reports noted caustically that farmers were not getting their money because the reimbursements involved a seven-step process simply to get the damages certified by the Central Government and approved for local action by the province chiefs. The process broke down even further there, the report said, because many of the unscrupulous province chiefs were pocketing the damage payments.

When a Yale University biologist protested to President Johnson in September, 1966, about possible injury to civilians resulting from the attacks with anticrop chemicals, he received a reply from Dixon Donnelly, Assistant Secretary of State for Public Affairs, assuring him that "civilians or noncombatants are warned of such action in advance. They are asked to leave the area and are provided food and good treatment by the Government of Vietnam in their resettlement area."

The government's request to the peasants comes in the form of pamphlets that are rained down on the target area from airplanes. One such pamphlet reads as follows:

"The Government of the Republic of Vietnam has adopted the use of defoliants which will ruin your rice crop and other crop plants in the field. This has been necessary as your rice fields are located in areas supplying food to the Viet Cong. However, you should not be disappointed as the Government will compensate for all the damage done to your rice crop. Meanwhile the Government will at all times help evacuate you to other places with food, lodging and clothing provided until the next harvesting season, if you so desire."

In an excellent discussion of this sort of warfare in the June 29, 1966, issue of *Christian Century* two Harvard physicians, Dr. Jean Mayer, Professor of Nutrition, and Dr. Victor W. Sidel, noted that the stated aim of the U.S. program is to starve the Viet Cong by destroying its food rations:

In essence, this aim is similar to that of every food blockade (such as the one imposed against the Central Powers in World War I). As a nutritionist who has seen famines on three continents, one of them Asia, and as a physician with a basic interest in preventive medicine, we can say flatly that there has never been a famine or a food shortage—whatever might have been its cause—which has not first and overwhelmingly affected the small children.

The process, the authors said, begins with the death from starvation of small children first, then older children, and then the elderly. Adolescents are likely to survive and adult men are far less affected. "Thus the bands of armed men who make up the Viet Cong are not likely to starve; being unhampered by family ties with people in the communities where they rove, they feel entirely justified in seizing any available food in order to have the strength to continue to fight." The point

is "not that innocent bystanders will be hurt by such measures but that only innocent bystanders will be hurt."

The use of chemicals in unprecedented dosage also threatens the natural balance of the land itself, with devastating long-range results. Many scientists have argued that the defoliants and herbicides, besides causing immediate harm to the people and property in the sprayed area, will trigger changes in ecology that may permanently reduce once-fertile crop fields to dust bowls. The Pentagon, in an effort to counter this kind of criticism, released in February, 1968, a 369-page Advanced Research Projects Agency (ARPA) report entitled "Assessment of Ecological Effects of Extensive or Repeated Use of Herbicides." The report, prepared by the Midwest Research Institute of Kansas City, Missouri, optimistically concluded that there was no clear evidence that the chemical anticrop program would cause permanent damage to treated areas in South Vietnam. The report also concluded that the possibility of lethal toxicity to humans or animals by use of the herbicides "is highly unlikely and should not be a matter of deep concern." Similarly, the assessment said it "is impossible" to draw any conclusions about the effect of the chemicals on water quality in South Vietnam.

The four-and-one-half-month study had some glaring loopholes. For one thing, critics noted, the report had been prepared solely on the basis of interviews and the researching of scientific literature. No on-the-spot investigations or field trips were made by personnel from the Kansas City research firm. The firm's final report noted early in the text that "the long-term ecological effects of the use of herbicides are difficult to predict." At a later point, the study said that "The use of herbicides in the Southeast Asia theatre represents the most widespread application of herbicides that has ever been undertaken in a brief time interval." The report also noted a lack of information concerning cacodylic acid, and suggested further investigation into its effect "would be advisable . . . before [its] use in a single area is continued for a prolonged period of time." The net result of the Pentagon report was, as one science writer said, "to leave up in the air the seriousness of effects from U.S. defoliation activities." There was nothing in the Pentagon study to seriously challenge Arthur W. Galston's conclusion in *Science and Citizen* that—

"We are ignorant of the interplay of forces in ecological problems to know how far-reaching and how lasting will be the changes

"The study did caution, however, that the use of chemical anticrop agents may result in the conversion of the rich jungle soil in South Vietnam into rocky laterite, which is useless for agriculture. The process of conversion, known as laterization, occurs in tropical regions when the organic material and chemicals that normally enrich the soil are washed away because of lack of protective growth. The result is a reddish soil which bakes to a brick-like consistency upon exposure to sunlight. The process has begun in some areas of Vietnam where villages once existed, the study noted. The villagers cleared the jungle, cultivated the land, and exhausted its fertile soil before moving on. The Kansas City study stated: "We are not aware of any instance where this final and irreversible stage of the laterization process has occurred because of its acceleration by herbicidal destruction of vegetation." It warned, however, that "Although no related evidence for irreversible changes . . . exists, it is a point that deserves further consideration."

in ecology brought about by the wide-spread spraying of herbicides in Vietnam. These changes may include immediate harm to people in the sprayed areas and may extend to serious and lasting damage to soil and agriculture, rendering more difficult South Vietnam's recovery from war, regardless of who is the 'victor.'"

Along with the chemical anticrop program, the United States and South Vietnamese troops have made it a deliberate policy to mutilate arable land suspected of being under Viet Cong control. Often Vietnamese farm laborers are taken from the fields and placed in refugee camps, leaving harvests to rot. Thousands of tons of harvested rice found in Viet Cong-dominated areas have been dumped into rivers, burned, scattered, smeared with repellent, etc. The military also has put into use a device known as the Rome plow, a sharpened 2,500-pound bulldozer blade that has been commercially used in the United States for ground-clearing operations. Army engineers have stripped hundreds of thousands of acres of jungle and brush in an attempt to locate Viet Cong food storage areas and prevent ambushes.

In some cases, herbicides are applied in cleared areas to prevent future growth. Between July 1 and December 3, 1967, according to *The New York Times*, Army crews in the III Corps (north-central) area of South Vietnam cleared 102,000 acres of all plant life. One plow is capable of clearing about 2,700 yards of trees, shrubs, etc., per hour. As a consequence of this and similar operations, South Vietnam, which exported forty-nine million metric tons of rice in 1964, may have to receive as much as 800,000 metric tons of US-supplied rice in 1968, according to a Department of Agriculture estimate.

A report on medical problems in South Vietnam, in January, 1967, by the Boston-based Physicians for Social Responsibility, noted that malnutrition, even before the use of anticrop chemicals, was a serious problem in the nation, with the average Vietnamese consuming about 20 percent of the food eaten daily by a North American. "Beriberi and night blindness are leading nutritional diseases among patients in many hospitals," the report said. "Anemia is widespread and there is a high incidence of infectious and inflammatory diseases of the mouth . . . one American physician observed that teeth are poor in all age groups and both baby and permanent teeth rot quickly. Endemic goiter is found in many parts of the country."

Military men maintain that the use of defoliants serves two functions: taking the enemy's food and conserving manpower. "What's the difference between denying the Viet Cong rice by destroying it from the air or by sending in large numbers of ground forces to prevent the enemy from getting it?" *The New York Times* quotes one officer as asking in 1966. "The end result's the same; only the first method takes far less men."

But by early 1967 Presidential advisers had a different reason for using herbicides, one that wasn't directly linked to cutting off Viet Cong food supplies. The rationale was presented to a group of scientists who met in February with Donald Hornig, President Johnson's chief scientific adviser, to protest the use of anticrop chemicals. According to one scientist who attended the session, Hornig explained that the anticrop program was aimed chiefly at moving the people. The source quoted Hornig as explaining that when the United States found a Viet Cong-supporting area, it was faced with the alternatives of either bombing, bulldozing, and attacking it or dropping leaflets telling the people to move because the herbicides were coming. As Hornig expressed it, "It's all geared to moving people."

[From the New York Review of Books, May 9, 1968]

POISON GAS IN VIETNAM

(By Seymour M. Hersh)

Sometime early in 1964 the Pentagon asked the State Department to investigate and prepare a memo on the legality of the use of non-lethal gases in South Vietnam. The Pentagon's point of view already was known: Army Field Manual 27-10, *Law of Land Warfare*, says "the United States is not a party to any treaty now in force, that prohibits or restricts the use in warfare of toxic or non-toxic gases, or smoke or incendiary materials, or of bacteriological warfare."

The State Department has traditionally been skeptical about the use of CBW agents; the United States had been one of the principals of the 1925 Geneva Conference which outlawed the use of asphyxiating, poisonous, or other gases.¹ Nevertheless, the State Department eventually sent the Defense Department a memo agreeing that the non-lethal agents were legal. The State Department memo, however, contained a long list of stringent limitations on such use.

"State made a mistake," an official familiar with the situation told me three years later, "by saying it was okay—with limitations." So far as the men in the Pentagon were concerned, "It was either yes or no: they [the State Department] were just kidding themselves with the restrictions." The lesson of all this, the official said, "is that when the crunch comes, the Pentagon sets the requirements and State finds the reasons why it's legal."

The United States apparently began equipping the South Vietnamese Army with two of its three standard riot control, or non-lethal gases in 1962 under the existing Military Assistance Program (MAP). The agents were CN, the standard tear gas used to quell civil disorders, and CS, the newly developed super tear gas. The third riot control agent, DM (adamsite), a nausea-producing gas, apparently did not reach Vietnam until 1964.

The military's riot control gases are described by Army field manuals as agents that "produce temporary irritating or disabling physiological effects when in contact with the eyes or when inhaled. Riot control agents used in field concentration do not permanently injure personnel." The gases are actually solids that are disseminated as aerosols via grenades. Modern military chemical research has made little contribution to this aspect of the war arsenal; both CN and DM were invented in the latter days of World War I, and CS was reportedly developed by the British in the 1950s and adapted for United States use.

CN's chemical name is chloroacetophenone and its formula usually is given as $C_6H_5COCH_2Cl$. It has a deceptive, fragrant odor similar to that of apple blossoms. The gas is a fast-acting tear agent that is also an

irritant to the upper respiratory passages. An Army manual, *Military Chemistry and Chemical Agents* (TM 3-215), makes these further points:

"In higher concentrations it is irritating to the skin and causes a burning and itching sensation, especially on moist parts of the body. High concentrations can cause blisters. The effects are similar to those of sunburn, are entirely harmless and disappear in a few hours. Certain individuals experience nausea following exposure to CN."

CS (the s stands for super) is chemically known as o-chlorobenzalmononitrile. Its formula is $ClC_6H_4CH_2(CN)_2$. TM 3-215 lists the following physiological effects:

"CS produces immediate effects even in low concentrations. . . . The onset for incapacitation is 20 to 60 seconds and the duration of effects is 5 to 10 minutes after the affected individual is removed to fresh air. During this time the affected individuals are incapable of effective concerted action. The physiological effects include extreme burning of the eyes accompanied by copious flow of tears, coughing, difficulty in breathing, and chest tightness, involuntary closing of the eyes, stinging sensations of moist skin, running nose, and dizziness or swimming of the head. Heavy concentrations will cause nausea and vomiting in addition to the above effects."

DM, or adamsite, initially developed by the Germans in World War I, is the most toxic of the riot control agents. Its chemical name is diphenylaminochloroarsine and its formula is $NH(C_6H_5)_2AsCl$. The AS in the formula is arsenic. The pepper-like gas causes these symptoms in progressive order, according to TM 3-215: "Irritation of the eyes and mucous membranes, viscous discharge from the nose similar to that caused by a cold, sneezing and coughing, severe headache, acute pain and tightness in the chest and nausea and vomiting. . . . At higher concentrations, the effects may last up to three hours."

Army Field Manual 3-10, *Employment of Chemical and Biological Agents*, lists DM, CS and CN together as riot control agents, a somewhat misleading category. In *Chemicals in War*, a history of gas warfare written in 1937 by Brigadier General Augustin M. Prentiss of the Chemical Warfare Service, CN is listed as a simple tear gas agent and DM is listed separately as a respiratory irritant. Prentiss had this to say about DM's toxicity:

"One is not aware of breathing this gas until sufficient has been absorbed to produce its typical physiological effects. It irritates the nose and throat in concentrations as low as .00038 milligrams per liter and causes irritation of the lower respiratory tract at a concentration of .0005 mg. per liter. A concentration of .65 mg. per liter is lethal at 30 minutes' exposure while the lethal concentration for 10 minutes is 3 mg. per liter."

Put another way, Prentiss's statistics mean that DM is lethal upon 10 minutes' exposure to the gas in concentrations of 1/10,000 of an ounce per quart of air.

The Army has been combining DM and CN in a grenade for use in Vietnam. "Since DM requires several minutes to produce maximum effects, it may be combined with CN to produce effects more rapidly," explains FM 3-10. The manual adds this word of caution:

"DM alone is not approved for use in riot control dispersers in any operations where deaths are not acceptable. Excessive, and possibly lethal, or completely incapacitating dosages can be developed from its use. However, it may be used in military or paramilitary operations, on counterinsurgency operations, or in limited or general war where control of target personnel by the incapacitating effects is desired and where possible deaths are acceptable."

The South Vietnamese, acting on their own initiative, used CS and CN to break up a Bud-

dhist riot in Saigon on November 2, 1964. By the next month the South Vietnamese Army, guided by US advisers, initiated the use of DM, CS, and CN in military operations against the Viet Cong. In missions carried out in strictest secrecy, the munitions were used on December 23 in Xuyen province, on December 25 in Tay Ninh province near Saigon, and on January 28, 1965, in Phu Yen province.

On March 22, 1965, Horst Faas, an Associated Press reporter tagging along on a combat mission near Saigon, learned that the operation plans called for the use of DM if the government forces were pinned down by the Viet Cong. He was told that the agent caused vomiting and diarrhea. No enemy contact was made during the mission and Faas returned to Saigon to report what he had heard and seen. The news service carried on its teletypes the next day a story revealing that the United States was "experimenting" with gas warfare. This was subsequently confirmed in Washington and Saigon.

What Faas saw set off a worldwide protest that apparently caught US policymakers by surprise. The White House, State Department, and Pentagon each responded to the controversy by arguing, in effect, that there was nothing unusual in the use of riot control gases. But US officials took unusually elaborate steps that March 23 to get their point across the press and public. McNamara quickly summoned Pentagon newsmen to his office, described the three gases in detail, and made it clear that the United States had no intention of stopping their use against Viet Cong guerrillas. He emphasized that the gases were similar to those used by police forces around the world to curb civil disturbances, and listed a number of such uses. McNamara did not mention that adamsite is rarely used by police anywhere.

Secretary of State Dean Rusk made an unusual appearance at the regular daily noon briefing at the State Department to deny that the United States was embarking on the use of gas warfare in Vietnam. "We are not talking about agents or weapons that are associated with gas warfare, the military arsenals of many countries [sic]," he told the reporters. "We are not talking about gas that is prohibited by the Geneva Convention of 1925, or any other understanding about the use of gas."

Rusk, too, emphasized that the agents used were gases available commercially, and said it was anticipated that "these weapons be used only in those situations involving riot control or situations analogous to riot control." He admitted that the United States may have committed a major propaganda blunder, not by using the gases, but by attempting to hold back public knowledge of the new step. "It may be that there was a failure in full explanation, in briefing or reporting from Saigon on this matter," Rusk allowed, adding that the initial AP story tended to stimulate problems "which were not present—for example the use of the word 'experimentation' suggested that something new and weird might be involved here. That is not the case."

At the White House, Press Secretary George Reedy went to elaborate steps to disassociate President Johnson from the use of nausea gas. He said the President had not been consulted about its use and described adamsite as a "rather standard-type riot-control agent." Reedy said full responsibility for its use depended on General William C. Westmoreland, commander of the US forces in Saigon.

