

cific Islands; to the Committee on Interior and Insular Affairs.

79. Also, petition of Clarence Martion, Sr., Washington, D.C., relative to redress of

grievances; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA—ARTICLE BY DAVID FROMKIN

### HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. CRANSTON. Mr. President, Mr. David Fromkin has written an interesting article entitled "Leader of the Opposition: An American Lacuna," which was published in *Interplay* magazine for February 1969. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA

(By David Fromkin)

(NOTE.—David Fromkin is an international lawyer with offices in London, New York and Chicago. He has served from time to time as an advisor to Vice President Hubert Humphrey.)

"Only in America . . ." the familiar phrase begins, but in this case it must read: "Only in America or, if you used a different set of numbers, in Gaullist France." For in no other Western democracy could the candidate of 31,770,231 voters receive supreme power while the candidate of 31,270,533 voters receives no power at all. In theory, the elected President represents all of us. But in years like 1960 and 1968 he really represents less than half the electorate, and the other 30-plus million voters have no one to speak for them in the high places of government; their leader vanishes. For another four years, half the nation has no voice.

The British, in the course of a long constitutional development, have created a role for the leader of the defeated party, a position in which he, too, can contribute on a continuing basis to the thinking and leadership of his country and the shaping of its policies. We, on the other hand, have no use for such a leader. In the United States he raises funds to make up the campaign deficit; then, more often than not, we send him home.

Quite apart from its unfairness—that one man passes into the pages of history and the other out, by the margin of one-half of one percent—ours is a wasteful system. To the extent that our parties fulfill the obligation to nominate their best men for national office, we are wasting the judgment, talent, knowledge and experience that the candidates of the losing party can contribute to public life. Among my personal examples are Wendell Willkie and Adlai Stevenson; every-one will, of course, have his own.

The defeated candidate who decides to resist the tendency of the system—who decides that, even without another political position such as Senator or Governor, he will remain in public life—must support himself and his staff by private means. He goes to a private foundation. He administers a university. He heads a large corporation. He joins a law firm. Whichever alternative he chooses, he is retained by some private interest. His political program must take account of the needs and desires of his employers, clients or donors. His future political availability is limited by the "conflict of interest": was there a single free-wheeling client of his law firm who was not dredged up against Richard Nixon in the

campaign? The viciousness is in the system itself. We force the leader of the losing party to serve private interests when we should be requiring him to serve the public interest.

The chief defect of the way in which we treat the losing candidate, however, lies in its effect upon the victorious candidate. Ours is the only country in the Anglo-Saxon world whose Head of Government is not checked, balanced and limited by an adversary, a Leader of the Opposition, with whom he is locked in continuous public debate. One reason is that our Head of Government is also Head of State. As the symbol of the nation as a whole, he is to that extent lifted above the leader of the opposite party. This only makes matters worse, for it cloaks him in an immunity that he should not have. The important things the President does nowadays are the life-and-death things done as leader of party and government, the very areas in which he should face constant challenge. In comparison, ceremonial functions of the presidency matter relatively little, although their existence adds to the aura and influence of the office of the presidency and can be misused.

The excessive growth of executive power has been observed throughout the world and almost universally deplored. One need not go so far as de Riencourt in *The Coming Caesars* to view with apprehension the growing accumulation of overwhelming power in the hands of one man. There is no one to question the President of the United States, except the newspapermen who do so at his pleasure. He does not submit to congressional inquiry. He may subtly commit us to foreign or domestic conflicts, without our being aware until they and their consequences are upon us. He dominates the media of communications. When he chooses to argue his case to the people, there is no one to argue the case against him: no one equally known, with equal access to communications facilities, with equal prestige, whose job and interest it is to clarify the choices before us, uncover the commitments in process of being made, expose the shortcomings of the President's program, and propose better alternatives.

#### A GAP IN THE SYSTEM

In the American system of government, there is a gaping hole where there ought to be a Leader of the Opposition.

The congressional leadership of the opposition party cannot fill the need; indeed, it misleads the electorate if it attempts to do so, because the alternative to the President was and will be the nominee of the party in Convention, which often has a different viewpoint from the party in Congress. Moreover, few congressional leaders have the motive or desire to challenge the President, or the national prestige to do so. Nor have they the appropriate status: the adversary of the Minority Leader of the Senate is the Majority Leader of the Senate, not the President. Most important, the congressional leadership does not dominate the news media, as the President does, and cannot argue the case against him to the people. The congressional leadership can neither question nor debate with the President.

On an *ad hoc* basis, as titular head of the Democratic party, Hubert Humphrey apparently hopes to supply some of the needed opposition leadership in the four years to come. As his friend and his countryman, I wish him well. But he cannot supply for himself what the law of the land withholds from him: public recognition, public funds, and a public role. Above all, he cannot compel the President (as the British system compels the Prime Minister) to answer his questions in open debate.

Three steps are necessary in order to fill the gap.

The first necessity is legislation defining the position of Leader of the Opposition (perhaps: "that losing candidate for the Presidency who receives the highest number of popular votes"), providing for his replacement upon death or disability, and establishing appropriate pay and allowances.

Analogous British legislation was enacted 32 years ago. As a Member of Parliament, the Opposition's Leader already received a parliamentary salary. In 1937, the position of Leader of the Opposition was constitutionally recognized for the first time and, for the first time, the Leader of the Opposition was given a salary as such. ("He had supported the constitution in 1936. In return the constitution formally recognized him." A. J. P. Taylor in *English History 1914-1945*.)

The salary might perhaps be equivalent to the salary of a US Senator. In addition, there would be the expenses of a staff, for without one no political figure can play a major public role. A minimum effective political staff is comprised of: an administrative assistant; a press secretary; a researcher and a speech-writer; and a chief advance man. Also, there would be office rental, secretarial and other clerical expenses.

The second necessity is a forum. Today this means, in effect, frequent access to prime television time. Appropriate legislation should provide for this.

The third and final necessity is an opportunity to publicly question and debate with the President on a regular basis. It is no objection to say we do not have a parliamentary framework for such debate, as do the British. Even in Britain the effective confrontation now occurs on television. The position of the Leader of the Opposition, which developed as a function of the parliamentary system, has transcended that system in this respect.

Therefore legislation enabling—and eventually, a constitutional amendment requiring—a mutual questioning and debate between President and Leader of the Opposition, on television, would round out the new public position of Leader of the Opposition. (Lest this be misunderstood as an anti-Nixon proposal, the amendment would be effective commencing with the next President, not with him.) Perhaps once a year, in early January, the two leaders would question and debate with one another before the assembled nation, clarifying in all due solemnity the state of the nation and the choices before us.

Clearly there are aspects of the British system that we cannot copy. Our Leader of the Opposition is not always, nor necessarily ever, the alternative Head of Government. He need not be, in order to fulfill his most significant function. In Britain there is a dialogue at the pinnacle of power. In America there is only a monologue; this is what should and can be changed. This would enable us to form wiser judgments on public matters, and to bring into play the full range of our private and public institutions (most especially, the Congress) to influence executive decisions conformable to the will and desire of the people as a whole.

The means of accomplishing this would be the means we have used, and used successfully, before. For instance, our solution to the many problems of the securities markets was called the "Truth-in-Securities" Bill, requiring full public disclosure of all pertinent data concerning securities issues, as well as extensive exposition and clarification of the risks inherent in investing in them. Similarly the proposals above might be termed the "Truth-in-Politics" Bill, the idea being to

more fully inform the public of the nature and risks of political decisions that are (or are not) being made.

The mechanism is the basic one of Anglo-American jurisprudence: the adversary system. Centuries of experience have taught us that the best way to uncover the truth is to empower a man with a strong personal motive—an adversary—to cross-examine, by right of law. That is why the British have found some counterpoise to an overly-powerful chief executive in an adversary leader, entitled to question him, equally equipped to appeal to the mass of the people, able to uncover the truth where hidden, and with an interest in doing so.

#### PHILOSOPHICAL FOUNDATIONS

Indeed, the philosophy from which this proposal springs—the proposal to establish a Leader of the Opposition—is the philosophy of the authors of the Constitution of the United States, which in turn derived from the British Constitution as interpreted by Montesquieu (*The Federalist*, No. 47). The authors of the Constitution regarded the accumulation of all powers in one set of hands as tyranny (*Ibid.*), which we in the United States would prevent “. . . by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places” (*The Federalist*, No. 51). Following Montesquieu, who wrote that “. . . power should be a check to power” (*The Spirit of Laws*, Book 11, Chapter 6), they believed that “Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place” (*The Federalist*, No. 51).

Why, then, did they fail to create a constitutional place for one whose interests counterbalanced those of the head of the executive department? They created checks and balances everywhere else, playing off the states against the federal government, the branches (executive, legislative and judicial) against one another, and, within the legislative branch, House against Senate. Of course, they knew that in the ancient world a double (which is to say, divided) executive had frequently been tried and found wanting, and that Montesquieu had written that “Two kings were tolerable nowhere but at Sparta” (*The Spirit of Laws*, Book II, Chapter 6), but there were balancing mechanisms and methods that could have been employed other than direct division of the executive power.

The answer is that they believed that power threatened to accumulate only in the legislative, not the executive, branch. They believed that “. . . tendency of republican governments is to an aggrandizement of the legislative at the expense of other departments” (*The Federalist*, No. 49). Their solution was to divide the legislative into rival bodies, House and Senate (*The Federalist*, No. 51). Indeed—and it is amusing to read this after all that has in fact happened—so acute an observer as Tocqueville felt that “The Americans have not been able to counteract the tendency which legislative assemblies have to get possession of the government” (*Democracy in America*, Volume I, Chapter 8).

Had it struck the authors of the Constitution that the executive might come to dominate the government, they would surely have established a counter-executive. Indeed, they very nearly did so anyway. As originally adopted, the Constitution provided that the candidate receiving the second largest number of electoral votes for the office of President (in 1968, for example, Hubert Humphrey) would become Vice President. This would have given the President's chief political rival and adversary the second position in the executive branch of the government. The Constitution was in this respect frustrated by the unforeseen organization of political parties, and was amended.

In the light of history and the unexpected growth of executive power, adoption of the proposal to establish a Leader of the Opposition would complete and perfect our constitutional system of government as originally contemplated by its authors.

I would place the President and his policies in perspective.

It would more fully inform the Congress of the President's plans and procedures, enabling it to better perform its constitutional function as a balance to the executive department.

It would more fully inform all of us as citizens and enable us to make our views known at the time decisions are actually being made, rather than later, when it is too late to change them.

It would enable us to better judge and evaluate the Leader of the Opposition and decide whether he deserved a second nomination, for he would have to come out in the open and would have to formulate constructive alternatives. He would tell us at each stage what he would do as President. His role could not be a simply negative one, nor could he wait for four years to then mouth a policy based on hindsight.