The American use of gas was condemned throughout the world: a Frankfurt newspaper published a cartoon showing the Statue of Liberty wearing a gas mask; *Mainichi Shimbun*, one of Japan's largest newspapers, carried a cartoon of Adolf Hitler's ghost hovering over Vietnam with a bag labeled "Vietnam" in his right hand. In New York, the *Times*, in a sharply critical editorial, pointed

¹The US delegation signed the treaty but the Senate Foreign Relations Committee refused to ratify it in 1926 after a rare closed-door debate. Thirty-two nations eventually adhered to the Protocol which was violated only once before 1964, when Italy used mustard gas against Ethiopia in the Abyssinian Campaign of 1936. The United States has consistently expressed its support of the 1925 agreement, and his publicly acknowledged it considers itself bound in full by it. Moreover, the US and ninety-five other nations voted during a little-noticed UN General Assembly meeting in December, 1966, to reaffirm the principles of the Geneva Protocol. Most international lawyers argue that the United States, whether it agreed or not is bound by the Protocol simply because it has acted as if it had signed the agreement; this opinion is held by many in the State Department.

out that "in Vietnam, gas was supplied and sanctioned by white men against Asians. This is something that no Asian, Communist or not, will forget. No other country has employed such a weapon in recent warfare."

The Soviet Union took the issue to the United Nations, where it accused the United States of grossly violating "the accepted rules of international law and of the elementary principles of morality and humanity. The US Government is, of course, aware that the use of asphyxiating, poisonous or other gases has long since been prohibited and vigorously condemned by the peoples of the world." Similar Soviet charges were made in a note delivered to the US Embassy in Moscow. The United States replied, in a letter to the President of the UN Security Council, that the Soviet note had been rejected because it "was based on the completely false allegation that poisonous gases are being used in South Vietnam. . . ." The US note went on to describe the chemicals used in Vietnam as non-toxic and not prohibited by the 1925 Geneva Protocol as interpreted by the United States.

By this time, even the United States Information Agency had protested to the White House that the use of gas in Vietnam was resulting in a substantial loss of international prestige. But the Johnson Administration was determined not to back down. Asked about the issue at a press conference on April 2, the President criticized the initial AP dispatch which he said implied that "we were using poisonous gas—mustard gas or a war gas—to kill people. And it took the government two weeks to catch up with that story. . . ." The President then described the gases as products that could be purchased "by any individual from open stocks in this country just like you order something out of a Sears and Roebuck catalogue." He added that he had known nothing about the gas. "No one told me that the South Vietnamese Army were going to use any tear gas any more than they told me they were going to shoot that fellow that dropped the bomb, left the bomb in his car in front of our Embassy, but there's no reason why they should." (He was referring to a recent terrorist bombing of the US Embassy in Saigon.) "I just wish," the President concluded, "there was concern with our soldiers who are dying as they are [sic] with somebody's eyes who watered a little bit. . . ."

Thus, within two weeks of the initial press reports, all top-ranking US officials had faced press conferences at which they appeared surprised and almost baffled by the heated protests over the use of riot control agents. The substance of the official statements was that the United States did not accept any distinctions between tear gas and nausea gas, and that this country was not violating the Geneva Convention, a treaty it had not signed, by using such gases.

In fact, there is considerable evidence that American officials were well aware of the perils of the use of tear and other gases—from the White House down through other executive offices. The decision to approve the use of gas was apparently made on the highest levels of the Administration. A White House adviser told me in August, 1967, that the decision taken in 1964 had been a difficult one. "This was a problem," he acknowledged. "We're not overjoyed with the use of tear gas, but people have decided it represented a humane decision." He added: "When all of the factors were weighed, we decided to use it."

During a State Department briefing March 23, 1965, press officer Robert McCloskey was asked if State had given its approval for the use of gas in Vietnam. "Oh, I think I said pretty clearly," McCloskey answered, "that this was supplied by the U.S. Government and that would imply concurrence by all agencies and departments thereof." He added that the State Department had been specifi-

cally informed that the gases had been supplied to the Vietnamese but did not know whether our high officials had been warned before the gas was used.

The intense secrecy surrounding the initial use of tear and nausea gases in Vietnam can be viewed, therefore, as an outgrowth of the many meetings, memos, and discussions that went into the initial 1964 decision to use the new weapons. Some program had apparently been prepared to advise the American public gradually of the new element in the Vietnam war, but it was not used.

The result of the March, 1965 controversy was a slowing down in the promulgation of gas warfare in South Vietnam, although the Johnson Administration had carefully built a rationale for such use. Gases were not used during the next six months. In the interim, *The New York Times* reported that field commanders in Vietnam had been ordered to make no further use of any type of gas—the story was attributed to "informed sources in Washington." The newspaper later quoted an unnamed American official as saying, apparently while on an inspection trip to Saigon, that he would rather "lose the war" than authorize the field use of gas.

When gas warfare was again used in Vietnam, it was accompanied by a careful public relations program. On September 7, the US military command in Saigon announced that a Marine Battalion Commander, Lieutenant Colonel L. N. Utter, had been placed under investigation because he had authorized the use of eighteen canisters of tear gas during a small US field operation against the Viet Cong the week before. According to *The New York Times* version of the incident, "Colonel Utter was reported to have felt that tear gas was the most humane way to dislodge the Viet Cong suspects, who were using the women and children as a shield." The article noted that Utter "decided against using fragmentation grenades, flame throwers or automatic weapons."

U.S. officials told reporters that the colonel had acknowledged full responsibility for the use of the gas. The investigation was chiefly to determine whether Utter was aware of the reported ban on the use of gas: at the time, only General William C. Westmoreland had the authority to order the use of gas. Saigon officials told reporters that if Utter had asked Westmoreland for permission, "his request would have been denied." When a reporter asked why the Marines were still being issued tear gas, he was told that it was part of the "basic equipment" of all units and was needed for riot control and self-protection.

Utter's use of tear gas brought no significant public outcry, apparently because it was accompanied by a promised investigation. Some two weeks later, on September 22, Westmoreland asked the Pentagon for permission to use tear gas in cases in which, he said, its application would be more humane than conventional weapons. A front-page story in *The New York Times* noted that Westmoreland technically has such authority. "However," *The Times* added, "it is known that high Administration officials have pledged not to use such gases again except perhaps in ordinary riot situations."

At the same time, both United Press International and Associated Press sent almost identical news stories reporting that Westmoreland had asked Washington to "lift," "relax," or "re-examine" the ban. In response to these stories, the Pentagon announced that the United States had never foreclosed its right to use non-lethal gases. The Pentagon said:

"As previously stated, the commander of the United States military command in Vietnam has the authority to use tear gas under appropriate circumstances. The use of riot control agents has always been and still

is considered to be left to the commander, under appropriate circumstances."

The public clearly was being cautiously readied for more frequent use of non-lethal tear gases. None of the September statements mentioned adamsite, the nausea gas that had provoked much of the criticism in March. One reporter commented later on the Utter incident that "officials now, as opposed to last winter, are quite willing to notice a distinction between tear gas and vomiting gas and are indicating that vomiting gas is unlikely to be used in the future . . . that officials now are conceding a distinction does not indicate they have just gotten around to noticing it; it merely means they now find it useful to publicly notice it."

On September 25, Westmoreland announced that no disciplinary action would be taken against Lieutenant Colonel Utter, and refused to say anything more about the case. US spokesmen, who earlier had told reporters that the investigation would attempt to determine whether Utter had known of the tear gas ban, also refused to reveal the results of the investigation.

The Utter case was apparently a sham, a carefully planned trial balloon designed to make tear gas operational once again in Vietnam without public outcry. In October, 1965, researchers for Travelers Research Center in Hartford, Connecticut, a subsidiary of the insurance company, completed a private study for the Pentagon of "US Governmental Policies on Chemical and Biological Weapons and Warfare." The unclassified document, known as "Project Pulsanace," quoted one source as saying that "neither the Pentagon nor the military in Saigon ever, repeat, ever issued orders that tear gas should not be used. A brisk correspondence between Marine Corps top brass and General Westmoreland has established beyond a shadow of a doubt that there was no such order." The study also said that General Wallace M. Greene, Commandant of the Marine Corps, confirmed in a private letter that "there never has been, nor is there now, any intention to court martial or take any other disciplinary action against Lieutenant Colonel Utter. The decisions he made was fully justified."

The Pentagon's handling of the tear gas incident won praise in the October 11, 1965, issue of the *Washington Daily News*. "Little if any public protest is being voiced over renewed use of tear gas and other non-lethal gases by US troops in Vietnam," the paper said in its lead editorial. "There is a lesson to be learned from the contrast between this quiet acceptance and the loud outcry which arose last March when it was first revealed the gases were being employed. At that time, public opinion here and abroad was totally unprepared." "Public opinion is often wrong, sometimes foolishly so," the editorial concluded. "But the US still has a lot to learn about what it is and how to make it work for us."

The Pentagon remained cautious. A month after the Utter incident, it used gas in a joint operation with Australian troops near Saigon. A major effort was made to soothe public opinion. A full twenty-four hours before the battle, officials advised a number of correspondents that gas would be used and bound them to stringent secrecy. According to a *Washington Post* dispatch on October 8, troops of the 173rd Airborne Brigade were rigidly drilled to speak of "tear gas" and not just "gas," in case reporters asked them questions.

As the operation was getting under way, Brigadier General Ellis Williamson, then Commander of the 173rd, assembled reporters and read out this portion of his orders for the morning:

"Tear gas may be used on this operation if the local unit commander feels that its employment will assist in accomplishing the

operation requirement with fewer casualties to friend and foe. It is anticipated that the use of tear gas will be restricted to small areas where the enemy is holed up in bunkers or trenches."

The *Chicago Daily News* described the operation as a test of a new "departure in US policy in the laboratory of world opinion. [The soldiers] were armed with tear gas and they specifically were authorized to use it."

The reaction to the dispatches was positive, from the military point of view. *Navy* magazine reprinted an editorial in its October, 1965, issue which noted that "the reaction in the US press this time has been heavily favorable, indicating that there is now a much better understanding, at least among American editors, of the humaneness of gas compared to the deadly effects of napalm, automatic weapons fire and flame throwers."

The *Times* reported on October 6 that Westmoreland had received official permission to use tear gas in military operations when it would save lives: "there was no official confirmation of the permission from Washington because the Administration has taken the position that General Westmoreland never lost his authority to use tear gas." The *Times* report added that technically this was true, but in practice Westmoreland had been told not to use his authority without permission from the Administration. If President Johnson and other officials had been outflanked by Westmoreland during the Uter incident, Washington clearly had approved the well co-ordinated October tear gas attack by the 173rd Brigade.

Subsequently, the use of tear gas became more common in South Vietnam, although the gases were initially confined to tunnels in accordance with the official decision to permit their use in military operations only if it would save lives. In early 1966, the Army said it was using riot control agents in Vietnam "quite routinely and with great success." Military spokesmen made clear that discretion for such use was again left in the hands of the military commanders in the field.

On February 21, 1966, however, the Administration significantly changed the role of gases in Vietnam. Helicopters dropped hundreds of tear gas grenades on a small patch of jungle 265 miles northeast of Saigon, which was believed to be a Viet Cong stronghold. Shortly thereafter, huge B-52 bombers rolled over the jungle area and saturated about 85 percent of the jungle patch with bombs. According to official estimates, 400 guerrillas were trapped in the tiny area whose widest point was only about 400 yards. After the bombing raids, two battalions of airmobile troops, equipped with gas masks, were shuttled in to search for the enemy. The *New York Times* quoted Washington officials as explaining that the new tactic of the helicopter-borne tear gas attack "was designed to flush Viet Cong troops out of bunkers and tunnels before the attack by B-52 bombers." It was further explained that past B-52 bombing missions had done little or no damage to Viet Cong troops who were usually well-protected in tunnels or bunkers. "The purpose of the gas attack," *The Times* said, "was to force the Viet Cong troops to the surface where they would be vulnerable to the fragmentation effects of the bomb bursts."

It was this projected use of the non-lethal gases, apparently, that had led the Administration to rally so vigorously to the defense of gas warfare the previous March. Thorough newspaper accounts of the February attack brought little renewed criticism of the use of gases, a factor that apparently led the Administration to move into yet another phase.

On May 8, US planes dropped twelve tons of CS gas in a jungle near the Cambodian border, "to pave the way," according to United Press International, "for a ground

assault by gas-masked US infantrymen." Other dispatches about the attacks indicated that nausea-producing DM had been used, but the Pentagon denied such reports and said they stemmed from the fact that the CS had been used in such heavy concentrations that it caused nausea. The UPI story described the attack as resulting in "one of the largest doses of gas Americans ever have spread over enemy territory."

Similar operations were carried out during the rest of 1966, although news accounts became more and more sketchy as the use of gases became more and more acceptable and, hence, less of a story.

The lack of further protest may have prompted the Administration again to escalate the gas war. In August, 1967, officials announced that nausea gas had been used in South Vietnam: there were no world-wide protests this time. Four paragraphs distributed by UPI were printed on page nine of the August 18 *Washington Post*; the incident took up one paragraph in an Associated Press dispatch the next afternoon. According to UPI, the nausea gas was used on a suspected North Vietnamese stronghold south of the Demilitarized Zone in the hope that it would flush out Communist troops, but none appeared. "US forces previously have used tear gas and nausea gas to drive Viet Cong guerrillas out of tunnels and bunkers," the UPI report continued, "but today's action marked the first extensive use of the gas above ground in several months." It also marked the first time the US military command in Vietnam had acknowledged nausea gases were again in use, although the January 31, 1966 issue of *U.S. News and World Report* acknowledged that DM had "been experimented with in Vietnam warfare in recent weeks." The gas was used in canisters along with CN.²

By September, 1967, the CS promoters were back at work. Ray Cromley, a columnist for the Newspaper Enterprise Association and an Army Reserve Colonel, wrote a column praising the use of tear gas for saving lives in South Vietnam; he concluded:

"But there is a sad note to this story. V.C. tunnels frequently are so long and have so many curves and exits that the tear gas isn't effective . . . Other non-lethal gases are available—gases, for example, which make people laugh and not care what's going on. Some of these might be more suitable for Vietnam's tunnels. Thus far, the men who make the decisions have been afraid to use these other gases for fear of a renewed worldwide outcry."

What Cromley did not write is that the striking similarity of all the gas attacks between December, 1964 and August, 1967 is their military failure. None of the attacks met its objective to any degree.

The first attacks in 1964, the London *Observer* reported, were aimed at rescuing a group of American prisoners held by the Viet Cong in the Mekong Delta. In both instances, helicopters spread a cloud of gas over the targets. "The two attempts were futile. Both times the ground troops found no Viet Cong although there was evidence they had been there. If any prisoners had been held in those sites, the Viet Cong had led them away before the troops reached the area." An AP dispatch later told of one 1964 mission in which American helicopters laid down a gas cloud and South Vietnamese troops quickly moved

² Similarly adamsite was used during the Marine attack on the Citadel at Hue after the Viet Cong's successful Tet offensive in February, 1968. UPI correspondent Richard V. Oliver reported that US planes dropped the gas in enemy areas "to soften up the guerrillas for Marine ground attack." The *Washington Evening Star* carried the dispatch on February 14 under the headline: "Use of Nausea Gas Reported in Attack To Soften Up Foe."

into the area. Some firing came from the gassed area and, AP said, "the Vietnamese forces fled in disorder."

The carefully publicized use of gas on October 8, 1965, by the 173rd Airborne Brigade was also a flop. US troops dropped a grenade down a cave in a jungle area believed held by the Viet Cong. "As it turned out," *The New York Times* reported the next day, "there was apparently nobody in the cave in which the tear gas grenade was buried."

The AP produced a detailed account of the failure of a gas mission in January, 1967, aimed at flushing Viet Cong out of a vast tunnel complex about twenty-five miles northwest of Saigon. "The most recent attempt to use riot control gas on a major objective in the Vietnam war apparently has failed like most of the others," the AP story said. No Viet Cong had been flushed from the tunnels and no additional prisoners were taken, ". . . for the most part the use of gas in the Vietnam war has not been successful."

The military has responded to this fact in a characteristic fashion: by gradually escalating the amount, concentration, and toxicity of the gases used.