It would lead to a more responsible congressional opposition, because the congressional leaders of his party would inevitably be influenced by the Opposition Leader in this respect.

Best of all, it would convert the electoral process into what Adlai Stevenson, following Jefferson, hoped it would become: an educational process. Hopefully, through it, we would become better citizens and make wiser decisions. Continuous dialogue, continuous clarification, continuous information and exchange of ideas would bring us closer to realizing the goals of those who wrote our Constitution.

The time has come to fill the Constitutional void with a Leader of the Opposition.

DR. EDUARDO C. MONDLANE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. RARICK. Mr. Speaker, the controversial activities of Dr. Eduardo C. Mondlane and his revolutionary liberation front, Frelimo, in Africa are in direct contradiction to his angelic public image fabricated in the United States.

So that our colleagues may have more information upon which to base their conclusions, I place the article, “Black Foreign Legion,” by Robert Carl Cohen, from the December issue of *Saga*, a February AP release from Dar-es-Salaam, clippings from the Washington Post religion section dated February 8, 1969, and the Washington Daily News in the RECORD at this point:

[From *Saga* magazine, December 1969]

BLACK FOREIGN LEGION

(By Robert Carl Cohen)

“Reports have reached our offices that an international fighting force of blacks is being created in East Africa.” These were the words I struggled to hear over the deafening din of jet engines as I prepared to blast off from Kennedy Airport. The telephone voice continued: “You are to verify these reports and bring back whatever information is available.”

A *Black Foreign Legion*, the idea itself was fascinating. As the intercontinental jet hurtled itself into the night sky over New York and headed for Europe, I knew that this would be a wild assignment.

After a half-day layover in Rome, which

permitted a shower, change of clothes, and short stroll down the Via Veneto, I was back in the air. Finally, after short stops in Athens and Nairobi, I reached my destination of Dar es Salaam, the capital city of Tanzania, on the East Coast of Africa a few hundred miles south of the Equator. It was July 4, and I half expected a fireworks show at the U.S. Embassy. But, fireworks are banned here in “The Haven of Peace,” which is what Dar es Salaam means in Arabic, the authorities apparently fearing that anything which might be misinterpreted as weapon firing could touch off something really big.

Checking in at the Hilton-like Kilimanjaro Hotel, I began to search for leads. In the five weeks which followed I uncovered information which reinforced what had been reaching our offices in New York. Due to the extremely sensitive situation, it would be irresponsible for me to reveal my sources of information. The report which follows, startling and controversial though it may be, has been verified as thoroughly as is possible.

Here then is the story which I gathered after hours of private conversations with informed individuals, careful study of publications and declarations by the various organizations and governments involved; and, perhaps most important of all, firsthand observations in Dar es Salaam and significant locations in the Tanzanian countryside.

The arming and training of black guerrillas is under the overall direction of the Liberation Committee of the Organization of African Unity (O.A.U.). The O.A.U. includes Algeria, Congo-Kinshasa, Ethiopia, Guinea, Nigeria, Senegal, Somalia, Tanzania, Egypt, Uganda and Zambia, Dar es Salaam, the best deep-water harbor in East Africa, is both the headquarters for the Liberation Committee, and the port through which an increasing flow of armaments, primarily from China and Russia, is pouring into the battle zones. The major targets of the black guerrillas are the governments of Angola, Rhodesia, South Africa and Mozambique: *White Africa*.

Each member state of the O.A.U. is supposed to contribute a percentage of its national budget to that organization's efforts to overthrow the all-white regimes which still control large parts of the African Continent. These funds, which presently amount to only about \$2½ million per year, are used to finance such organizations as FRELIMO, MPLA, ZAPU, SWAPO, PAIGC and the ANC. Additional funds estimated at about \$4 million reach these organizations each year without going through the O.A.U. as various major powers from both East and West try to gain influence by directly aiding one or the other of the groups of “freedom fighters.” Most successful to date of all groups is FRELIMO, the Mozambique Liberation Front, headed by Dr. Eduardo C. Mondlane, its 48-year-old founder-President.

FRELIMO's first significant military venture was the infiltration of about 250 guerrillas, trained in Russia, Algeria and Cuba, into the northern areas of the Portuguese colony of Mozambique in 1964. Despite heavy losses, estimated at over 3,000 guerrillas dead against only 700 Portuguese killed in four years of fighting, the areas of Mozambique under FRELIMO control have been greatly enlarged. Even conservative estimates place the number of armed and uniformed FRELIMO supporters now active in Mozambique at over 10,000. The degree of control which Mondlane's Black liberation group exercises, despite being faced by 50,000 Portuguese troops armed with tanks, jets and heavy artillery, was demonstrated by their recently convening a Party Congress inside their “liberated areas.” Dr. Mondlane, a former lecturer at U.S. universities, used a clever ruse in holding this Congress in Gyosa Province. It was announced that the meeting would take place a week later than it actually did, so, the Portuguese were getting set

to stop the delegates from entering Mozambique when, in fact, they had already crossed over the border! The ruse almost ended in disaster for FRELIMO, however, when a press dispatch about the conference was inadvertently given out in Dar es Salaam three days before all the leaders had left Mozambique.

Dr. Mondlane's wife, Janet, is a light-skinned American woman, whom he met and married while teaching in the U.S. She runs a most unusual school in Dar es Salaam. Known as the *Mozambique Institute*, this institution offers scholarships and training to refugees from Mozambique. Theoretically, graduates of the Mozambique Institute whose achievements are high enough will be sent on to universities in other nations; the purpose being to create a cadre of black civil servants and administrators which will take over when the Portuguese are thrown out of Mozambique. Since there are over 30,000 Mozambiquean refugees in Tanzania, the Institute has no trouble finding volunteer students. The vast majority of the Institute's 400 or more graduates, however, have been sent back home as guerrilla fighters for FRELIMO. To date only a token handful have been allowed to go on to higher education.

One of FRELIMO's major problems is the high rate of defection from its ranks. Some students drop out of the Institute, others disappear in transit between the Institute and the training camps in Southern Tanzania, still more vanish into the bush once sent across the border to fight in Mozambique. Despite all this, FRELIMO's ranks continue to grow, and the areas under their control are being steadily enlarged. Another major stumbling block to Mondlane's attempt to overthrow the white regime in Mozambique is the failure of FRELIMO to enlist the local population in their cause in large enough numbers to produce a real civil uprising. Very little advance propaganda and organizational work was done before combat began in 1964, the guerrillas apparently taking it for granted that the natives would rise up instinctively and join them. Now the policy of the Liberation Committee has become more realistic, and more and more of its energies are being invested in trying to sway the local people. Radio propaganda is being beamed from transmitters in Tanzania in 12 languages, aimed at encouraging revolt against the governments of Mozambique, Angola, Rhodesia and South Africa.

At cocktail parties and embassy receptions in Dar es Salaam, I found myself in situations which make the average spy film seem like a kindergarten vaudeville. Since Julius Nyerere, the President of Tanzania, has declared that his country is completely neutral, and favors neither East nor West, the usual reception crowd is a mixture of Red Chinese, Frenchmen, Russians, Americans, Italians, Cubans, Israelis, Danes, Dutchmen, and both East and West Germans not to forget the dozens of African nations, and everybody else who is trying to get a toehold in East Africa. I was immediately spotted and found myself having to tell one curious diplomat after another that I was just a U.S. tourist on vacation. It seemed like every other cat that sidled up to me was convinced that I was there for something other than sight-seeing, and proceeded to whisper to me "Did you know that Phil Potter is the man (CIA)?" Or "Had you seen the Chinese tanks out on the road to Silver Sands?" And so on. One recurrent bit of "inside dope" was that FRELIMO was actually being supported by the U.S., and that Mondlane's wife had run to Phil Potter at the U.S. Embassy for shelter when a battle for power hit black liberation headquarters in May 1968.

Checking revealed that an important U.S. foundation actually does help support Mondlane's *Mozambique Institute*. If the U.S. Government is assisting FRELIMO, it is probably doing so to hedge its bets in Mozambique

against the future of U.S. investments in an area about the size of Texas, with tremendous untapped natural resources. Mondlane is also the type of person that the U.S. would like to see as a leader of Mozambique, rather than some of FRELIMO's other leaders, who are known to be members of the Communist Party.

The weird situation of having U.S. taxpayers' money going to aid FRELIMO in its attempt to liberate Mozambique from Portuguese rule, while the U.S. simultaneously gives foreign aid to Portugal, is not unusual in this part of the world. Things get even more complicated when you discover that FRELIMO, like most of the black guerrilla organizations operating here, gets much of its arms from Red China, including the latest rapid-fire infantry weapons, mortars, and land mines.

The Portuguese, as part of NATO, send their troops to Mozambique with made-in-U.S.A. jets and tanks, where they find themselves in combat with blacks, organized partially with U.S. funds and firing Chinese Communist weapons!

Probing deeper yet, I uncovered the fact that West Germany is also supplying arms to the Portuguese troops, although there is an attempt to cover this up by having the weapons manufactured in plants located in Spain or Portugal.

Dr. Mondlane presented the argument at a conference in Dar es Salaam that West German counterinsurgency experts, presumably old-Nazi types who had fought against Russian and Yugoslav partisans in WW II, were actually training Portuguese in anti-guerrilla tactics. Mondlane declared "In short, we are fighting Portugal and all her NATO allies." Officers from South Africa's apartheid regime are also known to be supporting the Portuguese in Mozambique.

Not only are the activities of FRELIMO in Mozambique the most characteristic example of what is developing throughout Africa, its fighting style is also typical of what one can expect to find spreading through Rhodesia, South Africa and other areas in the future. In order to counter the overwhelming superiority in firepower and mobility of the Portuguese troops, FRELIMO operates almost exclusively by night or in bad weather. The training camps in Southern Tanzania are widely separated and security is tight. The usual camp consists of a few native huts hidden as much as is possible under trees and other natural cover to avoid detection from the air. The guerrilla trainees are indoctrinated in the use of small arms and land mines for about two months before being given a thorough political orientation, usually along the lines of black nationalism and socialist ownership of industry.

Once infiltrated across the border into Portuguese-ruled territory, the nationalists specialize in mining roads, bridges and tunnels. When the situation is in their favor, they ambush small supply columns and overrun undermanned outposts. In all their activities they try to follow Mao Tse-tung's advice to "swim in the ocean of the friendly people and be as invisible as a fish." And, in a more developed manner than some of the other guerrilla groups in Africa, they also have a program of setting up their own civil administration and schools in the areas coming under their control. Dr. Mondlane has stated that it is of no use to clear Mozambique of the Portuguese if all that remains afterwards are ruins and disorganization.