Tear gas and adamsite have been widely described by Washington and Saigon officials as non-lethal agents. But what does non-lethal mean? Two Harvard doctors, writing in a 1966 issue of the *New England Journal of Medicine*, noted that CS, CN, and DM "are incapacitating, but usually non-lethal, although they can kill under certain circumstances: extremely high concentration of agent or highly susceptible victim, such as the very young, the very old or the very sick." Such circumstances are inevitable in South Vietnam; it is virtually impossible to deliver chemical agents at uniform dose levels in the field.

Not only the young, old, or sick can be killed by riot control gases. A Reuters dispatch reprinted in *The New York Times* (January 13, 1966) reported that non-lethal gases being used against Viet Cong guerrillas in tunnels northwest of Saigon killed one twenty-four-year-old Australian soldier and sent six others to the hospital. The dispatch said the soldier had died of "asphyxiation although he was wearing a gas mask." The Australians were taking part in a U.S. offensive.

More striking evidence of gas warfare's potential for death was provided in a letter from a Canadian physician in South Vietnam to Dr. E. W. Pfeiffer, a Professor of Zoology at the University of Montana who has been leading a fight to get some of his colleagues to investigate the use of CS agents in the war. In the letter, Dr. Alje Vennema of Burlington, Ontario, told of his experiences with gas victims while serving in Quang Ngai Provincial Hospital. Dated November 23, 1967, his letter said in part:

"During the last three years, I have examined and treated a number of patients; men, women and children who have been exposed to a type of war gas the name of which I do not know. The type of gas used makes one quite sick when one touches the patient or inhales the breath from their lungs. After contact with them for more than three minutes, one has to leave the room in order not to get ill.

"The patient usually gives a history of having been hiding in a cave or tunnel or bunker or shelter into which a canister of gas was thrown in order to force them to leave their hiding place. Those patients that have come to my attention were very ill with signs and symptoms of gas poisoning similar to those that I have seen in veterans from the First World War treated at Queen Mary Veteran's Hospital in Montreal. The only difference between the cases was that these Vietnamese patients were more acutely ill. . . .

"Patients are feverish, semi-comatose, se-

verely short of breath, vomit, are restless and irritable. Most of the physical signs are in the respiratory and circulatory systems . . . The mortality rate in adults is about 10 per cent while the mortality rate in children is about 90 per cent. I have kept accurate records of the number of such cases that I have seen only since June, 1967. Since then I have seen seven cases of which:

"There was one child of six years of age who died.

"There was one child of fifteen years of age who survived.

"There was one lady of approximately 40 years of age who died.

"There were four other adults who survived."

Dr. Vennema left the Quang Ngai Hospital shortly after writing his letter; the gas he was writing about apparently was adamsite (DM).

As I have noted, military manuals have careful restrictions on DM, warning that it should only be used where possible deaths are "acceptable." In Special Publication 2-31, published in 1960 by the Army's main chemical warfare center, the Edgewood, Md. Arsenal, a researcher named Bernard P. McNamara discussed the medical aspects of chemical warfare:

"Very severe exposures to tear gas or adamsite can produce damage to the respiratory tract. Adamsite is arsenical and, although remote, there is the possibility of systemical arsenical poisoning. This may be recognized and differentiated from effects of tear gas by marked nausea and vomiting which may persist for an hour or more after poisoning."

The failure, thus far, of riot control gases appreciably to affect enemy troops in Vietnam has apparently started some officers to think about a further escalation—this time to the incapacitants. During House appropriation hearings in March, 1967, General Betts, head of Army Research, was asked if the protests at the University of Pennsylvania against CBW research had hindered any of the Army's work. Betts replied: "I know of no impact that they have had on our efforts to date, other than harassment. I do feel that some of our policy concern with regard to pushing the use of incapacitating agents may be a reflection of these pressures. I just do not know."

Just what Betts was referring to isn't clear. On January 5, 1966, the *Wall Street Journal* reported that the Joint Chiefs of Staff were considering a proposal to "expand" the use of non-lethal chemicals in South Vietnam. The Chiefs "are expected to favor and forward the idea to President Johnson within the next few weeks," the *Journal* said. "The decision is up to him." As I have pointed out, by early 1966 the military was again given free rein to use riot control and nausea gases again in the war. If the Chiefs were urging approval of incapacitating agents which would have expanded the chemical arsenal, that proposal apparently was turned down.

BZ is currently the only incapacitating chemical agent in the military stockpile. Its use in Vietnam has been reported by Pierre Darcourt of *L'express*, who described in some detail an attack by the 1st Airmobile Division, involving BZ hand grenades, which took place in March, 1966. Darcourt said only 100 guerrillas of the 350- to 500-man Viet Cong force under attack escaped after exposure to the chemical. U.S. officials in Saigon and Washington have repeatedly denied that BZ has been used in Vietnam, although the agent is available in a field dispenser and a 750-pound bomb. It is not, however, available in hand grenades, according to *Chemical Reference Handbook* of the Department of the Army, published in January, 1967. Still, the record does not offer great hope of any permanent limitation on its use.

Some critics of the Vietnam war have charged that the United States is already

waging a subtle form of germ warfare—simply by not doing everything possible to stem the increasing number of naturally occurring cases of bubonic plague. In 1961 eight cases of plague were reported in South Vietnam; by 1965 the number was estimated at 4,500. The *London Times* reported in late 1966 that "the increase [of plague] has been relentless. In 1961 only one province in the combat zone was affected. Today, 22 out of 29 provinces north of Saigon have been hit by the plague." *Time Magazine* has reported that "plague has no significant effect on US troops, since every man received two shots before arriving in Vietnam and boosters every four months. For Vietnamese living under Government control, vaccine and treatment are almost always nearby. But for the enemy Viet Cong, North Vietnamese troops, and those living in VC-held areas, the plague may well become a more deadly killer than either side expected."

Peace News, a London anti-war weekly newspaper, noted in October, 1966, that the filth, garbage, and rubble that accompany war are natural breeding grounds for the rats and other animals that carry plague fleas. "Under modern hygiene, speedy diagnosis, and prompt treatment, plague can be isolated, contained, and eventually eradicated," the newspaper said. "But these conditions do not apply in Vietnam today." Further evidence of this came on January 29, 1968, when the World Health Organization reported that the plague had spread in South Vietnam in "epidemic proportions," accounting for 330 deaths and more than 5,000 illnesses in less than eleven months of 1967. The threat that the disease might begin spreading to other nations had aroused worldwide apprehension, WHO said.

The plague situation steadily worsened during the first three months of 1968, although that fact was not reported by most American newspapers. Only the *London Times*, revealed, on March 26, that Saigon itself was threatened by a major outbreak of plague in Tay Ninh Province, fifty miles to the north. The *Times* said that about 150 cases had been reported and the province placed in quarantine, with police supervising the vaccination of travelers at roadblocks. Moreover, cases had been reported from neighboring provinces closer to Saigon: "The danger is that the disease may spread to Saigon, with its huge rat population and insanitary, crowded conditions, and be carried to other countries in merchant ships, or spread across the border from Tay Ninh into Cambodia."

The day after the *Times* report, US embassy officials in Saigon told Reuters that the outbreak of plague was far worse than anyone had admitted. South Vietnamese health officials had reported only eight deaths from plague in the first eleven weeks of 1968, but the US officials said the true figure was fifty-six deaths, with more than 700 suspected cases reported between January 1 and March 16. Moreover, according to Reuters, American and South Vietnamese Army doctors had averted what could have been a serious epidemic in mid-March in the Long Khanh Province forty miles northeast of Saigon by a huge program of inoculation of vaccines and antibiotics. These medical efforts, however, were not made until six civilians had died from the disease.

The plague traditionally is endemic to South Vietnam, but who officials told the

*The threat of plague has grown so intense that late in 1966 the US Public Health Service increased its surveillance of all cargo traffic from South Vietnam to the United States. More than 550 PHS workers were assigned to Vietnam; their job was to inspect each plane before it left, and again when it arrived in the United States to make sure no rats had climbed on board.

Manchester Guardian (March 27) that, because of the war, conditions for the spread of the disease were ideal. The Viet Cong's successful Tet offensive and the savage US response, which included the bombing of widespread residential areas in Saigon's Cholon sector, has disrupted the who's effort to improve sanitary conditions and starve out the city rats. Ironically, the heavy American use of defoliants and herbicides in the Viet Cong-held areas near Saigon may have added to the rat population in Saigon: food now is much more plentiful in the city gutters than in some parts of the countryside.

The *Guardian* described South Vietnam as having "for some months been in the grip of an epidemic . . . [of plague]." If there was some urgency in the British reports on the situation, there was no sign of it in US newspapers or in Washington. Early in April I inquired at the Pentagon about the spread of plague, and found an air of mystification. There were no statistics available, no officers who knew anything about it, and no mention of the outbreak of the disease in the voluminous twice-daily press briefing reports that are filed to Washington from Saigon. It seems that, so far as the US military is concerned, plague in South Vietnam is not the white man's burden.

In these essays I have tried to show how the American military machine is making use of chemical warfare, with secrecy and in a war in an unsophisticated country 8,000 miles away—the kind of war that enables military men to talk about Vietnam as a playground for developing new war concepts and revitalizing the old. What about the future, now that the use of highly toxic chemicals and gases has become a standard fixture in the American arsenal? If adamsite can be used with impunity today and found wanting, what about nerve gas and biological warfare agents such as anthrax, tularemia, and brucellosis? The United States has violated a long-standing and respected Geneva agreement—which stood throughout World War II and the Korean War—by its use of chemicals and gases in South Vietnam. It has set a dangerous precedent, which was followed by Egypt when it used nerve gas against the Royalists in Yemen, early in 1967. Beyond that, the new American gas arsenal is being put to use as a riot control device almost every day in the United States, with the development of such chemicals as MACE. That America had so readily accepted the widespread use of gas and chemicals is ominous; it reflects the lack of information about gas and chemical warfare in Vietnam. For in Vietnam, as we have seen, when chemicals fail to meet their military objectives, new and more potent ones are used. Today we use chemicals to make both Vietnamese civilians and American protesters suffer with tears, nausea, and wracked lungs; tomorrow we may systematically start to give them the plague.

[From the New York Times Magazine, Aug. 25, 1968]

THE SECRET ARSENAL

(By Seymour M. Hersh, Washington-based freelance writer; wrote "Chemical and Biological Warfare: America's Hidden Arsenal")

WASHINGTON.—The Dugway Proving Grounds, main weapons-testing center for America's chemical and biological warfare (C.B.W.) research program, is a well-isolated military base; most of its one million acres are spread across the Great Salt Lake Desert in western Utah. The base's eastern edge—and the only access road to it—is about 80 mountainous miles west of Salt Lake City. In between are some small mountain ranges and sparsely inhabited valleys, where ranchers control vast acreage and thousands of sheep graze.

Until this spring, most Americans had

never heard of the proving grounds, although Dugway has been testing chemical and biological weapons since World War II. The base's obscurity ended in March.

At 5:30 P.M. on Wednesday, March 13, an Air Force jet flew swiftly over a barren target zone and sprayed 320 gallons of a highly persistent, lethal nerve agent known as VX during a test of two new high-pressure dispensers for the gas. The test site was about 30 miles west of Skull Valley and about 45 miles west of Rush Valley, two large sheep-grazing areas. The site also was about 35 miles south of U.S. 40, one of the nation's most heavily traveled highways and a main link between the Midwest and California.

The winds were blowing from the west that day, with gusts reaching 35 miles an hour. Testing in strong winds was nothing new to the Army researchers; since the early nineteen-fifties millions of dollars had been spent on meteorological equipment and gauges at Dugway, and the scientists had long been able to predict accurately the dispersal of the killer gases—or so they thought.

On Thursday the sheep began to die in Skull and Rush Valleys. By Sunday more than 6,000 sheep were dead, and the top command at Dugway was informed of the outbreak by the ranchers. Veterinarians began inoculating thousands of sheep that day, but found that none of several vaccines used had any effect.

A week after the secret test flight, the Salt Lake City newspapers published dispatches telling of the mysterious sheep deaths and linking them to "some kind of poison." A spokesman for Dugway told the newspapers that tests on the base "definitely are not responsible" for the deaths. "Since we first found out about it," the official said, "we checked and found we hadn't been running any tests that would cause this."

How long the Army would have gone without telling the ranchers of the nerve gas tests is problematical; when the facts became known, it was an accident. On Thursday, March 21, the Pentagon responded to a request for more information from Senator Frank E. Moss, Utah Democrat, by sending a fact sheet to his office marked "For Official Use Only," an informal security classification intended to prevent public release. A young press aide in Moss's office promptly made the fact sheet public; the Army's attempt hours later to retrieve the document was too late.

The military quickly canceled all aerial spray tests at Dugway and spent the next three weeks issuing denials that nerve gas from Dugway had anything to do with the death of the sheep—even in the face of medical reports directly linking them to organic phosphate compounds (nerve gas is one such). On April 18, the Army acknowledged that "evidence points to the Army's involvement in the death of the sheep." By this time, the case of the poisoned sheep received little attention in the press.

The military's performance in the Dugway affair was consistent with its long-standing avoidance of public discussion of the controversial chemical and biological warfare program. Yet C.B.W. is a major effort, as can be seen in this partial catalogue of America's arsenal.

CHEMICALS: Odorless, colorless nerve gases that paralyze the nervous system and kill in minutes . . . strong anesthetic or psychochemical gases that produce temporary paralysis, blindness or deafness and can cause maniacal behavior . . . tear gases, one of which has the scent of apple blossoms, that can incapacitate in 20 seconds and, in heavy concentration, cause nausea . . . improved versions of World War I gases like adamsite (headache, nausea, chest pains) and mustard gas (lung and eye burns, blisters) that can kill in heavy doses . . . defoliants (for trees) and herbicides (for food plants) that in low

dosage are not toxic to man—though heavy concentrations cause illness and, in the case of those with an arsenic base, may cause arsenic poisoning.

BIOLOGICALS: Specific agents are unknown, but the military is known to have studied the following highly contagious diseases with C.B.W. intent—anthrax, fatal within 24 hours if it attacks the lungs . . . bubonic plague (the Black Death) and pneumonic plague . . . Q-fever, acute but rarely fatal, caused by an organism that can remain alive and infectious for years on end . . . encephalomyelitis, ranging from debilitating to fatal . . . brucellosis, also known as undulant fever. Using genetic knowledge and techniques developed within recent years, Army scientists have been able to devise subtle new strains of some of these diseases, changing their cellular make-up so that they become resistant to known antidotes.

When asked why the United States is developing its C.B.W. arsenal, military men at the Pentagon refer to a statement made by then Deputy Secretary of Defense Cyrus Vance during March, 1967, hearings before the Disarmament Subcommittee of the Senate Foreign Relations Committee.

After explaining that the United States seeks international agreements to curb the spread of C.B.W., Vance added: "As long as other nations, such as the Soviet Union, maintain large programs, we believe we must maintain our defensive and retaliatory capability. It is believed by many that President Roosevelt's statement in 1943, which promised 'to any perpetrators full and swift retaliation in kind,' played a significant role in preventing gas warfare in World War II. Until we achieve effective agreement to eliminate all stockpiles of these weapons, it may be necessary to be in a position to make such a statement again in the future."

The U.S. and the U.S.S.R., at any rate, are not alone in developing C.B.W. arsenals. Since World War II at least 13 other countries—Britain, Canada, Communist China, Nationalist China, France, West Germany, Poland, Sweden, Spain, Egypt, Cuba, Israel, and South Africa—have either publicly revealed that they are doing C.B.W. research, reluctantly confessed that they are doing "defensive" C.B.W. research, been accused of using such weapons or actually have initiated gas warfare in combat.

There have been, over the years, international efforts to curb chemical and biological arms production and use. A treaty prohibiting gas warfare was signed by Germany, France and other nations (not including Britain or the U.S.) at The Hague in 1899. It didn't stop gas warfare in World War I. Similar treaty negotiations failed in 1921, but four years later at the Geneva Conference a treaty was signed outlawing the "use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices." The U.S., Japan, Czechoslovakia, Argentina and Brazil did not sign. The United Nations passed a resolution in 1966 urging all countries to abide by international law affecting C.B.W. And just this month the British Government urged that a new international convention be drafted to update the Geneva ban. Meanwhile the weapon race has gone on.

American officials have made it plain that this nation consider itself bound by the Geneva treaty; they insist that the use of crop-killing chemicals and riot-control gases in Vietnam does not violate the treaty's ban. But critics here and abroad take strong issue with the U.S. interpretation of the treaty language—less than two weeks ago the Soviet Union charged that American use of chemicals in Vietnam violated international law. Critics also point out that American use of non-lethal gas in Vietnam has already escalated. Initially tear gas was used to control crowds or to clear bunkers—the intent being to prevent unnecessary loss of civilian

and military lives. Now the South Vietnamese and American forces deploy nausea gas to clear out enemy bunkers—the intent being to set the enemy up for bombing missions. Fear of such escalation has historical precedent. As Elinor Langer noted in a series on C.B.W. in *Science* magazine last year, most of the World War I gas warfare deaths resulted from mustard gas, which was not introduced into combat until after both sides had tried tear gas.

The controversy over C.B.W. has elements in common with those that accompanied the development of nuclear weapons. Thus proponents warn that other nations are ahead of the U.S. and speak of a chemical-biological "gap." Opponents insist that the American program is fostering a proliferation of C.B.W. weapons. But the whole subject has overtones of horror and revulsion that far outstrip the world's fears of a nuclear holocaust.

During World War II, chemical and biological warfare was a top-secret area of research in America. The research was continued after the war, but on a reduced level—during much of the nineteen-fifties, at between \$50-million and \$75-million a year; enough only to sustain existing programs. But in the last years of the Eisenhower Administration, C.B.W. spending increased, and in the fiscal 1962 budget, the one inherited by President John F. Kennedy, nearly \$100-million was recommended. Over the next three years, as the Kennedy Administration moved from an overreliance on nuclear weapons toward a more flexible defense posture—with an emphasis, for example, on counterinsurgency methods—C.B.W. spending climbed to nearly \$300-million a year with as much as 30 per cent of its budget earmarked for the manufacture of delivery systems such as bombs, shells and spray devices.

The last C.B.W. budget made public, for fiscal 1964, included a total of \$157.9-million for research into C.B.W. agents, most of it for the Army Chemical Corps, and \$136.7-million for the procurement of delivery systems. It is not known if maintenance and construction costs and wages are included in these totals. Today procurement costs are still classified, but Pentagon officials say spending on research has dropped by 5 per cent each year since 1964. It seems clear, however, that the overall investment in the C.B.W. program has grown with the advent of the Vietnam war. More than \$70-million will be spent in the fiscal year that began July 1 on the purchase of defoliants.

The Army is generally responsible for the nation's C.B.W. work. The Navy and Air Force both have rapidly expanding programs but must conduct much of their research at Army installations on a pay-as-you-go basis. The Army operates five high-security C.B.W. bases and has leased another to a private firm (see box, left); according to statistics made available by the bases, more than 3,750 officers and men and 9,700 civilians are employed in the system. The total value of the bases is about \$1-billion; all have ambitious building programs.

The huge increases in research spending in the early nineteen-sixties enabled the Pentagon to turn more and more to the aerospace corporations and the multi-universities for aid in solving the complex meteorological and biochemical problems involved in spreading germs and gases in air and/or water. By 1964 all of the military's C.B.W. research facilities were fully computerized, and expensive research into such fields as biostatistics was making it possible to know beforehand how the agents could be most effectively dispersed.

The result was inevitable: major advances along the entire spectrum of chemical and biological warfare. Scientists—working at military bases, at more than 70 universities around the world, at an even greater number

of private and nonprofit corporations—have perfected a massive array of deadly agents. Complex delivery systems have been evolved: germs and gases have been successfully tested in guided missiles, hand grenades, bomb clusters, artillery shells and aerosol sprays. It is known that gas-carrying weapons have been distributed to U.S. forces throughout the world. There is no evidence of any similar distribution of germ-bearing weapons, but they are known to be stored in this country.

The military has consistently refused to make public many of the facts about C.B.W., including details about the Soviet program. When I asked one military man the reason for this policy, he said there is "very little one can say because it reveals our intelligence sources." Yet Pentagon officials have, on occasion, when seeking additional funds for C.B.W., talked on the record about the Russian effort.

In 1960 Lieut. Gen. A. G. Trudeau, then Chief of Army Research, told a House subcommittee on Defense appropriations that "we know that the Soviets are putting a high priority on development of lethal and non-lethal weapons, and that their weapons stockpile consists of about one-sixth chemical munitions. Russian leaders have boasted that they are fully prepared to use new chemical weapons of great significance, and we know Soviet forces are trained in their use."

The generals have consistently told Congress that Russia is ahead in C.B.W. development. Former Defense Secretary Robert McNamara testified at House hearings on the 1969 Department of Defense budget that America's C.B.W. position was "adequate at the present time." He added: "The Soviets probably continue to do more than we do in this field, however."

A 1960 Army report to Congress stated that the Russians had within each military division "a specific unit devoted to the field of chemical warfare" and that they had large stockpiles of nerve gas. The report added that "Soviet medical and technical reports . . . show that they are equally well versed in biological warfare." And a Soviet general was quoted as saying: "Many of our scientists . . . regard research on the actions of poisons and on the development of antidotes to be their patriotic duty." In this report and elsewhere, mention has been made of a nationwide C.B.W. civil defense program in Russia; yet the importance of protecting the public against C.B.W. has certainly not been a preoccupation in this country. Neither the Defense Department nor any civil defense agency has made any significant attempt to inform the American public about the possible threat of such an attack; few gas masks are available for civilians; government warehouses have only a limited supply of the antibiotics and other antidotes that would be needed.

The need for what defense officials call "retaliatory capability as a deterrent" is only one of the arguments the U.S. military presents for continuing or even expanding the C.B.W. program. Another, as expressed in an interview with a high-ranking Pentagon officer: "In order for us to develop defenses against the tactical use of C.B.W. weapons, it's necessary to know what their offensive capabilities are. We've got to push the offensive as much as possible." Masks and protective shelters, plus antidotes for germ agents, are the only defense mechanisms now available. Large-scale programs dating back to the early nineteen-fifties have sought to evolve an early-detection system, but no substantial progress has been reported.

For many military planners, the appeal of C.B.W. lies in what they term its "humaneness" and "efficiency." "It can be just as disagreeable as any of the other forms of destruction in vogue in the world," an Army presentation admits, "yet it also offers some

rays of hope for a more sane approach to an activity which we wish could be classified as irrational." Thus C.B.W. can be practiced over "a whole graduated spectrum of degrees of severity, and at the milder end of the spectrum may represent a far lesser evil than many presently accepted forms of warfare." The report goes on to cite the taking of Iwo Jima in 1945, with the loss of 28,000 Japanese and American lives: "If the new incapacitating agents had been available, it is conceivable that neither side would have lost any appreciable number of men."

Air Force Col. Jesse Stay, deputy director of information at the Pentagon, told me bluntly: "We're using herbicides and riot control agents in Vietnam. Everybody knows we're using them. They're serving a good purpose. Nobody's hiding the fact that they're being used—and nobody's ashamed of that fact."

The use of riot-control gases and defoliants in Vietnam has, however, seemed inadequate to some military men. In October, 1966, two retired generals had their say on the subject. The director of chemical warfare research in the nineteen-fifties, Brig. Gen. J. H. Rothschild, called for the use of mustard gas in clearing land and rendering Vietcong bunkers useless; it would, he added, "save lives, not only of Americans and of our allies but also of the enemy." And Maj. Gen. John Bruce Medaris, former commander of the Army Ordnance Missile Command, advocated the use of nerve gas.

In a recent letter to *The New York Times*, General Rothschild summed up many of the arguments for the C.B.W. program:

"... if the United States is forced into a large-scale war against superior manpower, e.g., a nation such as Communist China, we cannot afford to meet on a man-to-man basis, as we did in the Korean war, when we took large numbers of unnecessary casualties. . . . [We] will have to use weapons of advanced technology. These include the nuclear weapons, chemical weapons or biologicals. We don't want to use nuclear weapons certainly, because of the danger of worldwide involvement with the completely unacceptable physical damage which would result, the great loss of life and the possibility of genetic effects. The use of chemical weapons could eliminate all of these dangers but still give us the means of successfully combating the superior manpower. Furthermore, it could result in the saving of large numbers of civilian lives."

Criticism of America's C.B.W. program has come primarily from two groups—scientists, both within and outside the military and students. Criticism ranges from those who, as one top Pentagon planner expressed it, want "restraints" on the program and an emphasis on defensive techniques to those who call for a complete and total phasing-out of C.B.W. activities. In recent months the Federation of American Scientists has urged discontinuance of C.B.W., which it said is not in the nation's interest. Member protests have led the American Society of Microbiology to poll its membership on the question of continuing its long-standing agreement to serve Fort Detrick in an advisory capacity. In April at least 16 scientists refused to take part in a symposium on genetics at Fort Detrick. A two-year protest by students at the University of Pennsylvania led to the university's cancellation of two secret C.B.W. research projects, worth \$845,000 a year, and similar protests are under way at dozens of other campuses.

Inevitably, the arguments against chemical and biological weapons have a strong emotional overtone; the subject is almost too horrible for rational debate. This distaste for C.B.W. even pervades parts of the Pentagon; some military men I spoke with conveyed the impression that the use of gases and biologicals isn't manly: it isn't the kind of warfare

that cadets learn about at West Point; it's "sneaky."

But the criticism is by no means limited to emotional appeals. Some opponents, for example, are concerned that by advancing the C.B.W. state of the art the U.S. is handling small, possibly irresponsible nations a deadly weapon. Matthew Meselson, a prize-winning Harvard University biologist, last year told an interviewer for the *Harvard Alumni Bulletin* that the C.B.W. program places "a great premium on the sudden, unexpected, hopefully decisive blow, on the order of Pearl Harbor. So we have here weapons that could be very cheap, that could be particularly suitable for attacking large populations, and which place a premium on the sudden, surprise attack. . . . If you look at the engagements in which the United States has been involved in the past, or try to think of those in which we might in the future, it seems to us that these are just those characteristics which we should not want in weaponry—you could almost not ask for a better description of what the United States should not want to see happen to the art of war."

Other critics look upon the American use of C.B.W. weapons in Vietnam as a violation of the spirit, if not the letter, of the Geneva Convention—and most believe that the letter, too, has been violated. They listen to the arguments that the chemicals used in Vietnam are humane, and they ask questions such as those posed by Prof. William V. O'Brien, international law expert at Georgetown University, during a 1966 campus debate:

"Is it opening . . . Pandora's box? Is it getting into a category of things hitherto banned which, once opened, can go on and on and on? You say, well, it's not too bad to make people cry. Well, perhaps the next argument is it's not too bad to give them the three-days' flu. And then you work your way up from that to something else, and after a while you get into countermeasures and pretty soon the thing is really spiraling out of hand."

Of great concern to many scientists is another unanswered question of biological warfare: Can disease, once spread, be controlled? Dr. Theodor Rosebury, a Chicago bacteriologist who did biological warfare work during World War II, has written that "it is next to impossible to know beforehand what to expect from a strategic B.W. [biological warfare] attack; there is no satisfactory way of testing it in advance." Thus, some argue, to initiate the use of plague or anthrax, diseases that can kill more than 90 per cent of their victims, would be to set in motion a doomsday machine on the planet—striking down attacker and defender alike. The Pentagon consistently refuses to discuss such questions with newsmen, but it is well aware of the unpredictability of B.W. Writing in a medical school journal in 1964, Dr. Leroy D. Fothergill, former director of the laboratories at Fort Detrick, offered this assessment of the effects of a major B.W. attack:

"It is possible that many species would be exposed to an agent for the first time in their evolutionary history. We have no knowledge of the range of susceptibilities of these many species of wildlife to specific micro-organisms, particularly through the respiratory route. . . . What would be the consequences? Would new and unused zoonotic foci [animal transmitters] of endemic disease be established? Would it create the basis for possible genetic evolution of micro-organisms in new directions, with changes in virulence for some species? Would it create public health and environmental problems that are unique and beyond our present experience?"

These sorts of ecological and epidemiological problems are being studied intensely at Fort Detrick and the Dugway Proving Grounds. Scientists there believe that with

enough study it will be possible to predict accurately the effects of a biological attack. Many knowledgeable C.B.W. critics have their doubts.

An indication of the complexity and importance of C.B.W. considerations is to be found in the varying views on the question of possible unilateral disarmament by the U.S. in the C.B.W. field. Critics of the program argue that nuclear weapons provide all the deterrent needed to forestall any enemy C.B.W. attack. Their opposite numbers in the military claim that reliance on nuclear retaliation alone would, in fact, seriously weaken the deterrent to biological attack. They point out that some of the possible biological warfare diseases have three- or four-day incubation periods before they break out. Would the United States be willing to unleash nuclear missiles, they ask, four days after a biological attack was confirmed, and tell the world it was "retaliating"? If not, it is argued, a policy resting only on a nuclear deterrent could encourage C.B.W. attack, rather than deter it.

Though the controversy over America's C.B.W. program is bitter, there is general agreement on at least two points: it is essential that the world never be exposed to the ravages of a chemical-biological war; a de-escalation of the C.B.W. arms race, followed by international disarmament agreements, is a possible means to that end.

Once again the situation has elements in common with the nuclear arms race. If there is to be any meaningful international accord on C.B.W., many Administration experts feel, there must be some scientifically valid procedure for policing it. Studies of detection systems are being conducted by scientists, including some Americans, working with the Stockholm International Police Research Institute. But progress has been slow. Last year the Johnson Administration allotted the Federal Arms Control and Disarmament Agency only \$100,000 for research into C.B.W. control and detection.

What is desperately needed, if the world is to move toward an answer to the C.B.W. problem, is an open, rational public debate of the political and military implications involved. The Vietnam war, the campus protests over military research contracts, the trouble at Dugway Proving Grounds, the disenchantment of large segments of the scientific community—all these have set the stage for such a debate in this country. But it cannot begin until more information is made available. The Pentagon should immediately re-evaluate its security restrictions about C.B.W. If Russia is indeed engaged in a major C.B.W. build-up, this information should be made known. The types of agents, their possible effects and the national policy surrounding actual deployment of chemicals and biologicals should be released for public evaluation.

Americans—and Russians—know a great deal about the horrible consequences of atomic attack; this knowledge is as significant a deterrent as the I.C.B.M. rockets shielded deep in their silos. If the world knew more about the potential horror of nerve gases and deadly biologicals, the drive for de-escalation and disarmament would be increased. And the United States, as one of the leaders of C.B.W. research and development, would have an obligation to lead that drive.

[From the New York Times Magazine, Aug. 25, 1968]

CBW BASES AND WHAT THEY DO

Because of the secrecy surrounding the C.B.W. program, it is impossible to detail completely the functions of the military bases involved. What follows is necessarily a capsule summary.

Fort Detrick, Maryland: This base, about 50 miles northwest of Washington, D.C., serves as the headquarters for the nation's

biological warfare research program. Detrick controls the procurement, testing, research, and development of all biological munitions and products, including all defense approaches (such as masks and vaccines). The emphasis at Detrick, however, is on the offense. The fort was set up during World War II and has been one of the world's largest users of laboratory animals since—perhaps as many as 720,000 mice, rats, guinea pigs, hamsters, rabbits, monkeys and sheep a year. Most of the nation's military work on anti-crop devices and defoliants is conducted in a corner of the base where, behind high wire fences, scientists work in a cluster of greenhouses.

Pine Bluff, Arkansas: This arsenal usually is described in military organization charts as serving primarily as a chemical munitions base. Indeed, it was opened in 1942 as a chemical facility and still serves as an important packaging and production point for smoke bombs, incendiary munitions and riot-control agents (including CS, the potent tear gas used in Vietnam). But Pine Bluff does its most important work for the biological laboratories at Fort Detrick. It is the main center for the massive production and processing of biological agents. The germs are not only brewed in heavy concentration there but are also loaded into bombs, shells and other munitions, most of which are in cold storage depots, known as igloos.