Mondlane doesn't seem to believe that a complete military victory over the Portuguese is possible, and talks about fighting for another 15 or 20 years. His highest hope is for an Algerian-type of settlement where control of the government of Mozambique will be turned over to the black majority, but the lives and property of the resident white minority will be protected.

Tanzania's support of groups like FRE-

LIMO, by providing its territory for training camps and staging grounds for sallies over the border into Mozambique, has brought some Portuguese retaliation. Portuguese patrol boats cruise near the Tanzanian ports to intercept any waterborne aid to the guerrillas. The Tanzanian authorities claim there has been bombardment of villages on their side of the border by the Portuguese. And the Tanzanians have massed Chinese-made, radar-controlled anti-aircraft batteries along their southern border to try and shoot down Portuguese planes, which they claim are being used to spy on training camps inside Tanzania.

The question of high altitude photo reconnaissance by the white regimes of Mozambique and Rhodesia against black guerrilla training centers in Tanzania and Zambia has become an intriguing international issue. The British built Canberra jet is being used as a sort of "poorman's U-2" out of Rhodesian airfields. Despite the notion, common in the U.S. that most of Africa is impenetrable jungle, the reality is that most of Tanzania and Zambia is fairly open country. Using the latest type infra-red cameras, the Rhodesian Canberras have brought back photos of high resolution which are very useful in spotting both training sites and the movement of small groups of men near the battle areas. To counter this, President Kuanda of Zambia went to London and told British Prime Minister Harold Wilson that his country had to have high altitude anti-aircraft missiles as soon as they could be supplied. When Kuanda made it clear to Wilson that Zambia was ready to go anywhere, meaning even to the Russians or Chinese, to get guided missiles for use against the Rhodesian aerial intruders, Britain hurriedly agreed to supply them herself.

*The near future will certainly witness made-in-Britain missiles rocketing upwards from Zambian soil to shoot down made-in-Britain Canberra jets piloted by trained-in-Britain white Rhodesian pilots.*

And who will loan Zambia the \$15 million for the British missiles? Italy, who has just built a 1,000-mile oil pipeline from Dar es Salaam into Zambia to supply that country with petroleum products? Red China, who is planning to build a half-billion dollar railroad from Dar es Salaam over the mountains into Zambia, and thus establish her influence deep inside Africa? Or will it be the U.S., a major buyer of Zambian copper being shipped out via the port of Dar es Salaam, and who is planning to enlarge the road from the East Coast into Zambia to offset the propaganda effect of the Chinese rail project? The more you find out about what's happening here the battler you get.

The major group operating in Rhodesia is the ZAPU, the Zimbabwe African People's Union. ZAPU's forces are trained in camps located both within Rhodesia and in neighboring Zambia, and have begun actions centered in the Zambezi Valley. The largest number of guerrillas engaged in battle to date was a group of 100 men discovered by the Rhodesian security forces at a camp just inside the borders of that all-white state in March 1968. Both sides suffered casualties in the Zambezi Valley clashes. There is a mutual tendency to avoid taking prisoners although 32 Africans alleged to be terrorists are on trial in the Salisbury, Rhodesia High Court on charges which carry a mandatory death sentence.

Britain's willingness to supply Zambia with anti-aircraft missiles for use against Rhodesian jets is based in part on her animosity towards the Ian Smith group, which seized control in Salisbury and declared Rhodesian independence from England in 1965. Despite economic and trade sanctions taken against the Smith regime, which refuses to give the blacks, who constitute the majority of Rhodesia's inhabitants, a meaningful voice in

the government. Britain has so far hesitated to send in its own troops to enforce its insistence on a one-man-one-vote electoral procedure in its former colony. What the British fear is that, disillusioned with peaceful coexistence in which white minorities with superior armaments seize power, as in Rhodesia, black Africa will turn to the Communists for modern arms with which to throw all whites out of Africa.

It was an Eton-educated expert on the Rhodesian situation, in fact, who confided to me what may well have already taken place by the time this is read. Between gin and tonics at a whites-only, private club in the suburbs of Dar es Salaam, still in existence despite all such places being forbidden by Tanzanian law, I got the story of the plans being discussed for terrorizing the white settlers of Rhodesia through a wave of calculated bloodletting unseen in Africa since the days of the Mau Mau. Thirty groups of six guerrillas each, are to be formed by ZAPU and ANC, African National Congress, cadres. Each group will be assigned to a particular white farm in Rhodesia, but none of the groups will know the targets or plans of any of the others. At a given command, all 30 groups will attack, killing every white man, woman and child found on each of their target farms. Even with some of the assault groups being intercepted by Rhodesian security forces, losing their way, defecting, or otherwise failing to accomplish their missions, the wave of fear that would sweep the white farm owners would be overwhelming.

After regrouping, the assault parties would repeat this pure terror tactic again and again, striking without warning at new areas each time. The end result hoped for by the proponents of this idea would be to frighten the whites into abandoning their properties in the outlying areas, and fleeing into the cities and towns of Rhodesia. The countryside forces, who could then set up their own local government, tax the natives, and prepare for Viet Cong type attacks on the isolated towns.

Atrocities are not to be limited to the black side in Rhodesia, however, for Ian Smith's white regime is already engaged in such tactics as wholesale destruction of black villages whose inhabitants are deemed untrustworthy. Counterfeit ZAPU or ANC guerrillas have been created by the Rhodesian security forces. Using blacks loyal to the white regime, they send two or three men into a village who, posing as "freedom fighters," arrive complete with Chinese or Russian made machine guns and revolutionary pamphlets. They ask the village elders for food and shelter for the night, and if the security police are not informed by the villagers within 24 hours of their presence, the police then go in and burn the village to the ground to teach the natives not to shelter guerrillas.

Even though these tactics are apparently effective in frightening large numbers of natives, there are those who feel that their long-term effect is exactly the opposite of what is desired. While a wattle hut may not seem like much to a white trooper who sleeps in a steel and concrete barrack and flits about the countryside in a helicopter, for the natives it represents everything they have in the world. After someone burns your house down, and marches your father, brother or uncle away for interrogation because they gave a drink of water to a stranger, it isn't a far step until you are ready to become a guerrilla yourself. So the very tactics used to try and destroy the natives' desire to aid the black guerrillas seem in the long run, to create even more of a guerrilla threat than now exists.

Besides the forces of FRELIMO, ZAPU and the ANC, there are the South West African People's Organization (SWAPO), the African Party for the Independence of (Portuguese) Guinea and the Cape Verde Islands (PAIGC), and others such as Holden Roberto's Popular

Movement for the Liberation of Angola (MPLA) and the strife-torn Pan Africanist Congress of South Africa (PAC).

The PAC, incidentally, was declared responsible by South Africa for a recent wave of sabotage. At one time said to be largely Red Chinese financed and supported, the PAC presently is being criticized for being infiltrated by the CIA.

The reactions of the white-ruled states in Africa to the challenge of these guerrillas have varied. South Africa has already felt threatened enough by the propaganda broadcasts issuing from Radio Tanzania to set up expensive jamming installations. Unprecedented antiguerrilla maneuvers involving 5,000 soldiers, or almost one-third of South Africa's 17,000 man regular army, took place in late August 1968.

South African police units have been sent to help the Smith regime in Rhodesia, and have already suffered dead and wounded. Most disturbing of all is the apparent inability of the Portuguese Army to eliminate the black guerrillas. If the black nationalists are victorious in both Angola, which lies on Africa's West Coast, and Mozambique, stretching down the East Coast, Rhodesia and South Africa will find themselves cut off and facing attack along almost 2,000 miles of sparsely defended frontier.

Massive purchases of modern weapons by both the South African and Rhodesian regimes, give them an enormous advantage over the relatively lightly armed black nationalists, for the moment. But staring the white regime in the face is the example of Portugal, which, with 120,000 men fighting to defend its African colonies, has now been forced to extend its draft to four years duty, and is spending over 50 percent of its national budget on fighting the guerrillas. If the insurgency in their areas reaches anywhere near the levels it has reached in Angola and Mozambique, the Salisbury and Johannesburg regimes will be forced to draft both teenagers and women, and seriously burden themselves with armaments expenditures.

The black guerrilla movements constantly refer to the example of South Vietnam to argue the case for their inevitable victory. They refer to figures which they claim originated in the files of the Pentagon, and which they say show that in contrast to the cost to the U.S. of \$30 billion in 1968, the NFL, National Liberation Front, of South Vietnam is spending only \$40 million. Most important of all, they say that this Pentagon survey shows that the Viet Cong collect over 80 percent of their total budget from the South Vietnamese peasants and workers themselves. They also refer to the Algerian War, where 500,000 French troops couldn't eliminate 20,000 FLN guerrillas, and France was finally forced into granting Algeria its independence. It is by increasing the cost of maintaining white rule over the next five or ten years, that by some sort of blitzkrieg victory, that the black nationalists hope to break the grip of the Portuguese, Rhodesian and South African regimes.

The current Sino-Soviet conflict also has affected the African guerrilla movements. To counter the growing influence of Russia in Algeria, Egypt and the northern areas of the continent, the Chinese are spending larger and larger sums in eastern and southern Africa. Tanzania is considered to be the most Chinese-oriented of all African nations. The conduct of the Chinese here has been very discreet. They recently built the largest textile mill in Africa near Dar es Salaam, and have supplied the Tanzanians with everything from patrol boats to medium tanks for their new army. The desire to be unobtrusive has led the Chinese to try and pull out even the small number of civilian and military experts sent into Tanzania as soon as their educational missions are accomplished, so that no one will be able to say that they have come to stay along with their

weapons and machinery. This tendency has gone overboard in some cases, to the degree that the Tanzanians have actually had to plead with the Red Chinese to let their instructors remain in the country. This policy on the part of the Chinese has won them friends among the highly independent-minded black nationalists.

The Chinese appeal to the black Africans also uses the line that "we are both men of color, despised by the whites." They point to Russia's attempts to play down "wars of national liberation" as demonstrating that it is only they, the Chinese, who are the true friends of the oppressed blacks. With growing Egyptian dependence on Russia, and with increasing Chinese aid and influence in Africa below the Equator, the future may well see the continent divided in a struggle between Northern pro-Soviet and Southern pro-Chinese factions. Such recent events as the Soviet disapproval of the late Che Guevara's operations in Bolivia, and the Russian invasion of Czechoslovakia, have helped the Chinese in their claims to be the only nation that the African blacks can depend upon for both aid and noninterference.

So this is the picture, in an Africa torn by conflict from East to West and North to South, with over 2,000,000 refugees wandering about in search of food and shelter, with its 350 million inhabitants just beginning to become independent, with growing organizations of guerrillas attacking the remaining white regimes of Rhodesia, Angola, Mozambique, South Africa and other areas. But is this what the reports called a "Black Foreign Legion"? Not in the same sense that the famous French Foreign Legion was an organization which accepted anyone, no matter what his background or politics were, so long as he would obey orders without hesitations, and fight to the death to defend France's colonial interests throughout the world. The African Liberation Committee's member groups are not unified into a single fighting force, but divided into guerrilla movements interested chiefly in their own particular areas. The idea of a Mozambique-born Makonde tribesman, trained by FRELIMO, being sent to fight 1000 miles away in a Bantu tribal area of South Africa is a bit far-fetched at the moment. The only international aspect of the African Liberation Committee right now, is its financing. No coordinated military operations have taken place among FRELIMO, ZAPU, MPLA and other groups to date.

It is the governments of South Africa and Rhodesia whose armed forces are trying to enlist legionnaire-types from all over the world, mercenaries with allegiance to no one but themselves, who will kill anyone so long as they are paid enough. The FRELIMO, ZAPU and other groups consist almost exclusively of natives of the countries in which the fighting is taking place. Attempts to send in troops from other countries to fight with them have, in fact, ended in disaster. A recent expedition of Cuban guerrilla experts into the Congo ended in their being wiped out. "In an Africa where tribal groups strongly resent strangers, black or white alike, entering their areas, the chances of an international army of "Black Foreign Legionnaires" being effective are very slim. Neither Russia nor China appear to be planning to send significant numbers of men into the African battle areas. They are depending on exports of money and guns to gain influence for them. Cuban exiles have been sent into the Congo by the CIA to pilot light bombers and transport planes, and Belgian, French and other mercenaries have also led black troops in ground actions there. The real fighting, however, only comes after black units have been formed, and the future will certainly see larger and larger battles with increasingly better organized black troops.

The building of a black army, rather than guerrilla forces, is also underway in Tan-

zania. About 5,000 soldiers are currently being trained by, of all things, an elite group of Canadian military experts! When President Nyerere of Tanzania announced that he would accept either Swedish or Canadian instructors for his army, and, if he got neither, would look to the socialist nations for help, the Canadian government stumbled over itself in rushing to accept. The Swedes having declined to send instructors, informed opinion has it that Washington, London and Bonn hurriedly came up with the money to pay for the Canadian experts, rather than run the risk of Yugoslav or Chinese cadre training the Tanzanian forces. These Canadians are to be seen both in Dar es Salaam and in the Tanzanian countryside, trying to indoctrinate the blacks in the latest infantry, artillery and airforce tactics. Furthermore, *many of the weapons which they use, come from Red China!*

Mr. Rashidi Kawawa, the Second Vice-President, announced to the Tanzanian Parliament that they would also form a modern airforce during 1968-69. As of the moment there is only an Air Wing of the Tanzanian Army, which has 27 pilots and 168 technicians, with seven more pilots being trained in Canada. Details of the new Air Force are still secret, but it is presumed that it will include both jet interceptors and medium-range jet bombers. The potential enemy against who it might be used is the Portuguese regime in Mozambique. *Bidding is probably already underway between East and West to see whose aircraft the Tanzanians will use.*

With Tanzania acting as the keystone of the Liberation Committee's activities, it is highly probable that the military training being given to the Tanzanian Army by the Canadians will soon filter down to the guerrilla training camps in the hinterland. Actions will eventually take place involving guerrilla forces trained by Tanzanians, who were themselves trained by Canadians, fighting white Rhodesians and Portuguese and South African troops. Since Canada and Portugal are both NATO members, it appears that the West is caught in a web of contradictions—both economic and political. These contradictions are a sign that the West is keenly aware of a need for new policies toward emerging black Africa. And if the West has any tendency to forget the new facts of African life, there are always sharp reminders.

The arrival in Dar es Salaam of Robert Franklin Williams, a U.S. citizen who has been living in exile in Havana and Peking since 1961 is especially significant. Williams is notorious in the U.S. for his predictions as early as 1961 of wide scale riots and arson within the black ghettos of the U.S. Williams, a Marine Corps and U.S. Army vet who organized 300 of his neighbors in Monroe, N.C., into a self-defense guard back in 1957, is the leading advocate of guerrilla warfare by black nationalists in the U.S. and is the head of the Revolutionary Action Movement (R.A.M.). His presence in Tanzania, ostensibly as a tourist, is part of a growing effort by radical blacks in the U.S. to try and establish links and exchange information with their counterparts in Africa.

In May 1968 a conference of black power groups in Detroit voted to form the Republic of New Africa consisting of the states of Alabama, South Carolina, Georgia, Mississippi, and Louisiana. They elected "Brother Rob," as Robert Franklin Williams is known in the movement, first President of this new state that they insist will be created "by whatever means necessary." In an exclusive interview in Dar es Salaam, Brother Rob told me something which had a chilling ring of truth to it. He said that although nothing definite had been decided upon as yet, Africans had already asked him if it would be possible to have Afro-Americans with recent military experience come over to help them in their guerrilla activities.

The Africans, Williams said, are very con-

scious of their young people not being familiar with guns, as are most Americans. While not ready to accept any volunteers as yet, Williams was told that they are trying to work it out so Afro-American vets can come to Africa to either join with them, or a least act as instructors. The African Liberation Committee people do feel a close kinship with the U.S. black power movement.

In conclusion, it is this writer's opinion that things are going to get far, far worse in Africa—and soon. The whites in control of Mozambique, Angola, Rhodesia and South Africa show no signs of being willing to give the black majorities a voice in their governments. The African Liberation Committee, on the other hand, despite internal problems and the mixed loyalties created by the Sino-Soviet dispute, shows no sign of giving up its efforts to support black nationalist guerrillas.

Most whites I interviewed seemed fatalistic about a coming "bloodbath" in South Africa, and I saw little to detract from this eventuality.

#### BOMB KILLS MONDLANE OF MOZAMBIQUE

DAR-ES-SALAAM, TANZANIA.—Dr. Edwardo Chivambo Mondlane, 49-year-old president of the Mozambique Liberation Front which is trying to wrest Mozambique from Portuguese rule, was killed yesterday by an assassin's bomb, Front sources said. He was rated one of Africa's top revolutionary leaders.

Mondlane, a 6-footer who was graduated from Harvard and once taught anthropology at Syracuse University in New York State, had turned the Front from a tribal group into the most effective guerrilla outfit fighting the Portuguese.

His white American wife, Janet, was reported in Sweden.

Mondlane was killed at a luxurious beach house outside Dar-es-Salaam and only a few hundred yards from the residence of President Julius Nyerere, Front sources said.

The house is owned by Betty King, 36, formerly of Cleveland, Ohio, who is director of a Tanzanian gem company.

Miss King had left the house and apparently during the hour or so before Mondlane's arrival the assassin planted the bomb under a chair.

Army experts established that the time bomb which killed Mondlane consisted of several sticks of dynamite. The blast blew out windows, splintered furniture and cracked walls of the room.

Dozens of Mozambicans were rounded up for questioning.

Mondlane, who was a native of Mozambique, joined the Front in 1963 and quickly turned it into a fighting unit. But of late it had been torn by internal troubles.

Last May he told a reporter, "I may be killed any day—but there will be victory."

The Front has about 8,000 fighting men in the northern provinces of Mozambique holding down a Portuguese army many times larger.

Mondlane, whose grip on the Front had been absolute for four years after he organized it, ran into internal trouble 18 months ago.

A dissident group challenged the Front's leadership and, when promised elections did not take place last year, stormed the movement's headquarters in Dar-es-Salaam, occupying it for several hours before Tanzanian police stepped in in the fight for possession of the headquarters one Front official was killed.

At subsequent reconciliation talks Mondlane agreed on party elections and in mid-1968 they were held in northern Mozambique. Mondlane stayed on as president but his executive committee was considerably enlarged, bringing in some of his critics within the movement.

Party dissidents were critical of Mond-

lane's white wife on racial grounds and decried his lavish scale of living in a luxurious suburban, air-conditioned villa.

Janet Mondlane was the director of the Front's Mozambique Institute which taught Mozambican refugees social sciences.

Mondlane traveled extensively overseas raising money for the war. He found much support in Scandinavia.

Troops for his fighting units were trained mainly in Tanzania but officers have also been trained in Algeria, Cuba and locally by Red Chinese who also have supplied most of the arms.

[From the Washington Post, Feb. 8, 1969]

#### CLERICS LAUD MURDERED AFRICAN LEADER

NEW YORK.—A United Methodist mission executive expressed concern here that the murder of Dr. Eduardo Chivambo Mondlane, president of the anti-Portuguese Mozambique Liberation Front, might shatter the unity of the liberation movement.

However, Dr. Hugh Nordby, executive secretary for Central and Southern Africa of the United Methodist Board of Missions, said he did not believe the determination of the Africans in the white minority controlled countries to achieve their goals would be effected.

Dr. Mondlane, a Presbyterian layman, was killed in Dar-es-Salaam, Tanzania, by a bomb placed under his chair. Once described as Portugal's "most wanted" man, Dr. Mondlane returned to Africa from the United States in 1963 to found the liberation front, known as Frelimo, a merger of several nationalist groups. Armed struggle to end Portuguese rule in Mozambique began a year later.

The Mozambique Institute, Frelimo's education center in Tanzania, founded by Dr. Mondlane, receives funds from the United Methodist Board of Missions but Dr. Nordby stressed that the Board has never given money to military operations of the front. He said the military activities "have been kept completely separate from the Mozambique Institute." Agencies of other churches also contribute to the Institute through the World Council of Churches.

"As a leader and a symbol of unity for independence," said Dr. Nordby, Dr. Mondlane "fulfilled the same role as Dr. Martin Luther King, Jr., except that he was not an advocate of nonviolence."

Although Dr. Mondlane believed that the only answer to white violence in Africa was black violence, continued Dr. Nordby, "he was not a typical militant leader; he was much more a statesman and politician."

According to Dr. Nordby, the Lisbon government, which claims that the guerrilla movements in its colonies are Communist-inspired, were particularly upset with Dr. Mondlane because it was difficult to label him a Communist.

Dr. Mondlane was a speaker at various church assemblies including the 1966 Conference on Church and Society sponsored by the World Council of Churches in Geneva.

The movements for self-determination in countries of Southern Africa controlled by white minorities have been supported by the United Methodist Board of Missions and the Council for Christian Social Action of the United Church of Christ.

Tributes to Dr. Mondlane were also paid here by the Rev. Dr. Eugene Carson Blake, general secretary of the World Council of Churches, and two other WCC officials.

Dr. Blake said, "Christians everywhere have suffered a great loss . . . once more a leader seeking justice for his people has been struck down by violence from a source unknown but clearly representative of those who would prevent justice for his people."