Dugway Proving Grounds: This base tests biological as well as chemical agents and is also an important research center. Studies in ecology and epidemiology have been under way for years to determine just what happens to an area after many years of testing with highly infectious biologicals. (Similar test projects are sponsored by Dugway at other locations in the nation.) The problems are incredibly complex: more than 10,000 species of life are known to exist on the huge base.

Edgewood, Maryland, Arsenal: Edgewood is the oldest of the C.B.W. bases; it dates back to World War I, when it served as a manufacturing site for shells containing phosgene and other gases. It was the central plant for the production and filling of gas munitions until the end of World War II, when it was switched to research and development. Edgewood's first major job in this area was to study the nerve agents, produced by the Germans, that Allied intelligence had shipped home. A pilot plant to produce one such—Sarin, otherwise known as G.B.—was built and in operation on the base by the late 1940's. The arsenal is now the management and final inspection center for all chemicals and chemical weapons.

Much time and money are invested at Edgewood in the quest for the perfect incapacitating agent, presumably a psychochemical or anesthetic weapon. The only such agent known is BZ, and it has yet to see combat use. The chief problem with the incapacitating agents is the requirement for a uniform dosage level—that is, they must be capable of being spread evenly; otherwise, they might kill in areas of high concentration and have no effect at all in areas of lower concentration.

Rocky Mountain Arsenal: This 17,750-acre base is 10 miles northeast of Denver and served as the main production facility for the nerve gas Sarin after initial tests at Edgewood demonstrated its feasibility as a weapon. Production of the gas was halted in 1957 after three years of furious, around-the-clock activity (insecticides are now manufactured here) but the arsenal has remained busy filling rockets and bombs with it.

The Newport Chemical Plant: This installation in farm country on the western edge of Indiana, near Danville, Ill., is the Army's main production plant for VX, an improved nerve gas that did not enter the military's arsenal until the early 1960's. (VX, unlike Sarin, does not evaporate rapidly or freeze at normal temperatures. Its low volatility makes

it effective for a longer period of time.) The plant was built by the Food Machinery and Chemical Corporation (F.M.C.) under a 1959 Army contract and has been operated ever since by that company. Newport produced VX nerve gas on a 24-hour schedule until late 1962, when production was slowed.—S. M. H.

[From Science, Jan. 13, 1967]

CHEMICAL AND BIOLOGICAL WARFARE (I): THE RESEARCH PROGRAM

(NOTE.—Biological warfare is the intentional use of living organisms or their toxic products to cause death, disability, or damage in man, animals, or plants. The target is man, either by causing his sickness or death, or through limitation of his food supplies or other agricultural resources. Man must wage a continuous fight to maintain and defend himself, his animals, and his plants in competition with insects and microorganisms. The object of BW is to overcome these efforts by deliberately distributing large numbers of organisms of native or foreign origin, or their toxic products, taking full advantage of the ability to utilize more effective methods of dissemination and unusual portals of entry. BW has been aptly described as public health in reverse.—"Effects of Biological Warfare Agents," pamphlet published by Department of Health, Education, and Welfare, July 1959.)

During the last 18 months, the University of Pennsylvania has from time to time been the unhappy object of national attention arising from disclosures that the university is conducting secret research for the Army and Air Force on chemical and biological weapons. In an interview with *Science* last fall, one troubled university official complained that Penn's participation in CBW was being unfairly singled out. "There are a lot of people in this game," he said. He was right.

The chemical and biological weapons program is one of the most secret of all U.S. military efforts—not because it is the most important of our military R&D activities, but because the Pentagon believes it is the most easily misunderstood and because it provokes the most emotional distress and moral turbulence. Official secrecy makes a complete portrait of the CBW program difficult to construct. Rumors fly freely around the security wall that separates the "ins" from the "outs." In some portions of the scientific community the Johnson administration's "credibility gap" has taken its toll and there is readiness to believe that, every time some one in Vietnam sneezes, it is because the United States is distributing the germs. In the defense establishment the CBW program is represented as being some kind of cross between defensive preparations, on the one hand, and peaceful by-products in preventive medicine, on the other.

Defensive preparations are only one part of the program, for the United States is engaged in a comprehensive and flourishing R&D effort in chemical and biological weapons. It involves non-military as well as military agencies, industry as well as the academic community, and it has received cooperation from some of the major scientific institutions of the United States. Stockpiles of chemical and biological weapons produced by this program provide a far-ranging offensive capability. Furthermore, U.S. policy concerning the use of chemical and biological weapons is ambiguous and contradictory, and is rendered even more so by the use of chemical weapons in Vietnam.

The current CBW program is the product of decisions made and steps taken during the late 1950's and early 1960's. Before that time the old-line Army Chemical Corps was regarded by the nuclear-age military establishment as custodian of a particularly controversial and probably useless emporium. The Chemical Corps had a message it had been repeating since World War I—that its

wares were unusually humane—but no one was buying. The Corps existed on budgetary dregs, usually around \$35 million a year. Its most active support came from the Armed Forces Chemical Association, a group of military and industrial executives supported by chemical companies and “dedicated to scientific and industrial preparedness for the common defense in the fields of chemical, biological, radiological and related technology commonly referred to as chemicals.” The Corps felt continually threatened with the possibility that it would be abolished.

In 1959 the Corps took matters into its own hands and went to the public with a full-scale publicity campaign known as “Operation blue skies.” It was a period of fascination with the possibility of “incapacitating” weapons, particularly psychochemicals, and, putting aside its more lethal products, what the Chemical Corps advertised—in articles, speeches, lectures, symposia, and Congressional appearances—was “war without death.” Within a short time the Corps’ hopes for expansion had won endorsements from a variety of outsiders, from the American Chemical Society to the House Committee on Science and Astronautics.

At the same time, the Kennedy administration came into office, concerned about the military inflexibility imposed by over-reliance on nuclear weapons. New Frontiersmen were interested in acquiring a more versatile weapons “mix.” And they were especially interested in systems that, like CBW, seemed to offer particular promise in fighting limited wars. In the nuclear stalemate between the great powers, there began to be a reorientation in conceptions of how the U.S. would conduct its war against smaller nations, and CBW was just one beneficiary of the reorientation. Fantasies about battles in which whole populations would fall asleep while being captured provided a comforting alternative to the known, stark destructiveness of nuclear weapons, and also helped to establish the appeal of CBW. The relative cheapness of CBW systems played a role as well.

By 1961 CBW had ceased to be scorned, and a comprehensive program for improving U.S. capabilities was underway. In fiscal year 1961 the R&D budget for CBW for all three military services was about \$57 million. By 1964 it had risen to about \$158 million, with the Army’s share being about \$115 million. It is now roughly at that level or slightly lower. In 1961 only the Army had money for procurement—about \$46 million. In fiscal year 1964 the Army received a little more than \$117 million for procurement related to CBW; the Navy, \$11 million; and the Air Force, \$8.7 million. Procurement figures for more recent years are classified. (These sums for procurement are additional to the amounts spent for research and development.)

In addition to these annual budgets, there is a large standing capital investment in CBW activities. Fort Detrick alone, the center of biological warfare research, occupies 1300 acres of land near Frederick, Maryland, and has a building complex valued at \$75,000,000. According to an employee-recruitment brochure, it has “one of the world’s largest animal farms” and its “facilities for conducting research with pathogenic organisms are among the most advanced in the world.”

Were it not for two things, Detrick might pass as nothing more than the particularly well-endowed microbiological research center it advertises itself to be. Research on basic characteristics of microorganisms seeks the same knowledge and is carried on in the same fashion whether the agency paying the bills is Detrick or NIH. Some of the research undertaken has a defensive motivation—an effort to discover means of combating biological weapons that might be used by an enemy. Some of the research is neutral—not susceptible to utilization by a weapons program at all. But much of the work inescapably has

a special character, an inverted quality like that of medicine turned inside out. It consists in part, for example, of efforts to breed into pathogenic organisms precisely the characteristics—such as resistance to antibiotics—that medical researchers would like to see eradicated. In the context of biological warfare even life-saving techniques such as immunization take on a strange aspect; immunity among one’s own population and troops is a prerequisite to the initiation of disease by our own forces, as well as a precaution against its initiation by others. Some diseases are currently excluded from active consideration as BW agents chiefly because no vaccines against them have yet been developed.

A second factor separating Detrick from other research centers is the restraint placed on its researchers. Detrick’s scientific staff consists of 120 Ph.D.’s, 110 M.S.’s, 320 B.S.’s, 34 D.V.M.’s, and 14 M.D.’s. Only about 15 percent of their findings are published through conventional scientific channels; the rest become part of a secret literature managed by the Department of Defense and available to other government agencies and contractors on a “need to know” basis.

While nothing is published that would indicate the relative degree of military interest in, or effort on, a particular agent, Detrick scientists do report in open literature on subjects such as instances of laboratory-induced or accidentally acquired infection, immunization, therapy, routes of infection in man and animals, and various experimental techniques. From these papers and from other sources it is possible to surmise a good deal about the Detrick research program.

Diseases that are at least the objects of considerable research and that appear to be among those regarded as potential BW agents include: bacterial diseases—anthrax, dysentery, brucellosis, glanders, plague, and tularemia; rickettsial diseases—Q-fever and Rocky Mountain spotted fever; viral diseases—dengue fever, several types of encephalitis, psittacosis, and yellow fever; a fungal disease, coccidioidomycosis; and botulism toxin.

In recent years a good deal of attention has been focused on plant diseases also. Recently the Army’s Distinguished Service Medal, the highest award the Army gives civilians, was awarded to a Detrick researcher for her contribution to development of a rice blast fungus, a disease that in its natural form has repeatedly damaged Asian rice crops.

To make the jump from naturally occurring organisms to usable weapons, biological agents must possess certain characteristics: they must be highly infectious; they must be able to maintain viability and virulence during production, storage, transportation and dissemination; they must be sturdy enough to withstand injury during dissemination and have a minimum decay rate; and they must be capable of being produced on a militarily significant scale. Judged from what has surfaced a substantial portion of fundamental research at Detrick has been devoted to development of these characteristics in the organisms producing the diseases listed (follows at end of article).

Detrick is also more or less the home of the science of aerobiology—the study of airborne infection—an area of much interest to researchers studying dissemination of disease, whether their interests are causative or curative. Aerobiology is of particular relevance to biological warfare, however, because the idea of disseminating infectious agents by aerosols—suspensions of small particles in the air—seems to be displacing earlier notions about how to transmit disease. Conventional images of biological warfare—the covert “man with the suitcase” or the poisoning of water supplies and ventilation systems—seems to have been discarded,

partly because the number of people who could be subjected to infection at any one time is too small.

Two out of the three times Detrick has emerged to participate in a conventional way in the affairs of the scientific community, it has cosponsored conferences on airborne infection. (Its intellectual debut was a 1959 symposium on “Nonspecific resistance to infection,” held in collaboration with the American Institute of Biological Sciences.) The first “Conference on airborne infection,” held in Miami Beach in December 1960, was supported jointly by Detrick and the National Institute of Allergy and Infectious Diseases (NIAID), of the National Institutes of Health, and sponsored by the National Academy of Sciences. Detrick papers included “Viability and infectivity of microorganisms in experimental airborne infection,” “Techniques of aerosol formation,” and “Airborne Q fever.”

Detrick’s third meeting was the second International Conference on Aerobiology, held in Chicago last March and sponsored jointly with the Illinois Institute of Technology, a Detrick contractor. Papers by Detrick researchers included “Antibiotic prophylaxis and therapy of airborne tularemia,” “Physical and chemical stresses of aerosolization,” “Infection of pigeons by airborne Venezuelan equine encephalitis virus,” and “Attenuation of aerosolized yellow fever virus after passage in cell culture.” Two papers reflected collaboration between Fort Detrick and NIAID: “Effect of route of inoculation on experimental respiratory viral disease and evidence for airborne transmission” and “Assessment of experimental and natural viral aerosols.” A cooperative project between Detrick and the University of Maryland Medical School was a study of “Aerogenic immunization of man with live tularemia vaccine.” A researcher at Ohio State University College of Medicine, supported by a Detrick grant, reported on “Aerosol infection of monkeys with *Rickettsia rickettsii*,” the organism that causes Rocky Mountain spotted fever. Detrick, the University of Arizona, and the Public Health Service all cooperated in a study of “Experimental epidemiology of coccidioidomycosis,” an infectious fungal disease.

PHS INVOLVEMENT

The Public Health Service has also cooperated with Detrick in other ways. In 1960, for example, the PHS received more than \$380,000 in funds transferred from the Army Chemical Corps, and, according to a PHS spokesman, annual transfers of funds measure only a fraction of the real cooperation between the two agencies. The PHS says that it does not take Army money to conduct research that it would not otherwise undertake, but only to bolster ongoing projects in fields in which it has an independent interest. Its policy is that none of the research results obtained in collaborative projects may be classified. However, the subject matter of an Army-PHS transfer of funds cannot always be discussed because—even though it may concern an area in which the PHS is studying openly—the mere fact of military interest in it may be classified.

Apart from the transfer of funds there is active liaison between the two agencies—communication on several levels, and efforts on both sides to avoid duplication. And the PHS has also cooperated with Detrick by delaying required reporting to international health authorities of quarantinable diseases occurring at Fort Detrick. One such instance took place on 1 September 1959 when a 22-year-old enlisted technician named Ralph Powell became ill with pneumonic plague. The following day Detrick informed the Frederick County Health Officer, and on the second day it informed the Public Health Service. Its memo to the PHS, classified secret, stated that “no press release has been made or is contemplated by any DOD agency, un-

less death occurs. In such a case, the cause of death would not be announced." Powell recovered, the report was downgraded to "for official use only," and on 6 November the PHS reported the case. If the PHS is assured that no epidemic hazard exists, it allows the military's declaration of "national security" to take precedence over its international obligations.

Another source of advice for the biological warfare effort is the National Academy of Sciences. In addition to occasional formation of special groups to consider particular problems, the NAS has for several years sponsored a program of postdoctoral "Resident research associateships" designed in part to help bring talent into Detrick. The fellowships are supported by Detrick for research at the laboratories, but candidates are screened by the Academy. Appointees, who must be investigated and cleared, are subsequently permitted to describe themselves as having received an NAS-NRC fellowship.

Additional intellectual assistance for Detrick comes from the American Society for Microbiology, which maintains a permanent Detrick advisory committee. In 1966 the President of the ASM was Riley D. Housewright, scientific director of Fort Detrick. Detrick also uses the part-time consulting services of a number of individual researchers drawn largely from the academic community.

A MILLION DOLLAR SECRET

A number of universities and research institutes also have come into the CBW constellation. The terms of the research sponsored by Detrick or by its chemical-weapons counterpart, the research laboratories of Edgewood Arsenal, vary. Some of it is secret, some open. Some of it amounts to support for basic microbiological research in which Detrick and university-based investigators happen to have simultaneous interest; some is closer to a straight purchase of manpower for a particular task. The scale and magnitude of university-based CBW research is also variable, occasionally running—as at Penn—into large projects but most-often consisting of a few researchers together with perhaps a handful of graduate students.

Between 1955 and 1963, as an example of one end of the spectrum, John Hopkins received over \$1 million for work described as "studies of actual or potential injuries or illnesses, studies on diseases of potential BW significance, and evaluation of certain clinical and immunological responses to certain toxoids and vaccines." Hopkins reports that its work, which is continuing at a reduced level, produced no results published in open literature. At the other end of the spectrum is the Duke University Medical Center, where researchers have been working since 1958 to develop a vaccine against *Coccidioides immitis* and have made several contributions to professional journals. Some of the CBW work, such as that performed in the late 1950's at Stanford University, is strictly classified; or, like that done at Brooklyn College, the New York Botanical Gardens, and the Midwest Research Institute, at least does not contribute to open literature. Most of the research seems to occupy an ambiguous middle ground where at least some fraction of the results may be publishable, but only with clearances, releases, and so forth from the Department of Defense. Among the institutions where researchers recently performed or are now performing work in this category are the Southern Research Institute, the University of Maryland, the Illinois Institute of Technology, and Hahnemann Medical College.

Another group of institutions has done or is doing research, supported by the CBW program, that is not classified; it includes the universities of Chicago, Minnesota, Michigan, and Texas, Ohio State University, and M.I.T.

Cooperation, including joint support of graduate students, seems particularly flourishing between Detrick and universities in the Washington area, such as the University of Maryland and George Washington University. GW had Detrick contracts totaling \$1,202,000 in 1960, and from 1952 to 1959 it conducted a comprehensive research program relating to the "physical and biophysical factors incident to the explosive dissemination of biological aerosols." The annual report of the dean of sponsored research for 1959 reported "phenomenal success improving the efficiency of dissemination of liquids" and noted that, "While it is quite obvious that the end result . . . will be a new weapon," GW's role was limited to research and did not include development. GW maintained a special laboratory at Fort Detrick during that period. Similarly close relations appear to exist between the Dugway Proving Ground and academic institutions in its area. In 1960 the University of Utah had eight contracts with Dugway, totaling \$1,570,000. Utah State University also has worked with Dugway.

Finally, it should be pointed out that many more institutions than those cited have contributed to the CBW program. While the Army has turned to academic organizations for basic research, especially on the biological side, industrial contributions to the chemical-weapons program have been substantial. At times nearly 65 percent of the military R&D money in CBW has gone to industry, which is reported to be the most productive source of new compounds. Arthur D. Little, Inc., and DuPont are among companies mentioned as prominent contributors to the CBW program. From outside the chemical industry, many aerospace companies now devote some fraction of their efforts to CBW.

BEYOND BASIC RESEARCH

During the past few years the Army and the Air Force together have moved into another area of CBW research. It goes by a lot of contemporary-sounding titles but boils down to evaluation of chemical and biological weapons and delivery systems. The controversial contracts at the University of Pennsylvania are of this type (see end of article). But, although Penn is a crucial cog in this phase of the CBW program, it is not the only one: New York University also is performing such studies, under an Air Force contract, and a Pentagon official recently stated that related studies are being conducted by, among other organizations, RAND, the Stanford Research Institute, and the Institute for Defense Analyses.

Research Analysis Corporation, a small firm located near Washington, in a brochure designed to reflect past support by government as well as to attract more, lists the following "research capabilities." Under the heading "Agricultural warfare" are "Study of biological and chemical attacks on crops and some analyses of effects on livestock," "Covert attack on a food crop," and "Impact of chemical attack on guerrilla food crops." Under "Guerrilla warfare and counter-insurgency" are "Evaluation of counter-insurgency requirements in Southeast Asia," and "Southeast Asia environmental-data collection." And under "CBW warfare" are "Military potential of GB" [a toxic nerve gas], "The feasibility of chemical warfare in defense of a perimeter in the Nakdong Valley basin," and "The value of toxic chemicals in ground warfare."

Another leading entry in the field of CBW is the Travelers Research Center, an outgrowth of the Travelers Insurance Companies. Its most recent brochure reports studies of military operations that are "highly sensitive to the natural environment." Chief among these, the report continues, "... are chemical and biological weapons systems, which exhibit a high degree of dependence upon meteorological, ter-

rain, and vegetative factors. The extensive experience of the TRC staff in research on turbulent diffusion and transport of atmospheric contaminants provides a firm base for TRC's participation in the nation's CBW weapons analysis program. The Center's interest in this field stems not only from the importance of understanding the environmental phenomena involved, but also from our desire to support and assist the United States in acquiring effective, humane, incapacitating (non-lethal) systems for coping with proliferating limited war and counter-insurgency. One study was undertaken for the Army to identify the most effective approaches for contending with difficult military situations with a minimum loss of human life to both sides. Another study conducted for the Navy provided an updated review of the influence of micrometeorological factors on chemical warfare in the form of a technical manual to assist in the identification, observation, and prediction of relevant meteorological factor and processes. In another study for the Army, TRC began comprehensive research on dosage prediction techniques to provide up-to-date knowledge of dispersion processes in the lower atmosphere, and with a critical evaluation of present quantitative techniques for predicting the behavior of atmospheric contaminants. This study is similar in many respects to those being conducted on urban and regional air pollution."

Travelers has branched out in another new direction: "Because modern military planning must often consider technical and strategic goals in relation to their political, sociological and psychological implications, particularly with respect to limited war and counter-insurgency," the brochure states, "a study was undertaken for the Air Force to assess not only the military potential of non-lethal CBW weaponry, but also the psychopolitical reaction to its use."

This is the chain of research. The United States government is developing chemical and biological weapons. It is learning how to use them effectively. And, finally, it is inquiring into the public reaction to their use.

ELINOR LANGER.

THE DETRICK RESEARCH PROGRAM

(Excerpts from Opportunities for Fundamental Research, a Detrick publication issued in connection with the NAS-NRC Detrick fellowship program)

AEROBIOLOGY

Respiratory Infections: . . . The disease process in laboratory animals exposed to aerosols of microorganisms is studied and characterized. Fundamental research is needed in the pathogenesis of disease in relation to (1) the particle size of the aerosol, (2) temperature and other environmental conditions, and (3) the effects of immunization on respiratory infectivity.

Environmental Stress: Basic research is needed in relation to the responses of airborne microorganisms to environmental stresses such as temperature, relative humidity, drying, and solar radiations. Quantitative data on the effects of these stresses are limited. In addition very little is known of the fundamental mechanisms which determine the resistance or susceptibility of cells to their environment. Studies are contemplated in which microorganisms will be exposed to natural sunlight, temperature and humidity ranges, etc., and wherein the effects produced may be measured quantitatively.

BIOCHEMISTRY

Biochemistry: Various fundamental aspects of the biochemistry of microorganisms and bacterial products are being investigated. Some current problems are concerned with (1) the site and mode of action and the identification of the structure of an inhibitor of mammalian oxidation produced by various species of microorganisms, (2) the identifica-

tion of the structural features of bacterial toxins required for biological activity including a study of reactive groups and the composition of partially degraded fragments, and (3) the effect of microorganisms on the metabolism of lymph tissue in vitro.

IMMUNOLOGY

Medical Entomology: This field involves basic research on the biology and rearing of medically important insects, the factors affecting infection of various arthropods and factors affecting transmission of microorganisms. Current problems consist of basic studies of effects of rearing procedures for various insects on longevity and fecundity; the effects of different environmental factors on infection of insects and on virulence of microorganisms.

PLANT SCIENCES

Pathology: A broad research program on several plant diseases is in progress. Some areas currently under investigation include: Factors of environment (host plant and pathogen) which affect spore germination, germ tube penetration, establishment of infection, disease symptom expression, sporulation, viability retention, resistance to infection. These and other problems of interest extend into fields of irradiation biology, physiology and genetics.

Physiology: Excellent opportunities exist for research on growth regulators, herbicides, defoliants, and problems of absorption of chemicals. Basic research is needed on the uptake, translocation, mode of action, structure versus activity relationships, and the function of surfactant compounds in herbicidal formulations.

UNIVERSITY OF PENNSYLVANIA: IT'S HARD TO KICK THE HABIT

The University of Pennsylvania is now in the second year of an increasingly bitter dispute over the presence of CBW research on its campus. The project at Penn involves applied research on weapons systems; it has been going on for about 10 years under various titles: most recently, "Summit" (an Army contract) and "Spicerack" (an Air Force project). The contracts total roughly \$1 million a year.

The Summit contract calls for the researchers, among other things, to "prepare analyses and studies of the behavior, technical properties, and performance of particular agents, munitions, weapons components or subsystems of C&B weapons systems. The required analyses will be directed to include estimations of the human effects of particular C&B agents; characterization of the aerosol behavior of the specific agents in field clouds; appraisal of the performance of candidate munitions-agent combinations under environmental conditions; examination of various protective procedures in specific military situations; and the estimation of human factors and response to the C&B environment."

Penn subcontracted with the Cornell Aeronautical Laboratory for additional research on "targeting." Part of Cornell's job was to "conduct a detailed target analysis to determine anticipated target neutralization requirements. This analysis will consider (i) protective measures against which a weapon capability should be required; (ii) acceptable time to incapacitation requirements; and (iii) target sizes and content and minimum acceptable casualty infliction to achieve neutralization."

The relation between these projects and U.S. operations in Vietnam is a matter of some debate. University officials connected with the controversy have made many contradictory statements, sometimes conceding relevance to Vietnam, sometimes denying it. But the researchers have done a good deal of study of the application of CBW to a number of crops, including rice; of the effects of

crop-destruction on the economies of underdeveloped countries and on the political and nonpolitical climate of Asia. In an interview with *Science* last fall, Knut Krieger, the chemistry professor who directs the research, said that he receives Army field reports from Vietnam and that he has evaluated tests on defoliants. Penn now has a capability with which the Pentagon, for immediate or long-range reasons, is reluctant to part. "We could get along without Penn," one official recently commented, "but we're not very anxious to try."

Summit and Spicerack carry with them some obvious liabilities. President Gaylord Harnwell says that Penn loses money on the contracts—about 5 percent of the cost of the projects or about \$50,000 a year. The bookkeeping on such matters is extremely intricate, and on the basis of other universities' experiences it is safe to say that profit and loss can be calculated in a great many different ways. However, the university is plainly not reaping great financial rewards from CBW, and officials state there is no hidden funding from which they are benefiting. The CBW projects have given the university painfully bad publicity. And, finally, the controversy has aroused and divided faculty, students, administrators, and alumni.

The answer to the question why, in this troubled climate, the research has not simply been abolished has to do in part with internal politics of the university, in part with the fact that the controversy touches on some of the most sensitive issues in academia. Last year a small group of professors sought to have the CBW projects thrown out because they considered its subject matter immoral. A much larger number of faculty members were unwilling to set a precedent of vetoing the substance of a colleague's research; instead they took up the issue of publishability. The faculty passed a resolution reaffirming an old but, practically speaking, extinct university policy that called for accepting "contracts or grants only for research projects whose principal purpose is to produce results which will be freely available and freely publishable in the ordinary manner of open research in the relevant discipline." The faculty also set about devising a mechanism which would assure review by the faculty of contracts suspected of violating the criteria.

The publishability issue did not prove an effective vehicle for accomplishing the faculty's object of ending CBW. President Harnwell believed that, under a special dispensation negotiated into the Spicerack contract at renewal time last spring, Krieger was technically free to publish his findings and that the research therefore did not come under the terms of the faculty resolution. Accordingly, he renewed the contract. The difficulty is that Krieger does not want to publish. "My findings are not of general interest," he told *Science*, "they are highly specialized. And in the second place I don't think it's the kind of work that ought to be published. It's a matter of national security."

Harnwell adds another argument to Krieger's. "He's a tenured professor," the President remarked to *Science*. "How can we make him publish if he doesn't want to? It's really a question of academic freedom. If I told someone what research to do or not to do or what and when to publish, another portion of the faculty would be down here knocking at the doors."

Harnwell's attitude—that what is at stake is neither the substance of the research, nor its publishability, but academic freedom—has been echoed this year by a faculty group that was relatively silent earlier, a group centered in the engineering sectors of the university. This group, heavily involved in defense contracting, feels that the ban on classified research, endorsed by most of the faculty, would harm the engineering schools. University officials have also been hearing

from alumni, some of whom are reportedly shocked that the propriety of the University's conducting research related to national defense should even be called into question.

At this point, the future of Spicerack and Summit is uncertain. President Harnwell recently indicated that he would like to get rid of the research because he is tired of the emotion-racked controversy. But the University cannot simply run out on the Pentagon, and one problem is where to ship the research. The University is contemplating, among other possibilities, transferring it to the University City Science Center, a new, nonprofit, R&D corporation in Philadelphia, owned by a consortium of Pennsylvania colleges and universities. The trouble is that the consortium includes Quaker colleges Haverford and Swarthmore; there have been reports that they don't want CBW either.

E.L.

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CHEMICAL AND BIOLOGICAL WARFARE: THE WEAPONS AND THE POLICIES—II

(By Elinor Langer)

"Until I retired . . . I was not able to speak of a chemical or biological weapon without prefacing my remarks with the statement that the enemy might use it. I was never able to speak of the offensive, only of the defensive."—Brig. Gen. J. H. Rothschild, USA (Ret.), former Commanding General, U.S. Army Chemical Corps Research and Development Command, *Tomorrow's Weapons*, (McGraw-Hill, New York, 1964).

The United States program in chemical and biological weapons does not stop in the laboratory. Weapons are accumulating and military manuals describe in detail a variety of circumstances and conditions in which they might be used.

It has to be remembered that, because of restrictions in the government's information policy, a great deal of data would probably be held just as secret if CBW production were flourishing as if it were successful. Nevertheless, although the magnitude and precise ingredients of the CBW arsenal cannot be known by those outside the security establishment, the weapons-production program does support an apparatus of several thousand people.

Fort Detrick, in addition to its research activities, is involved in process development, small-scale production, and design and operation of pilot plants. Closely related to Detrick is the Dugway Proving Ground, which employs about 900 people and occupies an area in Utah larger than the state of Rhode Island. Dugway is the principal station for field assessment and testing of chemical and biological munitions.

According to Pentagon officials, there is no large-scale field testing of chemical and biological agents on human subjects. Limited testing is done on volunteers at Detrick—Seventh Day Adventists who serve in the Armed Forces only as noncombatants—and occasional experiments have been performed on prisoners. But the military logic of real testing is evidently outweighed by fear of injury and contamination and field trials are reportedly limited to animals or to nonpathogenic simulated agents. (During World War II the British conducted BW experiments with anthrax—spores of which remain in soil for a long time—on the small island of Gruinard, off the northwest coast of Scotland. According to a recent statement by G. E. Gordon Smith, director of Porton, the British equivalent of Detrick, when the island was recently revisited it was concluded that "It may remain infected for 100 years.")

Biological munitions are produced at Pine Bluff Arsenal, a 15,000-acre installation outside Pine Bluff, Arkansas, which employs about 1400 people. Pine Bluff also produces toxic-chemical munitions and riot-control

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munitions. Its job runs from manufacturing the agents to filling and assembling weapons. Research and development on chemical weapons, and some production and assembly of them, take place in a number of subunits of the Edgewood Arsenal, in Maryland. Various chemical munitions, reportedly including nerve gas, mustard gas, "incapacitants," and anticrop weapons, are produced at Rocky Mountain Arsenal in Denver. The U.S. also operates a major manufacturing plant—at an estimated annual cost of \$3.5 million—in Newport, Indiana, where Sarin, a lethal nerve gas, is produced and loaded into rockets, land mines, and artillery shells. The plant is managed under contract by the Food Machinery Corporation, has 300 employees, and is reported to have been operating 24 hours daily since 1960. Additional chemicals were manufactured during the middle 1950's at another plant in Muscle Shoals, Alabama. A few years ago the Pentagon entered into contracts with about ten chemical companies for research and development on improved defoliants and dessicants; the chemical defoliants used in Vietnam are for the most part purchased commercially.

Chemical weapons are produced in forms designed to meet the requirements of all services. They are available in a variety of forms from regular artillery shells to the Sergeant missile (which has a range of 139 km), the Honest John and Little John rockets, and chemical land mines. They are also available as bombs for delivery by conventional military aircraft. Detailed information on delivery systems for biological agents is classified, but unclassified manuals suggest that biological weapons are available as warheads for missile systems (for large-area attacks), as cluster bombs, and as spray tanks and dispensers mounted on aircraft. (In his book promoting CBW, General Rothschild qualifies his discussion of the availability of chemical and biological weapons with these words: "Whether or not they have been procured in sufficient quantity for combat use is another matter. However, this information cannot be released to the public.")