Dr. Eugene Smith, general secretary of the U.S. Conference of the WCC, compared the death of the African leader to the murder of Dr. Martin Luther King.

"Here were two Christians deeply committed to freedom and to justice with a profound sense of human values," Dr. Smith said. "Living in danger they were unafraid. Suffering injustice, they were above bitterness. Living in racial hostilities, they were too great to be hostile. Living amid confusion, they had a vision which offered light and hope."

The Rev. Paul Abrecht, executive secretary of the WCC Department on Church and Society, called Dr. Mondlane a man whose devotion to the cause of freedom for his people was as steadfast as his role was unassuming and patient.

[From the Washington Daily News,  
Mar. 10, 1969]

SPOTLIGHT ON AFRICA  
(By Whitney Young)

With foreign affairs very much in the news these days, what with President Nixon's trip to Europe, Middle East tensions, Paris peace talks and yet another Berlin crisis, about the only part of the world that hasn't had its share of headlines is Africa. It would be a serious mistake for the Administration not to reconsider America's role there.

As the ancestral homeland of more than a tenth of our population, Africa claims great interest and affection among large numbers of Americans. Many of us are concerned about racist police-state actions in South Africa as we are about totalitarian actions in Europe.

America depends on Africa for much of its raw materials and resources. More and more, it becomes apparent that it is in our national interest for self-determination and prosperity to thrive on the African continent.

Our moral standing in the eyes of the world goes down every time we vote with South Africa in the UN or back a repressive colonial regime.

The real trouble spot today is the southern part of the continent—ruled by breakaway British colonists (Rhodesia), South Africans whose leadership was in sympathy with Hitler, and the Portuguese (Angola, Mozambique), whose overlordship of the remnants of a once-great empire compensate them for present second-class status.

Unless change comes to this troubled area, change that brings power to the black majorities, I don't see how bloodshed can be averted. Unless the United States supports democratic black leadership in these areas, takeover by Chinese and Russian-supported extremists is possible.

A case in point is the recent assassination of Dr. Eduardo C. Mondlane, leader of the Liberation Front of Mozambique rebels. He was an anthropologist who once taught in the United States. I knew him well; he was a humane man who loved his country and who was dedicated to winning independence for his people.

He returned to Africa to lead the fight for independence. Since democratic opposition was not allowed, he had to resort to guerrilla tactics. He and his cause were never backed by this government, for fear of harming relations with Portugal. Yet he was just the kind of man we should be supporting. Now, with Dr. Mondlane removed from the scene, it is possible that the liberation movement will deteriorate into a struggle for power between Russian and Chinese-influenced factions.

I'd like to see us take a more aggressive position of support for African freedom movements. It makes no sense for an American that was born in revolution to ignore the plight of the black majority in South Africa. Nor should we support the one-tenth of Rhodesians who happen to be white in their dictatorship over the nine-tenths of their countrymen who happen to be black.

Stepped-up aid to the poor nations of Black Africa is also needed. Relief for starv-

ing Biafra should be a priority item here. Other countries, including small ones like Israel, give technical and economic assistance to Africa far out of proportion to their size or their wealth. We should stop dragging our feet and pitch in too.

[From the Baltimore (Md.) Sun, Nov. 24,  
1967]

PORTUGAL, BLACK AFRICA WAGE ENDURANCE  
WAR—LISBON STRIVING TO MAINTAIN PRES-  
ENCE DATING TO 1489

(By Joseph R. L. Sterne)

LOURENCO MARQUES MOZAMBIQUE, November 23.—The war between Portuguese forces and black African guerrilla fighters in northern Mozambique has entered its fourth year with every prospect of being an endurance contest.

It does not appear to be a struggle that will be decided by sporadic clashes, still less by the conflicting casualty figures and propaganda put out by either side.

Rather, it is shaping up more and more as a matter of staying power, with the ultimate outcome closely linked to the black-white racial confrontation in southern Africa.

The Portuguese living in this elongated slice of southeast Africa are trying to maintain a presence that they trace back to the arrival of the explorer Pero da Covilha in 1489.

DEVELOPING RESOURCES

As part of this intense effort, they are developing resources although stranded in a backwash of colonial neglect and are striving to turn tens of thousands of Africans into "black Portuguese"—a goal long cherished but poorly implemented.

Equally important, the war-caused insecurity of the local white population has extinguished the kind of breaking from Portugal talk heard five years ago.

The chief concern here now is Portugal's willingness to keep making the human and economic sacrifices demanded by three simultaneous guerrilla wars in Africa.

So long as the aging Dr. Salazar remains in power, there is little likelihood of weakening resolution in Lisbon. But the eternal Portuguese political question is "After Salazar, what?"

As a form of insurance the Portuguese in Mozambique are moving closer to South Africa despite their traditional dislike for the Northern European stock who hold power there.

Considerable comfort is derived among Portuguese from the thought that the Transvaal will not want its chief port, Lourenco Marques, to fall within the orbit of hostile black nationalism.

If the war from the Portuguese side thus seems both uncertain and open-ended, it does not differ materially from the valuation authorities here make of their enemy's position.

CONVINCED OF HEADWAY

On the military side, the high command is convinced it is making headway through counter-insurgency and psychological techniques specially designed for the war in northern Mozambique.

Nevertheless, the military's attitude toward the long haul is cautious, sober and highly sensitive to the potential for big power involvement in Africa's struggles.

Much is made of the belief here that the Frente de Libertacao de Mocambique (FRELIMO), with headquarters in Dar es Salaam, Tanzania, is currently drawing support from the United States, the Soviet Union and Communist China.

According to the Portuguese, this is how the unlikely tripod works:

Dr. Eduardo Mondlane, a former professor at Syracuse University, was installed as FRELIMO president to secure support from private American organizations—particularly the Ford Foundation, the American Committee for Africa and the World Council

Churches (with its large element of American Protestantism). Americans allegedly provide money, clothes and food for FRELIMO.

NO. 2 MAN

Uria Simango is No. 2 man in FRELIMO. He is described here as Peking's man in the organization and as such, by Portuguese definition, a man interested solely in promoting African chaos. China is considered the source of rifles, submachine guns and other comparatively sophisticated weaponry in the hands of the guerrillas.

Marcelino dos Santos, the third man in the FRELIMO hierarchy, is regarded here as an agent for the Kremlin. Through him, the guerrillas are thought to obtain explosives, land mines and other implements for hit-and-run war.

BUILT-IN INSTABILITY

It is a source of concern here that FRELIMO enjoys not only a broad spectrum of big-power support but a dominant position in the Mozambique insurgency that is not duplicated in the badly fractured black nationalist efforts against Angola and Portuguese Guinea.

But by the same token, Portuguese officials are heartened by what they feel is the built-in instability within FRELIMO's organization.

The emergence in Zambia of a rival group, the Mozambique Revolutionary Committee (COREMO) is not unwelcome even though it has caused some trouble in the Zambezi River country near Tete.

COREMO, it is noted, is a product of tribal rivalries plus breakaway elements taking the most extremist pro-Peking line.

From its inception, the Mozambique rebellion has been largely the handiwork of one tribe, and the Portuguese want to keep it that way.

HIT AT FOUR POINTS

The chief insurgents, as seen from Lourenco Marques, are the hardy, mountain-dwelling, clanish Maconde tribe inhabiting rough country on both sides of the Mozambique-Tanzania border near the lower stretches of the Rovuma River.

Small bands of Maconde working under the aegis of the largely tribal Mozambique African National Union (MANU) hit at 4 points in the sparsely-populated north in August 1964.

Portuguese troops put their clamps on the more western incursions but trouble remained in the Maconde heartland—the Mueda Plateau—in the northeastern corner of Mozambique.

In September and October 1964, the war took on larger dimensions than the Portuguese—despite the lessons of Angola—had anticipated.

SPREADS WEST

Under FRELIMO leadership that was more national in character than the MANU operation, Maconde tribesmen attacked garrisons and towns as far south as the Montepuez River, 80 miles below the border.

By November and December, 1964, the rebellion had spread west to invest Niassa province near Vila Cabral. In that case, the fighting was conducted by Nyanga tribesmen, many of whom live in neighboring Malawi.

The Portuguese struck back with no-quarter tactics designed to recover the initiative. In the process, thousands of Africans fled their home territory to seek sanctuary in Tanzania, where twelve military training camps are said to be located.

In 1965, the war was characterized by hit-and-run ambushes, land mines, a build-up of Portuguese forces and conscription here in Mozambique.

But by 1966, the Portuguese defense became more calculated.

Two to 300 consolidated villages, called aldeamentos, were organized throughout the northern section of the country.

MANY LURED AWAY

The Portuguese claim to have lured more than 200,000 Africans hostile to the Maconde into these villages by offering them more than they ever had before—health clinics, schools, water supplies, churches, seed and agricultural assistance.

Less warlike tribes (particularly the Macuas) thus allowed the Portuguese to promote tribal rivalries into what FRELIMO had launched as a black nationalist struggle against white domination.

With the wars in Angola and Guinea competing for manpower, the military commanders here never got the forces they desired.

HELP LIMITED

To augment a regular army unofficially estimated at 40,000 men, the Portuguese built up and this year began to rely upon white-led black militia units operating from the consolidated villages.

Taking lessons from what they consider American mistakes in Vietnam, the Portuguese limited the amount of help regular forces would give villages.

This made villagers defend themselves, and in the process they "compromised" themselves to such an extent that they could expect little mercy from black nationalist guerrillas—especially Macondes.

The Portuguese, short of manpower themselves, not only armed villagers to defend themselves; they also formed an "intervention militia" to foray from villages in search of invading soldiers.

Regular Army units, as a result, are concentrating on keeping roads clear, attacking big enemy concentrations and helping villagers in real trouble.

DEFECTIONS REPORTED

Portuguese authorities claim they are making progress and assert they even are starting to draw defectors from the Maconde tribe itself.

There is, however, no attempt to portray the war as nearing an end.

The guerrilla training camps in Tanzania are considered inviolate from attack because of the international uproar such an action would provoke.

And the Portuguese believe that at any one time some 3,000 guerrilla fighters are in training or in readiness in these camps, ready to augment at least an equal number of FRELIMO troops operating in the mountains and ravines and forests of Mozambique.

FRELIMO still commands the loyalty of at least half the 80,000 Maconde tribesmen living in Mozambique, it is conceded, and the black nationalist movement still has strength around Vila Cabral near Malawi and Tete near Zambia.

Thus, the immediate outlook for the Mozambique war is for a stalemate of an active and bloody variety.