Useful attributes of chemical and biological agents, from a military point of view, are that they can penetrate structures, cover large areas, and produce a range of effects for varying periods—severe illness for a brief time or less-severe illness for a long time, tears or hallucinations, paralysis or death. A useful quality of biological weapons, according to the unclassified military field manual FM 3-10, is their ability to "accomplish their effects . . . with little or no physical destruction. This constitutes an advantage both in combat operations . . . and from a longer range viewpoint—in postwar rehabilitation, where overall rebuilding requirements would be reduced." The utility of chemical weapons is described in similar language. (The manual, entitled *Employment of Chemical and Biological Agents*, has classified counterparts.)

THE CHEMICAL ARSENAL

Components of the arsenal change from time to time, reflecting both technical progress and military judgment. The current manual lists seven chemical agents now standardized for use. They include two nerve agents, one blister agent, an incapacitant, a vomiting agent, and two riot-control agents.

The nerve gases were discovered in Germany in the course of research on insecticides. At the end of World War II the Russian captured a German plant that manufactured Tabun, a highly toxic chemical known by the military symbol GA. They moved the plant to Russia, and are said to have made Tabun their standard nerve agent. The United States adopted a related chemical, Sarin, known as GB, which is said to be four times as toxic as Tabun and 30 times as toxic as the previously favored lethal agent, phos-

gene. Sarin is colorless, odorless, and poisonous in minute quantities. According to the Army technical manual TM 3-215, *Military Chemistry and Chemical Agents*, its effects, in order of appearance, are: ". . . running nose; tightness of chest; dimness of vision and pinpointing of the eye pupils; difficulty in breathing; drooling and excessive sweating; nausea, vomiting, cramps, and involuntary defecation and urination; twitching, jerking and staggering; and headache, confusion, drowsiness, coma, and convulsion. These symptoms are followed by cessation of breathing and death. . . . Although skin absorption great enough to cause death may occur in 1 or 2 minutes, death may be delayed for 1 or 2 hours. Respiratory lethal doses kill in 1 to 10 minutes, and liquid in the eye kills nearly as rapidly."

The other standard nerve gas, VX, is of the same general type as GB and has similar effects, but it evaporates more slowly and therefore remains effective longer.

The blister agent available for use is distilled mustard, or HD, a purified version of the mustard gas used in World War I. Moderate concentrations of mustard burn the eyes and produce skin irritation that may include blistering and ulceration. High concentrations may have systemic effects—nausea, vomiting, cardiac arrhythmia, and shock. Long-term effects may include aplasia of bone marrow, dissolution of lymphoid tissue, and ulceration of the gastrointestinal tract.

Both the nerve gases and distilled mustard are recommended for use to cause direct casualties, to harass the enemy by forcing troops to wear protective clothing ("thereby impairing his effectiveness as a result of fatigue, heat stress, discomfort, and decrease in perception"), and to hamper or restrict the use of terrain. They may also be used to complement other munitions, or for, among other purposes, "engaging numerous small, individual targets not militarily worth the use of a nuclear munition."

INCAPS

Research on incapacitating chemicals, known informally to some CBW researchers as "incaps," began in the middle 1950's, with emphasis on consciousness-altering drugs, or hallucinogens. In 1964, General Rothschild remained enthusiastic. "Think of the effects of using [LSD-25] covertly on a higher headquarters of a military unit or overtly on a large organization!" he says in *Tomorrow's Weapons*. "Some military leaders feel that we should not consider using these materials because we do not know exactly what will happen and no clear-cut results can be predicted. But imagine where science would be today if the reaction to trying anything new had been 'Let's not try it until we know what the results will be.'" However, fear of inducing irrational and unpredictable behavior in an enemy—especially one who controls nuclear weapons—evidently outran scientific curiosity. Research shifted to agents causing temporary physical disability such as discomfort, anesthesia, paralysis, or immobility. One compound reportedly regarded as promising produces temporary ascending paralysis. The victim first loses the ability to stand, then becomes unable to move his arms. He remains alive but cannot fire a weapon or otherwise function in a military capacity.

The incapacitant now standardized for use is known as BZ. It has both physical and mental effects, but its precise nature is not clear; unclassified information is notably less ample than for other chemical agents. The Army technical manual (TM 3-215) lists the following effects: interference with ordinary activity; dry, flushed skin; tachycardia; urinary retention; constipation; slowing of physical and mental activity; headache; giddiness; disorientation; hallucinations; drowsiness; maniacal behavior (sometimes); and increase in body temperature. The weap-

ons-employment manual warns that there are "critical limitations to the use of BZ" but cites the usefulness of incapacitants against intermingled enemy and friendly military units and against mixed populations of friendly, enemy, and civilian personnel.

Projections of the military utility of chemical and biological weapons now in the arsenal are not based on experience. Chinese allegations that the United States used biological weapons in Korea were never substantiated. During the Korean war some U.S. commanders sought permission to use chemical agents; they were refused, and after the war did considerable public griping. Riot control agents were used against North Korean prisoners of war during outbreaks in POW camps, however, which may have been the source of stories that chemicals were employed in combat. In addition, American planes are reported to have dropped propaganda leaflets in converted gas canisters that were left over from earlier wars.

The Italians used mustard gas against the Ethiopians in 1936, and the Japanese are believed to have used chemicals against the Chinese between 1937 and 1943. But apart from these cases there are no authenticated instances of intentionally lethal chemical gases being employed since World War I, and there are no authenticated instances of modern use of biological weapons.

The three remaining agents are sometimes placed together in the "riot control" category, although one—DM—is a vomiting agent. It causes sneezing and coughing, nausea, vomiting, severe headache, and acute pain and tightness in the chest; symptoms may last up to 3 hours. Another agent, CS, is one of the more recently developed agents of the general tear-gas type. It causes extreme burning and tearing of the eyes, difficulty in breathing, tightness of the chest, stinging of the skin, running nose, dizziness, and—in heavy concentrations—nausea and vomiting. The third, CN, has effects generally like those of CS, but it also causes burning, itching, and, occasionally, blisters. Effects of these two agents last for a few minutes.

The agent DM alone "is not approved for use in . . . any [riot-control] operation where deaths are not acceptable." However, the field manual reports that it may be used combined in munitions with CN and in "military or paramilitary operations, in counterinsurgency operations, or in limited or general war . . . where possible deaths are acceptable." Chemical agents CN and CS may be used to flush "unmasked enemy troops from concealed or protected positions, to reduce their ability to maneuver or use their weapons, and to facilitate their capture or their neutralization by other weapons." They are also regarded as useful "in the conduct of raids and ambushes against guerrilla forces and in defense against insurgent or guerrilla attacks and ambushes." All three, DM, CS, and CN, have been authorized for use—and used in many of these ways—in Vietnam.

BIOLOGICAL POSSIBILITIES

The identity of the biological agents standardized for use is classified, but unclassified references testify to their existence. Characteristics of the diseases that might be employed vary considerably. Brucellosis (undulant fever), for example, begins with aching, headache, loss of appetite, and stiffness, and produces constipation, loss of weight, and fever accompanied by severe sweating. It lasts for months and sometimes years, and may produce severe depression. Tularemia (rabbit fever) is characterized by sudden onset of chills, nausea, vomiting, fever, and prostration; it sometimes produces ulcerations and pneumonic complications, and may become a chronic condition. Mortality of untreated victims is as high as 30 percent.

Rocky Mountain spotted fever is an acute infectious disease producing fever, joint and

muscular pains, aversion to light, and sometimes delirium, coma, convulsions, tremors, muscular rigidity, and jaundice. Persistent effects may include deafness, impaired vision, and anemia. Mortality in untreated cases averages about 20 percent but can run as high as 80 percent. Psittacosis, or parrot fever, causes acute pulmonary infection, chills, fever, sore throat, constipation, weakness, and, sometimes, delirium. Mortality in untreated cases is about 10 percent; death is more common among persons over 30. *Coccidioidomycosis* occurs as an acute, disabling disease resembling flu, and as a chronic malignant infection that may involve any or all organs—including skin and bones—and produces abscesses. From the second form, mortality is about 50 percent. Botulism poisoning produces vomiting, constipation, thirst, weakness, headache, fever, dizziness, double vision, and dilation of the pupils. In the United States, death occurs in about 65 percent of the cases.

Particular diseases are not recommended for particular uses in unclassified Army publications, but the anticivilian character of biological weaponry is suggested: "While these agents might be employed against selected individuals, their main value appears to lie in producing mass casualties over large areas with resultant physical and psychological effects that could weaken or destroy the target group's ability to wage war."

U.S. POLICIES

According to the unclassified field manual FM 3-10, "the decision to employ lethal or incapacitating chemical or biological agents is a matter of national policy." That policy is now in a somewhat unsettled state.

During the 1920's the United States took the lead in promoting international prohibitions of chemical and biological warfare. One effort, the 1922 Treaty of Washington outlawing "the use in war of asphyxiating, poisonous or other gases" was ratified by the U.S. Senate but rejected by France because of provisions, unrelated to chemical warfare, that placed strict limitations on submarines. The treaty never went into effect. In 1925 the United States tried again with the Geneva Protocol, which repeated the earlier ban on chemical weapons and added a prohibition of "bacteriological warfare." It was sent to the Senate in January 1926, where it met a returning wave of isolationism and a wall of opposition led by the American Legion and the American Chemical Society. A majority of the Senate became convinced of the need to keep the CBW option open and to avoid offending the treaty's enemies. The Geneva Protocol was returned to the Senate Foreign Relations Committee and never again emerged.

Since that time, American rejection of chemical and biological warfare has rested chiefly on a statement issued by President Roosevelt in 1943:

"From time to time since the present war began there have been reports that one or more of the Axis powers were seriously contemplating use of poisonous or noxious gases or other inhumane devices of warfare. I have been loath to believe that any nation, even our present enemies, could or would be willing to loose upon mankind such terrible and inhumane weapons. . . . Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them, and I hope that we will never be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

This policy was fortified by the universal abstention from CBW in World War II, and by U.S. restraint in Korea. Roosevelt's statement was reaffirmed in January 1960 by President Eisenhower, who said, in response to a question at a press conference, "so far as my own instinct is concerned, [it] is not to start such a thing as that first."

Even while Eisenhower was speaking, however, wheels were already turning in other directions. In September 1959 Representative Robert W. Kastenmeyer (D-Wis.), alarmed by the Army's emerging CBW campaign, proposed that Congress adopt a resolution opposing first use of these weapons. The resolution, its language echoing Roosevelt's said:

"Congress hereby reaffirms the long-standing policy of the United States that in the event of a war the United States shall under no circumstances resort to the use of poisonous or obnoxious gases unless they are first used by our enemies."

Kastenmeyer's resolution was opposed by the State and Defense departments in September 1960 in language that testified to the reevaluation that was under way, and on grounds remarkable for their avoidance of the "first use" issue. According to the State Department, in its official response to the resolution:

"As a member of the United Nations the United States . . . is committed to refrain from the use not only of biological and chemical weapons, but the use of force of any kind in a manner contrary to that Organization's Charter. Moreover, the United States is continuing its efforts to control weapons through enforceable international disarmament agreements. Of course, we must recognize our responsibilities toward our own and the Free World's security. These responsibilities involve, among other things, the maintenance of an adequate defensive posture across the entire weapons spectrum, which will allow us to defend against acts of aggression in such a manner as the President may direct. Accordingly, the Department believes that the resolution should not be adopted."

The Pentagon said:

"It must be considered that biological and chemical weapons might be used with great effect against the United States in a future conflict. Available evidence indicates that other countries, including Communist regimes, are actively pursuing programs in this field. Moreover, as research continues, there is increasing evidence that some forms of these weapons, differing from previous forms, could be effectively used for defensive purposes with minimum collateral consequences. These considerations argue strongly against the proposed resolution, which appears to introduce uncertainty into the necessary planning of the Department of Defense in preparing to meet possible hostile action of all kinds."

Most recent official statements on CBW have arisen in the context of Vietnam. In a news conference held in March 1965, Secretary of State Dean Rusk told reporters, "We are not engaged in gas warfare. It is against our policy to do so. . . ." At about the same time, Deputy Defense Secretary Cyrus Vance wrote to Representative Kastenmeyer that "national policy does proscribe the first use of lethal gas." In addition, the United States last month went along with a move of the United Nations General Assembly, initiated by Hungary, and endorsed a resolution calling for strict observance by all states of the principles of the Geneva Protocol. (Hungary's original version, which also condemned "any actions aimed at the use of chemical and bacteriological weapons" and termed their use an "international crime," was opposed by the U.S. as "subject to contention, misinterpretation, and distortion.")

These statements by U.S. officials have had a common theme. The Johnson administration maintains that its operations in Vietnam do not involve the "asphyxiating, poisonous, or other gases" outlawed by the Geneva Protocol, and that they do not constitute "chemical and biological warfare." Whether they do or not is something that scholars of international law can perhaps argue in many ways. But it has to be faced that despite their civilian analogues—to which the administration repeatedly has called atten-

tion—the destruction of crops by chemical or biological means, and the use of non-lethal chemicals to achieve military objectives, fit in naturally with most descriptions of CBW written before current operations in Vietnam began.

According to the latest information supplied by the Pentagon on request from *Science*, more than 500,000 acres of jungle and brush and more than 150,000 acres of cropland have been, in DOD's language, "treated with herbicides." While the Pentagon points out that this area is a negligible fraction of Vietnam's arable land, the program is now tripling in capacity, to 18 planes. (Correspondents in Vietnam report that, lettered above a room in the headquarters of the men who fly the missions is a motto: "Only We Can Prevent Forests." In other operations, the use of what the Pentagon still terms "riot control agents," after a period of being closely monitored in Washington, has passed to the initiative of local commanders. The Pentagon told *Science* that it no longer knows how many times and for what purposes they have been employed.

Apart from Vietnam itself, and the issues, raised by many scientists, of the effects of these chemicals on Vietnamese civilians and on the countryside, there is another question: Will what we are doing there, however the government chooses to label it, lead to further CBW operations—by the U.S. or by others, during this war or the next—about whose character there could be no semantic quibble? Officials of the Pentagon and the State Department deny that we are setting a precedent or that there is a risk of escalation. On historical grounds alone, their position is weak. The first use of gas in World War I was not the German attack with chlorine in 1915 but a French attack in 1914—with tear gas. United States officials find the Vietnam war an especially bitter and frustrating one. There is constant search for a technological breakthrough—with some suggestions bordering on the bizarre—that will produce a political victory in the fight against elusive guerrillas. We appear headed for involvement in guerrilla warfare for a long time. Proposals to reach further into the waiting CBW arsenal provided by research have traveled high into the Pentagon. Until now they have been resisted. But, if the record of the Vietnam war demonstrates anything, it is that frustration and a sense of futility can make even desperate measures seem attractive. What is "unthinkable" at one moment may be policy the next.

[From *Science*, Jan. 20, 1967]

CBW, VIETNAM EVOKE SCIENTIST'S CONCERN

In recent months thousands of scientists have signed a petition to President Johnson urging an "end to the employment of anti-personnel and anti-crop chemical weapons in Vietnam." The petition was initiated last September by 22 leading scientists including John Edsall, Felix Bloch, Paul Doty, Robert Hofstadter, and E. L. Tatum (*Science*, 23 September 1966); it will probably be presented to the President shortly. Addressed chiefly to the risks of escalation, the petition states that—

"CB weapons have the potential of inflicting, especially on civilians, enormous devastation and death which may be unpredictable in scope and intensity; they could become far cheaper and easier to produce than nuclear weapons, thereby placing great mass destructive power within reach of nations not now possessing it; they lend themselves to use by leadership that may be desperate, irresponsible, or unscrupulous. . . . U.S. forces have begun the large-scale use of anticrop and "non-lethal" antipersonnel chemical weapons in Vietnam. We believe that this sets a dangerous precedent, with long-term hazards far outweighing any short term military advantage. The employment of any one CB weapon weakens the barriers to the use of

others. No lasting distinction seems possible between incapacitating and lethal weapons or between chemical and biological warfare. The great variety of possible agents forms a continuous spectrum from the temporarily incapacitating to the highly lethal. If the restraints on the use of one kind of CB weapon are broken down, the use of others will be encouraged."