[From the New York Times, Feb. 12, 1967]  
U.S. SELF-DETERMINATION POLICY CRITICIZED BY MOZAMBIQUE REBEL

A Mozambique rebel leader criticized the United States Government last week, saying that it had retreated from its commitment to the principle of self-determination for Portuguese African possessions.

The rebel leader, Eduardo Mondlane, who is Chairman of the Front for the Liberation of Mozambique, said in an interview here that since 1961, when the United States supported a United Nations Security Council resolution that urged independence for Portuguese colonies in Africa, Washington has offered little encouragement to anti-Portuguese nationalist movements.

In effect, Dr. Mondlane said, the Administration "supports Portugal in its refusal to have the future of Mozambique settled by discussions at the U.N."

Dr. Mondlane cited a recent suggestion

by Arthur J. Goldberg, the United States chief delegate to the United Nations, as "proof of how far Washington has departed from its earlier position."

TALK SUGGESTED

Mr. Goldberg, in a speech in Washington last week before the American Negro Leadership Conference on Africa, called on Portugal to begin talks with Africans in Angola and Mozambique on the basis of "recognition of the principle of self-determination."

Mr. Goldberg said such talks could lead to the emergence of Angola and Mozambique as sovereign independent states, to their free association with an independent state or to their integration with an independent state.

"Our movement seeks total independence for the whole of Mozambique and rejects any type of commonwealth or partition status," Dr. Mondlane said.

Dr. Mondlane, who holds a doctorate from Northwestern University, gave up a post as assistant professor of cultural anthropology at Syracuse University in 1963 to return to Mozambique to lead the liberation front. He is in the United States to visit officials of the private foundations and humanitarian groups that support the Mozambique Institute, a secondary school in Dar es Salaam, Tanzania, for young refugees from the Portuguese colony.

STRUGGLE AGAINST SYSTEM

Dr. Mondlane described the conflict in Mozambique as a struggle against a political system, not against the Portuguese.

The liberation front, he said, began its resistance in September, 1964, with 250 men organized into small guerrilla bands. Now the movement says it has more than 7,000 men fighting in the northern third of the country against an estimated total of 60,000 Portuguese troops.

The liberation front's forces have been taught guerrilla tactics by cadres trained in Algeria, the United Arab Republic, North Vietnam and China. Its arms are supplied by the Organization for African Unity, the Soviet Union, Communist China, Czechoslovakia and several other Communist countries.

Dr. Mondlane said that, despite the Communist aid it had received, his movement was based not on ideology but on the struggle for freedom against colonialism.

AMERICAN LEGION 50TH ANNIVERSARY

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. BOGGS. Mr. President, this month the American Legion is celebrating its 50th anniversary. This great organization has enjoyed a half century of service to the Nation.

It is with a great sense of personal pride that I join in tribute to the American Legion. Since 1946, I have been a member of Laurence Roberts Post No. 21 in Wilmington, Del. I am proud to be a part of an organization which has done so much for the community, the State, and the Nation.

I take special pride in the significant role that one Delaware native has assumed in the founding and development of this patriotic group. Coincidentally, this great Legionnaire was in my office yesterday. Col. Thomas W. Miller today is the only active Legionnaire of those who charted the direction of this organization at its founding.

On March 15, 1919, what has evolved into the American Legion had its first meeting in Paris. The second and final general meeting of what is now known as the Paris Caucus, was held on March 17. The chairman of the session was Colonel Miller, now a resident of Nevada. Colonel Miller has remained in the forefront of the distinguished Legion activities over the past half century and his fellow members have appropriately honored him. Last year, they bestowed the honorary title of past national commander upon him, even though he never served in that post.

The American Legion has grown rapidly in numbers. It is recorded that at the first meeting 463 persons were present. Eight months later there were 70,000 paid members. Today the ranks have swollen to almost 3 million.

The Legionnaires, who once served their country in the military, have continued their service to fellow citizens through their participation in the many active programs of the American Legion. This group has helped people of all ages, all races, all colors. They have had a substantial impact upon youth through the years. Through sponsorship of Boy Scouts and athletic and citizenship programs, the American Legion has succeeded in strengthening the character of America's youth.

This demonstration of concern for our Nation, our society, and our future places the American Legion and its members in the highest esteem of Americans in all walks of life.

I wish to commend the American Legion on the occasion of its 50th anniversary, and I am confident that this impressive record that has been compiled in the past half century will be overshadowed by the endeavors of the Legion in its next 50 years. I wish them well.

THE 24TH ANNIVERSARY OF THE FUTURE HOMEMAKERS OF AMERICA

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. NATCHER. Mr. Speaker, I hope I will be forgiven if my remarks today appear to some to be biased. That they are, I freely admit, without blush or hesitation. As an honorary member of the Future Homemakers of America it would become me more, I know, to be more restrained in my praise of this organization, but as FHA national week nears, I find this not only difficult—I find it impossible.

I am far too proud of my honorary membership and of the 600,000 girls who are active in chapters across our country to be modest about the Future Homemakers.

In the 24 years of their existence, the Future Homemakers have established themselves as a vital and integral part of America's youth community. The Future Homemakers of America was founded in 1945 and, in the words of the

song, 1945 was "a very good year." This organization was born into a climate that nourished anew the importance and meaning of family life, for in that year, the year of 1945, America's men—her husbands, fathers, sons, and brothers—were returning from World War II, and her heart and eyes were focused upon her families.

Now, 24 years later, with the added advancement of this age, our family patterns have changed. Through the media of transportation, education, and entertainment, the interests of our families have broadened. As products of this age, and as today's young women, the Future Homemakers of America, are not resistant to change. They welcome, I am sure, the idea of a pushbutton kitchen or any innovation that would add to the quality of our daily lives but they are, I am equally as sure, determined that the family home shall not diminish in its importance or lose its place as the principal source of our trust and inspiration.

These young people know that they are the future of their country. They know that the homes of the future will be their homes and the responsibilities of the future will be their responsibilities. The FHA program, with its many facets, is designed to prepare youth for this future. The program is youth directed. FHA members themselves decide upon their goals and select their projects and activities. They do a creditable job.

The Future Homemakers of America have contributed so much to our society. The most important contribution perhaps has been to assure us, the adults of America, that youth does know, that youth does care, and that youth can act in a positive and constructive manner. When we deplore the actions of the younger generation we are deploring a mere 3 to 5 percent of our young people. The majority of our young citizens are good citizens who are concerned about their country and who want only the best for America and her families.

Certainly the Future Homemakers of America care. I know that they do for concern and consideration is part of their creed.

This, then, is their 24th year. What they have contributed over this period is but a preview of what they will give us in the future. It is an honor for me to be a part of this program and my privilege to salute them today in the presence of my distinguished colleagues.

**BIG SPRING, TEX., AGRICULTURAL EXPERIMENT STATION PRAISED BY BIG SPRING HERALD**

**HON. RALPH YARBOROUGH**

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. YARBOROUGH. Mr. President, all too frequently we hear complaints about the shortcomings and inefficiencies of Federal officials. For this reason, I am always delighted to hear from one of my constituents who wishes to praise some of the Federal Government's employees.

Recently I received a letter from Mr. Tex Rogers, farm editor of the Big Spring

Herald, of Big Spring, Tex. Mr. Rogers had a great deal of praise for the U.S. Agricultural Experiment Station in Big Spring, Tex. He also expressed his hope that the station will be able to expand its programs during the coming year. He endorsed an article published in the Big Spring Herald of February 23, 1969. I ask unanimous consent that this article, entitled "Research Is Proven Effort But More Funds Are Needed," be printed in the Extensions of Remarks today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**FIELD AND RANGE: RESEARCH IS PROVEN EFFORT BUT MORE FUNDS ARE NEEDED**

(By Tex Rogers)

Each year research in agriculture becomes more important, both to the farmer and consumer.

As the population continues its yearly increase, more people must be fed by fewer farmers on less land. These same farmers are required to produce more crops while facing continued increases in prices for equipment and labor, which eventually get back to the consumer.

Agricultural research during the past 25 years has vaulted to a vast network of centers throughout the nation which devote man hours and money to studying everything from weeds to wind erosion. Most studies benefit both rural and urban dwellers.

The Big Spring Experiment Station is a part of the nationwide effort in agricultural research. It has made its contributions, but Dr. Bill Fryrear, head of the station, thinks that more progress could be made if more funds were available.

There are approximately 40 million acres of sandy soils in the southern plains, representing some of the most productive land in the Great Plains. Moisture conservation and wind erosion control are major problems in managing and conserving these soils.

The Big Spring station is the only field station in the southern plains which the Soil Conservation Service, Agricultural Research Service, and the U.S. Department of Agriculture has for soil and water conservation research of sandy soils.

Also, it is strategically located for research on conservation problems in four land resource areas, Southern High Plains; Rolling Red Plains, Southern Desertic Basins, Plains and Mountains; and Edwards Plateau. Sandy soils extend into nearly all of the Panhandle of Texas and into the Rio Grande Valley, plus large parts of the Oklahoma Panhandle, southern Kansas, southwestern Kansas, eastern New Mexico and eastern Colorado.

Fryrear notes that the Big Spring station is now confined to a limited area in serving the southern plains, mainly because of a lack of funds. If the center had funds to study sandy soils comprehensively, it would be a regional station for all states where that variety of soil is found.

The station's budget for the past 10 years has been \$66,400 per year, Fryrear said. But after salaries, equipment and maintenance funds are spent, the station has only about \$10,000 on which to operate.

Despite the shortage of operating capital, Fryrear and his assistants, Dr. Paul Koshe and Jim Stubbendeik, continue to work.

Progress has been made in research at the station, and a more recent study was done on the use of gin trash over soil. This practice is now being used by many Plains farmers.

"We could consider the use of petroleum products as a mulch to stabilize the soil from wind erosion and study the effect of petroleum derivatives in reducing evaporation," he said. "Evaporation of water from the soil is of great concern. In 1958 we found that a bale of cotton could be produced with only

four inches of water, if the water was not evaporated off the soil."

Studies in grasses and crops systems could also be made to discover what species of plants use more moisture during various seasons, he said.

Air pollution here could be cause for another study, he said, in connection with the moving of herbicides and insecticides through the air.

"There was a heavy dust storm here in 1965 in which dust particles containing chemicals were deposited in Cincinnati, Ohio," he said. "Those people there were concerned about the dust and chemicals, and we should be, too."

Fryrear said that work is under way at the station to coat the soil with carbon black and other petroleum chemicals to see if cotton and other crops would germinate and sprout earlier.

"If the chemicals could help get the crop up faster, by keeping the ground warm, the plants could get water faster during the rainy season, and would be up in time so that insects couldn't damage them," he said.

Fryrear said that for the Big Spring station to be turned into a regional research center, about \$450,000 per year would be needed. That kind of budget would be enough to employ at least 20 professional people and to carry on experiments year around. Studies could be conducted in areas of soil, water, grass and insects.

Hearings are coming up in March in Congress to decide what research stations and programs will receive funds. Several Texans will help decide the fate of the Big Spring Experiment Station and whether it remains in its same program or expands.

#### EQUIPMENT INTERCHANGE ACT

**HON. J. J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. PICKLE. Mr. Speaker, today I am reintroducing a bill I sponsored last year known as the Equipment Interchange Act.

In broadest terms, the purpose of this act is to promote and improve the legal and administrative arrangements concerning containerization freight shipments using more than one mode of transportation.

The purpose of the proposed Equipment Interchange Act of 1969 is to permit carriers of different classes to enter into agreements with each other to establish uniform bases for the interchange between such carriers of units of transportation equipment, be they highway trailers, containers, or some other freight carrying vehicle.

While carriers of particular modes of transportation; for example, motor carriers, presently have approved agreements covering the interchange of equipment between themselves, the existing regulatory statutes preclude the making of such agreements between carriers subject to different statutes. That is to say, railroads, motor carriers, and water carriers subject to the Interstate Commerce Act may presently enter into equipment interchange agreements, subject to the approval of the Interstate Commerce Commission. But such carriers may not enter into agreements for the interchange of equipment with water carriers subject to the Federal Maritime Acts or air carriers because any joint action to establish uniform rates of com-

compensation for equipment used in interchange service could be construed as a violation of the antitrust law.

Each of the three regulatory statutes involved contain provisions for the submission of cooperative agreements to the respective agencies and for antitrust exemption of such agreements if approved by those agencies. With the possible exception of the Civil Aeronautics Board, it is clear that the agencies do not presently have authority to grant antitrust exemption to agreements involving carriers not subject to the regulation of the particular agency. The proposed legislation would remove this barrier to voluntary agreements between carriers of different classes by authorizing them to enter into equipment interchange agreements subject to the approval of a joint board composed of one member each from the Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission. As with the present regulatory statutes, approval by the joint board would exempt actions taken pursuant to an agreement from the antitrust laws.

Nothing contained in the proposed legislation shall be construed to affect the authority or powers otherwise conferred upon the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission.

Mr. Speaker, as you may recall, the Department of Transportation last year requested legislation which included a provision reaching toward the same goal sought in the Equipment Interchange Act. I would note that while there were then some differences in approach, the general purposes sought here have been supported by the DOT.

I am advised that DOT again this year is considering a proposal such as this, and I am hopeful that we might reach a consensus and obtain hearing of these approaches. I feel something must be done to provide the first step for facing squarely the containerization problem. The bill I am introducing today provides this first step and I feel it will go a long way to bring our freight and transportation laws in line with modern technology.

IF SWAHILI, WHY NOT GAELIC?

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. GROSS. Mr. Speaker, in the following letter a citizen of Virginia sets forth a proposal that deserves further consideration:

IF SWAHILI, WHY NOT GAELIC?

SIR: I am a WASP (White Anglo-Saxon Protestant)—a member of the so-called bulwark of American society. My family, originally of Scottish descent, has been living in America for approximately three hundred years. Because of this, we feel that many WASP families in the United States are suffering from a lack of identity. So, following the example of similar movements, we advocate the following:

Gaelic shall be offered as an elective course

in all public high schools. All college students shall be given the opportunity to major in this language. Students taking part in this course shall be able to control the hiring and firing of their teachers. Possession of all facilities used to teach this subject shall be given to the students.

All Americans who are of Scottish descent shall be referred to as "Scottish-Americans." Robert Bruce's birthday shall be proclaimed as a national holiday.

Bagpipe music shall be given equal time with all other kinds of music at all public and government ceremonies.

Scottish cultural centers shall be established throughout the United States in an effort to help us preserve our heritage.

My organization will support other groups with similar demands in return for their support of my objectives.

JOHN GRIMSLEY.

FAIRFAX, VA.

SENATOR SCHWEIKER URGES ELECTORAL REFORM

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. SCHWEIKER. Mr. President, yesterday I testified before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary in favor of electoral reform and in favor of the proposal of the Senator from Indiana (Mr. BAYH) for the direct popular election of the President and Vice President.

I ask unanimous consent that my views on this important subject be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR SCHWEIKER URGES ELECTORAL REFORM

Mr. Chairman and Members of the Committee: It is a real privilege for me to have this opportunity to appear before you today, and to present some of my views on electoral reform. Your committee has performed outstanding work in this area of electoral reform, and your Chairman is one of the leaders in the field.

You have already heard at great length from many experts on the legal merits of the various electoral reform proposals, and have heard detailed explanations of voting patterns and election statistics.

I have come not as an expert but as an elected official who followed this issue during the last number of years as a Congressman, who studied the need for reform, and who made this a major campaign theme last Fall, to emphasize the need for reform of our presidential election system.

I have also come to give my strong support for recommendation by this committee, and for adoption by the Senate, of the proposal for the direct popular election method. I concur with your chairman's ideas on this subject, and I am privileged to be a cosponsor of S.J. Res. 1.

The first point I want to make is the absolute necessity for enacting some form of electoral reform.

We first of all must eliminate once and for all the faithless elector possibility, dramatized vividly last Fall when a North Carolina elector voted independently for George Wallace, even though his state went for Richard Nixon.

Last Fall's election also dramatized the tinder box of Constitutional problems provided by the current system for a runoff election in the House. The one vote per state plan is totally outdated. The potential for

"deal-making" by a minor, or even major, party, is frightening.

There is another consideration, however, which I think is very important. During my Senate campaign last year, I talked with people in cities, in small towns, in suburbs, and in rural communities, and I discovered in all these different areas a common disenchantment with the effectiveness of their government, and a general loss of confidence in the responsiveness of their leaders. Our people no longer feel that our electoral system represents them. We must correct this.

The second point I want to make is that the best way to make the necessary reforms, the best way to restore this confidence in our governmental system by the American people, is to amend the Constitution by abolishing the electoral college and substituting a direct popular election plan.

First of all, we have a national President, who represents all Americans, and who makes decisions which affect all Americans, and therefore we should have a national popular vote choosing who this President shall be.

The Electoral College made sense when it was created, when communications were inadequate and travel almost impossible. But today, when our technological advances have rendered these problems a thing of the past, we no longer have any need for the electoral college system of representative voting for the election of the President.

A second consideration is that with a direct election plan, with a run-off election between the top two candidates, if no one receives 40% of the vote, we can eliminate the possibility of a candidate winning the election, but losing the Presidency. There is no reason to perpetuate the chance that a minority candidate can be elected. We should not continue this system.

I have already touched upon a third consideration: the need to increase the sense of participation in our electoral process on the part of the electorate at large. The direct popular election is the best method to accomplish this, to equalize the vote of individuals, and to balance the collective weight of each state to its proper proportion with respect to the entire nation's vote turnout.

Let me briefly review some of the criticisms of the direct election system.

Many argue that the direct election system will give greater incentive to splinter parties, and weaken the two-party system. I believe, to the contrary, that the two party system will be stronger under the direct election plan. Rather than being able to obtain a single state's entire block of electoral votes, or throw an election into the House, as under the present system, the most a third party can do is to prevent one major party from getting better than 40% majority, and force a run-off between the two major parties. There will be no deals possible with the direct election plan.

Many argue that the small states will never approve the direct election plan, assuring the plans defeat, because they are more strongly represented in the Electoral College than they would be under direct popular voting. To counter this argument, I would like to cite the mathematical analysis prepared by John E. Banzhaf, III.

His analysis shows that it is the individual voter from a large state who actually has more influence on the ultimate election result than the individual voter in a small state. For while the voter in Alaska has more influence over who will win Alaska's electoral votes than the individual New York State voter has to determine the New York electoral winner, this is really not the crucial issue.

Nationally speaking, that New York voter is a key to 43 electoral votes, while the Alaska voter is at the control of only 3 electoral votes. This is the way that small states should be looking at the electoral college system, and if they do, they should conclude that their much-talked-about "advan-

tage" under the existing system is more illusion than reality. A small state really has nothing to lose under the direct popular vote plan. If any states lose anything, it will be the large states, who will no longer be so earnestly courted by candidates as rich prize. A single vote cast in a large state will be of no more weight to a candidate than a vote cast in a small state.

Many also argue that we should not tinker with the Constitution. I do not believe we are doing this. Reform of the Electoral College has been advocated for decades. Proposals have been well studied, and the issues have been well documented. Senate and House Hearings have been regularly held after every Presidential election. Any tinkering we are doing is with a rusty, antiquated system that should have been discarded long ago.

In conclusion I feel that now is the time to act on these proposals. The problems and issues we face in the 1970's are more critical than ever before in our history. Correspondingly, the need for a more responsive Presidential election system will be greater than ever before.

I also feel that we should adopt what we feel is the best system. I advocate a complete change of the Electoral College, and not just the long-needed reforms of Electoral College procedures. These proposals are worthy ones, but if we are going to make our system more responsive to the people, let's do the complete job.

Thank you very much for allowing me to appear before you and present my views on this vital subject.

"SCIENCE, POLICY, AND CONGRESS,"  
BY RICHARD A. CARPENTER

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call the attention of Congress and the American people to the excellent article, "Science, Policy, and Congress," by Richard A. Carpenter which appears in the winter edition of the *Midwest Research Quarterly*. Richard Carpenter is a senior specialist in science and technology in the Science Policy Research Division of the Library of Congress.

For his competence, efficiency, and fine cooperation, Dick Carpenter is well known by the members of the Committee on Science and Astronautics. I am glad to insert his well-written article in the RECORD:

SCIENCE, POLICY, AND CONGRESS

(By Richard A. Carpenter)

The United States Congress is an integrating institution. It arrives at a collective decision only after considering many aspects of the issue and after reconciling often conflicting desires of society. The social, legal, economic, institutional and political values are as old as Congress itself. These areas of knowledge are well represented by congressmen whose personal experience, training, and specialization bring an up-to-date familiarity with information sources and expertise. On the other hand, science and technology are relatively new ingredients to be incorporated into the complex of the legislative process. In fact, few scientists and engineers are elected as senators or representatives. And the number is not likely to increase. For these reasons, the needed technical facts, theories, and informed opinions must—for the most part—enter the legislative debates

and committee considerations via an information transfer process from the scientific community.