A number of scientific societies—including the American Anthropological Association, the American Association for the Advancement of Science, the Federation of American Scientists, and Physicians for Social Responsibility—have passed resolutions or taken other action expressing concern over or opposition to CBW. In addition, many individual protests have appeared in a variety of publications, and there have been series of private communications from distinguished scientists to the President and other government officials. In one such instance, 12 plant physiologists, arguing from the basis of "special knowledge of the effects of chemicals on plants," wrote to the President that the persistence of some defoliants is such "that productive agriculture may be prevented for some years," and that "massive use of chemical herbicides can upset the ecology of an entire region."

Most recently, distress about the effects of war—though not specifically about CBW—is evident in the formation of a new group known as the Committee of Responsibility to Save War-Burned and War-Injured Vietnamese Children.* The committee, whose sponsors include more than 60 well-known scientists and physicians as well as a number of clergymen and other public figures, plans to raise private funds to bring Vietnamese children injured in the war to the United States for medical treatment. Honorary chairmen include Bentley Glass, Albert Sabin, Benjamin Spock, and Helen Taussig. Other scientists associated with the effort include Edward Condon, Hudson Hoagland, Salvador Luria, and Anatol Rapoport.

Finally, a group of scientists growing out of the Pugwash movement have recently begun investigation of the problems and possibilities of biological weapons disarmament. These efforts are on a modest scale, consisting chiefly of exploratory research into the matter of what questions regarding biological disarmament need to be studied. Financial assistance for an expanded research effort may be forthcoming from the Stockholm International Peace Research Institute, an organization established last year by a grant from the Swedish Parliament. SIPRI has already expressed considerable interest in such studies.—E.L.

LAND, WATER, AND PEOPLE

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RANDALL. Mr. Speaker, it was my privilege to be present at the annual meeting of the Cass County, Mo., Soil and Water Conservation District at Pleasant Hill, Mo., on Thursday evening, February 20.

At that time, John E. Fichter, Assistant State Resources Conservationist, from the State Office of the Soil Conservation District, U.S. Department of Agriculture, Columbia, Mo., made the principal address of the evening, entitled, "Land,

Water, and People." After the meeting I requested a copy of his remarks in order that I might share his thoughts with the readers of the CONGRESSIONAL RECORD. He was good enough to mail a manuscript which I recently received.

The annual meeting at Pleasant Hill provided a pleasant and most interesting evening because it was the occasion of the annual poster contest. One hundred and forty-eight students, representing nine schools, each had a poster on display. These were judged by a committee headed by the superintendent of schools. The results were announced and the prizes awarded the winners. It was a thrill to see the expressions on the faces of the young people when their names were called as winners. Moreover, it was a refreshing experience to see how well these young people had done to demonstrate their understanding of resource use and development. The theme of the contest was "Conservation in Action."

It was an enjoyable evening, yet it was also a productive meeting because it provided the opportunity to review the activities and accomplishments of the soil conservation district for the past year. Mr. Fichter's remarks follow:

LAND, WATER, AND PEOPLE

(Address by John E. Fichter, Pleasant Hill, Mo., Feb. 20, 1969)

Mr. Chairman, distinguished guests, ladies, gentlemen and students, and especially you students.

I give you my compliments and congratulations; your 148 posters representing the nine schools in your Soil and Water Conservation District displayed here tonight makes a living testimony, demonstrating that true understanding of resource use, development and conservation does exist in Cass county, Missouri. To me this is truly "Conservation Education in Action."

All of you are having fun and enjoying yourselves tonight. It is good—good to have a time to review activities and accomplishments of the past year.

I assure you that the Soil Conservation Service considers this an important meeting. On that note, I bring you greetings from our State Conservationist, Mr. Howard C. Jackson, who tonight is at the Harrison County Soil and Water Conservation District annual meeting for their 25th anniversary. Harrison County was the first Soil and Water Conservation District organized in Missouri. Tomorrow night he will help the Daviess District folks celebrate their 25th anniversary.

Before this year is over, 12 more Missouri Conservation Districts will each celebrate a milestone observance of 25 years of service, protection and improvement in each of their communities.

SELF GOVERNMENT—MOVING AHEAD— USING POSITIVE ACTION

It is a real pleasure for me to be here with you this evening. I look forward to opportunities such as this to get better acquainted with the men and women who work on the front line using, securing and developing our land and water resources. You represent the real strength of the Conservation District movement.

What I have to say deals with the job that District folks work at day in and day out. The job of getting technology into action on your land, and in your community.

Our work with and through each individual Soil and Water Conservation District makes it essential that we do have a close working relationship.

There is a personal satisfaction in associating with you dedicated people who devote

so much of your time and energy to District work. We have a big job ahead of us, to make our land and water resources support our fast growing nation and maintain our high standard of living. This is an enormous challenge.

HEAVY DEMAND ON RESOURCES

Our land and water resources are being leaned on very heavily today. What will the demand be next year and the year after that? We will have no more land or water than we have today. Next year the United States will have 2.6 million more people than today. That's six times the population of Vermont. By 1975 we can expect a population of 230 million. By the turn of the century we will have 340 million people, a 100 to 110 million increase, up 50% from today and that is only 31 years from now.

A tremendous job of resource conservation and development is being done, it is true. However, we continue to:

1. Lose the equivalent of 400,000 good acres of land each year from erosion and misuse.
2. Spend billions each year to repair flood damages—when many of them are preventable.
3. Put up with almost 80 million dollars of damage each year in upstream sediment damage, 70% of which is preventable if land treatment measures are installed everywhere they are needed.

GOOD OLD DAYS

I suppose there exists in all of us a bit of nostalgia for the "Good old days", but this has always been a relative thing. The "Good old days" of my grandfather, my father, myself and my son are separate and distinct eras. But they can serve a good purpose even today. The past can teach us a vital lesson.

THE BEGINNING

Five billion years ago the planet Earth was formed (through Divine Providence) from a cloud of dust. Between then and now life took place. Our continent teemed with creatures now extinct or altered, giving position to the highly advanced man in the high order that we know today. This life of remote ages is written in fossil remains and imprints obscured by the sands of time.

The settlers were not the first to establish an advanced culture on Western land. In the year 1 A.D., Indians farmed the lands, now bounded by the State of Colorado. For 1,300 years, they enjoyed an advanced civilization. Their story is written in Mesa Verde National Park.

What interrupted this advanced Indian civilization? The answer is the failure to pay attention to the basics—land and water resources.

OTHER CIVILIZATIONS

Let's look elsewhere in the world. It is not by coincidence that man's first cities were built along the banks of the Tigris and Euphrates Rivers in Mesopotamia, and along the rich soil of the Nile.

Some 3,000 years ago, Babylon was a fertile, productive land. But the kings following Nebuchadnezzar let their soil and water resources be exploited and abused. Land once described as "flowing with milk and honey" became unable to support human life.

North Africa, once the granary of Rome, neglected its land, lost its water and became part of the desert. Its inhabitants in effect turning into ghosts of human history.

AMERICA

History does prove that any nation that neglects its soil and water resources will die. America, a comparatively young nation, is no exception. Many once fertile areas of the United States are so eroded that productivity is either gone or greatly reduced. A 10-year-old survey shows 500 million crop acres, 120 million acres almost useless.

*The committee's address is 777 United Nations Plaza, New York 10017.

CASS COUNTY, MO.

Let's look at conditions closer to home. From Cass County history we find that in the year 1827—142 years ago or about four generations ago—and 6 years after Missouri became a state on August 10, 1821, John Quincy Adams the sixth President of the United States, was in office.

David G. Butterfield, a pioneer who had worn out land in Southern Illinois, was bringing his family West to find "new land" to solve his problem. Tied to his covered wagon was the long, gently curved moldboard of the sod plow, the little empire-building, but also soil-destroying machine.

David G. Butterfield liked the rich black loam of the undulating high prairie country of Western Missouri and he settled on Big Creek just a few miles northwest of where we are tonight—and became Cass County's first resident. During the next few years, Butterfield was followed by many immigrants from Southern Illinois, Kentucky and Tennessee, all wanting to solve their problem, all fighting for survival and success.

Eight years later in 1835, Van Buren County was created and named after the eighth President, Martin Van Buren. Only 150 votes were cast to elect the first county judges, James W. McLellan and William Savage. That same year James Blythe, Jr., was born north of Harrisonville, the first white child of record born in the county.

In 1849, just 14 years later, exactly 120 years ago yesterday, February 19, Cass County was renamed for General Lewis Cass, Democratic candidate for President, defeated by Zachary Taylor, who became the twelfth President of the United States.

The next 50 years was a period of land settlement and population expansion. By 1900, Cass County had a population of over 23,000 people. They had 133 schools, 212 teachers, 7,827 students. It took $\frac{3}{4}$ of its almost $\frac{1}{2}$ million acres under cultivation to support all of the families.

THE STORM

An event happened late in July of 1900 that I want to relate because I believe it is important to tonight's meeting.

High and Charlie Williamson, Dent Smart, George Clark, and George Crouch were stacking hay. The day was close and hot. The rick rose slowly, only shoulder high at noon. After dinner the heat was more oppressive. By mid-afternoon the air carried a vague feeling of change. At 4:00 p.m. Dent Smart, stacker, listened to hear distant thunder. As if by instinct the teams moved faster, the pitchforks pushed deeper and hay rose in bigger bunches. Charles Williamson's team at a trot brought the last rack of hay. George Clark pitched, Dent Smart topped out.

The team, now hitched to the wagon, carried the men down the rough road to the barn. The men, dusty and tired, looked back, they heard the roar of the rain coming, they saw the dust clouds rise at the rain's impact on the parched fields. Then it was beating on the barn roof, dropping like a gray curtain between then and their familiar world. But the rick of hay was finished and they were in the safety and shelter of the barn. They thought, let the rain come!

But down the road south of the barn, the now 65-year-old Mr. Blythe, which you may recall was the first white child born in Cass County, was in his buggy coming home from Harrisonville. He had gotten this far when the boiling black clouds and angry lightning spooked his buggy mare. To prevent a runaway, Mr. Blythe headed the mare into the fence away from the storm.

Rain poured from the black clouds, rain came across the cornfield like a roaring curtain, splashing loose wet soil with such force that it seemed to be unrolling a muddy carpet as thick as the corn was high. The wind-driven rain came like open jets of steam,

tore away protective covering. It lashed the corn and split the leaves.

The storm then crossed the road and with muffled sound entered the bluestem prairie, washing dust from the green grass. There, it traveled like an Indian in Moccasins.

The storm finally passed. Floods of muddy water filled the ditch on the corn field side. Clear water trickled into the ditch on the prairie side.

THE NEXT DAY

The next day brought bright sun and clear morning air. Down the muddy road came Charles Williamson. What he saw on the west side of the road was: sick corn, with leaves blown down and torn, muddy water still standing in low places where the soil, already low in organic matter, was packed too tightly to absorb water soon to be needed by the corn. But on the east side of the road he saw the bluestem grass was clean with a few dewdrops glistening in the sun. There, a song sparrow sang to her brood of new life. To repeat the contrast, on one side a passerby could see hissing steam, muddy water, starving corn and a dead mouse.

On the other side was the more pleasant sight of green grass, clear water, flowers, new life and a peaceful song.

Sixty-five years of unwise cultivation of the cornfield may have built a factory somewhere but just in the lifetime of Jim Blythe, the first white child born in Cass County, the field could no longer support those who labored there.

In contrast, the prairie soil could still build factories. It would continue to support them in the future if properly cared for.

Here was a picture of the farm problem long before it was given that name. The condition of the land was a product of man's fight for survival. It was a successful fight until he, or later his son, lost the fight by trying to farm the land without protecting it and returning that which had been taken out.

PROGRESS

Our progress with that type of success is so great that we may be forgetting the difference between a standard of living and life itself, a difference the rain storm I described demonstrated long ago.

SOIL AND WATER CONSERVATION DISTRICTS

I compliment you—you have joined over 3,000 other Soil and Water Conservation Districts across the nation in your effort to protect and improve your basic resources. You have additional townships asking to join your district—this is good. The Soil and Water Conservation District program is broadening, reaching out beyond the individual farm.

MOVING AHEAD

Each pond may seem of little significance except to its owner. The treated acres may seem difficult for some to relate directly to the welfare of the community and so on with each practice. But together they are the foundation of the economy of this community and the other communities in rural America. Added to the resource activities of all the other over 3,000 Soil and Water Conservation Districts in 50 states, you and your counterparts have built a record you can be proud of.

You have shown that we can protect our land and make it more productive, protect our streams and reservoirs from silt, decrease the devastation of floods, provide water for farm and town. Also we can give our youth and adults a place to swim, fish, hunt and relax—and most important, provide our nation with a secure abundance.

We in the Soil Conservation Service are proud of Soil and Water Conservation Districts and of you District leaders. We are proud of the partnership that we have, which

I know will continue to be strengthened. We look forward to the challenges and opportunities to move ahead. We look forward to sharing with you the great and exciting future. I have faith that together we can do what needs to be done. In closing, I give you the words of our Missouri State Motto: "Let the welfare of the people be the supreme law."

SEX, VD, AND DRUGS—THE SWEDISH SYNDROME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, the poor Swedes who have tolerated exploitation by the world intellectual aristocracy under the many psycho-political test programs of the Socialist pseudointellectuals now find themselves facing a national morality crisis.

Perhaps in their awakening their leaders realize that the living experiments in a permissive Swedish society was encouraged by their Bolshevik neighbors in the interest of peace and progress.

How is it the Russian says, "Just give us one generation"? Now we know who has been falsely heralding Sweden as some shining example of progressive Socialism.

In the hope that our colleagues may hate the correlation between Sweden's national problem and the trends in the United States of America. We do not want promoted licentiousness, sex, VD, and drugs to destroy "one generation" here. Perhaps this report will encourage educators to take a second sober look at Gunnar Myrdal's teachings, which are discredited.

I include a clipping from Reuters News Service for March 5, 1969:

ADVERTISING AIDS FIGHT AGAINST VD

(By Stephen Croall)

STOCKHOLM, SWEDEN.—Swedes are getting shock treatment in advertising campaigns here designed to combat venereal disease and drug-taking.

Huge posters set up in the center of Stockholm and in Malmö warned visitors that during one night 80 people would contract gonorrhea.

A recent anti-drug poster took the form of a giant "in memoriam" notice, headed by a large black cross saying, "Kerstin . . . born 1951, died 1968. Drugs took her life."

The advertising campaigns are being carried out by private concerns which feel the authorities have not devoted sufficient publicity to problems they claim arise from Sweden's permissive society.

The gonorrhea poster was produced by the National Association for Sexual Information. It followed a disclosure that reported cases of gonorrhea doubled over the last 10 years and rose to a total of 30,000 in 1968.

Association secretary Kjell Hansson said the disease had the highest rate in the world among young Swedes.

"The cause can be directly traced to the lack of correct sexual teaching in schools, where teachers are often embarrassed or indifferent," he said.

Hansson said there was also a connection with Sweden's permissive society. It was established that young Swedes changed partners more often than before, he said.

Other experts blame the increasing popularity of the birth control pill.

A Swedish equivalent of the Kinsey Report published recently showed that 77 per cent of young men here use contraceptives. But experts say this figure is declining as more women have turned to the pill and men are therefore more vulnerable to infection.

Syphilis, a more dangerous venereal disease than gonorrhea, appears headed for extinction. There were only 268 cases last year

against 485 in 1961, and the authorities are hoping to wipe the disease out completely by the early 1970s.

The campaign against drugs began at the year-end shortly after the government had announced police action to quell a rising wave of drug-taking and smuggling.

This was recently described at an international narcotics conference here as unparalleled anywhere in the world.

A Stockholm advertising firm, arguing that immediate preventive measures were needed

more than curative ones, took the initiative in launching a nation-wide poster campaign aimed at shocking the public.

The firm says it is currently planning a second poster series aimed at "really waking up the government."

Meanwhile, a state-backed campaign to get Swedes off hard liquor seems to be meeting with success. It has just been announced that the domestic distillation of spirits may be cut drastically next year following a 10 per cent drop in consumption of alcohol in 1968.