Within the last decade, a new relationship has emerged: Technical knowledge is vital to political power and society goals. In the October 1968 *Bulletin of the Atomic Scientists*, Don K. Price, dean of the John Fitzgerald Kennedy School of Government, explains it this way: "The first is that science and scientists have come to be more than merely instrumental forces to help carry out purposes that have been predetermined by others—either by the traditional custodians of religious values, or by the will of the electorate. They have become a powerful influence in altering values and guiding the purposes of national policy. The second is that science can no longer stand apart in complete independence from the flux of political controversy, and thus appear as a clearly objective source of truth. For when research must be supported by government grants, science itself becomes a part of the political system."

At present, the federal government expenditures for research and development are undergoing a close reexamination. Any remaining awe of science or fascination with technology has been replaced with a requirement for relevance of research results to pressing social problems and an insistence that programs meet time and budget schedules.

#### THE NEED FOR INFORMATION

At the same time, there is a frank demand from legislators (reflecting the concerns of their constituents) that technology serve society and not merely its own momentum. The nation seems suspicious that federal funds may be used for stunts or science for the sake of science. Also, the demands of national security, world leadership, and crises in the natural and social environments can be met, in part, by providing new options through expanded research and development. The management of science resources, without stifling creativity and innovation, is the crux of many national science policy issues. Congressmen must gain a better understanding of ways science and technology work so they can make decisions on the expenditure of public funds for these purposes. The current situation is a radical change from that of a few years ago.

During the pre-Sputnik decade, legislators were under no compulsion to debate or defend science and technology in the public political arena. Little money was involved, and basic research was supported on the faith that the data would eventually be useful. Development funding was, more often than not, associated with the fear that national security would be jeopardized if the capabilities of atomic weapons were not exploited.

The space age opened with a political judgment to dedicate the U.S. program to peaceful purposes. The public interest in science increased rapidly and brought a literacy to the electorate which had not been present. Federal funding for research and development jumped from \$3 billion in 1955 to \$8 billion in 1960.<sup>1</sup>

Other goals and missions of government were seen to require technology for their accomplishment. The "social overhead" problems of environmental pollution, transportation, urban development, and the like justified their own R & D expenditures. The nondefense portion of total federal R & D obligations increased from 19 percent in 1960 to 50 percent in 1965 where it has remained.<sup>2</sup>

Thus three significant changes occurred to make the understanding of science and technology important to members of Congress: Public debate and commentary were required; large public funding was involved; and a variety of national objectives depended

on research and development results. Management of these growing federal expenditures required policy planning. The Congress determined to become a full partner with the executive branch in initiating and elaborating science policy.

#### NATURE OF THE INFORMATION

A useful partition of this general subject is to consider policy for science as opposed to science for policy. Policy for science pertains to federal programs that insure the health of U.S. science; i.e., fundamental research, science education, manpower, research facilities, science information, and so forth. The National Science Foundation and the basic research projects sponsored by mission-oriented agencies are the means of carrying out policy for science. Although perhaps only 10 percent of the total funding is in this area, it is a major concern because the national technological capability ultimately depends on a strong and sustained scientific effort.

The second aspect of science policy is the ways in which research and development support other policies. In a highly technical civilization, virtually every agency mission is assisted by some technical input. The dollars available to accomplish a given mission are limited and so the R & D request must compete with operational and other budget requirements on a cost-effectiveness basis. Only if R & D can contribute to the mission will it be supported; there is no R & D "pie" to be split up among agencies.

In these two areas of science policy, the Congress seeks information for management decision rather than the details of project engineering. The legislative process encounters science and technology issues in all three of its major functions. First, authorization is the genesis of federal programs. Some departments and agencies which are major R & D performers have annual authorization—e.g., the National Aeronautics and Space Administration and the National Science Foundation. Others, for example, like the National Bureau of Standards and the National Institutes of Health, operate under continuing authorization. Next, the appropriations committees consider the budget requests of the administration as modified by the authorizing committees. Finally the overview role of the Congress monitors the programs to make certain their intent is carried out.

The needed information is in terms of alternatives: What is technically possible? What breakthroughs are needed? Costs? Schedules? The criteria for choice used by the executive branch agencies must be examined. In the past few years, a concern has grown over the consequences of applied technology—side effects which may be difficult to forecast or anticipate.

The Congress certainly does not lack for information. The openness of the legislative process provides a great variety and number of channels for facts and opinions. The federal agencies advocate and defend their programs in hearings, briefings, and continual liaison with the members and committees directly concerned. The Office of Science and Technology in the Executive Office of the President was established by reorganization to coordinate executive branch R & D and to report to the Congress on science policy matters.

Industries and trade organizations often present testimony at hearings and carry on extensive information and lobbying activities when legislation or government programs particularly affect their interests. Constituents and local businesses make specific inquiries to their representatives and carry opinions on R & D matters which have obvious political impact.

Universities and nonprofit institutions provide data and interpretive studies in the normal course of their activities. Where the support of science is concerned, these groups

<sup>1</sup>Footnotes at end of article.

pursue their own proposals which may be in concert or conflict with agency activities. Many sources, to some degree, have axes to grind when they appear before a committee or volunteer information to members.

The National Academies of Sciences and Engineering is a congressionally chartered group which, along with their National Research Council, can undertake contract studies for both the executive and legislative branches. A broad interdisciplinary overview on matters affecting the health of science and engineering is obtained. The professional technical society is another source of digested and interpreted information which has been identified as potentially useful but has not yet contributed directly to any appreciable extent.

#### MECHANISMS FOR COMMUNICATION

As the need for science advice has become recognized, the legislators have erected a variety of information gathering devices of their own. Some members even have personal science advisory committees. The political parties, too, have organized scientists and engineers to assist them. Also professional staffs of committees have been reinforced with persons of mature technical experience. Hearings and briefings are arranged to present a variety of viewpoints. Ad hoc advisory panels are assembled to deal with a particular subject or to provide general advice.

In 1963 and 1964, a number of studies and proposals was made relating to science advice for the Congress. The Subcommittee on Science Research and Development of the House Committee on Science and Astronautics (chaired by Mr. Daddario) held hearings and issued a report, "Scientific-Technical Advice for Congress: Needs and Resources."<sup>4</sup> Bills to create a congressional Office of Science and Technology were introduced in both Houses in the 88th Congress, (S 2036 and HR 8066). Another bill, HR 6866, (88th Congress, 1st session) sought to establish a small science advisory staff in each house.<sup>5</sup> The House Select Committee on Government Research conducted extensive studies on the methods by which Congress could improve its handling of federal science affairs.<sup>6</sup> Senator Clinton P. Anderson reviewed the difficulties of setting up a body of highly trained technicians solely responsible to Congress in an article in *Science* magazine.<sup>7</sup>

The conclusion of these deliberations was that a bridge between the Congress and the scientific community was preferable to an "in house" cadre of practicing scientists and engineers. The breadth of legislative problems and the rapid change of specific interests militated against retaining subject matter specialists as advisers. Instead, the need was correctly deduced for a new function to excise the scientific questions from legislative issues, to search the literature and minds of the scientific community for relevant answers, and to interpret and distill the pertinent information for easy use by the legislators.

#### LEGISLATIVE REFERENCE SERVICE

The means of establishing the function was found close at hand. The Legislative Reference Service is a 53-year-old organization within the Library of Congress. It is divided into 10 divisions which provide research and information on all areas of knowledge related to legislation. The staff numbers over 300 persons ranging from senior scholars to clerks who retrieve factual data. The specialists are thoroughly qualified and recognized in their academic areas, and more importantly they are skilled at interpreting and communicating technical information to the Congress. LRS works only for the members and their committees and staffs. Projects are performed on a confidential basis and usually the resulting contributions in printed form are anonymous as to origin. Partisan political influences are carefully

avoided under the direction of the Joint Committee on the Library.

Into this existing organizational framework, the Congress introduced eight new positions by appropriation action for fiscal year 1965, "to meet the increasing requests for service in the scientific and technological specialties." These positions were augmented with existing funds and organized as the Science Policy Research Division in October of 1964.

The objective of the division is an increased understanding by the members of Congress of the workings of science and engineering. Although advice is often used in describing the function, it is not an entirely accurate word. The analysis and interpretation of the technical content of public policy issues are usually done in a "pro and con" form. Scholarship, or completeness of research, and objectivity, or the absence of advocacy, are the criteria of performance.

Science Policy Research Division is a bridge to a diversity and plurality of information and opinion. It is not a primary source of knowledge. Nevertheless, the way in which the gathered facts are presented to the legislator often does impart a summary judgment, a responsibility which is carefully recognized and accepted. Quality control is assured by an internal review by other researchers as well as frequent consultation with outside authorities.

#### THE TECHNICAL SOCIETY

Professional technical societies can be a most valuable source of advice and information for the Congress. In contrast to the other sources, the broad membership allows professional, rather than employment related views, to come to the surface. Their tax exempt status need not be jeopardized nor are they required to register as lobbyists.<sup>8</sup> The simple conditions are that the congressional liaison must not be a major portion of their activities and that the Congress has invited their testimony. Such conditions are easily met by professional societies since education and science are their main pursuits, and a standing invitation to communicate with the Congress has been issued repeatedly by many members of both Houses.

The technical societies are not expected to present a consensus view on issues—which might engender internal strife. Rather, they should provide a forum for discussion of science policy issues, just as they have historically for the presentation of research results. The policy discussions, with the participation of society leaders, would provide interpretations and viewpoints of great usefulness to the Congress. Such a forum would be relatively balanced as to vested interests from the primary employment of participants. Without reaching a consensus, or putting the matter to a vote, the science policy forum would reveal the pros and cons of an issue in a unique way. This is a new responsibility for professional societies. It is well worth adding to the traditional functions of publication, national meetings, and education.

The implementation of an effective liaison, however, appears to be much more difficult than the recognition of the opportunity. It is quite a departure from the comfortable and secure tradition of providing a forum on specialized knowledge. Many organizations still resist extension of their activities to the economic and social position of their memberships. But just as there is no longer an ivory tower for the individual scientist, these organizations must accept a new role of constructive participation channels for their members and as a public service resource for governmental bodies. The benefits to the professional, in learning the practical politics of research support and working in the resource allocation process, are also a major reason for developing this relationship.

One should carefully note that the issues to be addressed are those of the technical

community and not the gamut of public affairs. Reluctance of researchers to talk about science policy may be related to the lamentable performance of some colleagues in other national affairs debates. A technical education confers no particular advantage in matters of ethics or politics. On the other hand, science policy decisions must not lack the full input of competent advice from scientists and engineers.

#### SOME CURRENT ACTIVITIES

The American Physical Society recently rejected a constitutional amendment which would have allowed society referendum voting on "any matter of concern." Opponents feared that issues such as Viet Nam would tear the organization apart. Charles Price, the founder and chairman of the American Chemical Society's Committee on Chemistry and Public Affairs, says: "It seems to me that a scientific society, which the American Chemical Society is, really needs to stick to issues in which a fairly significant component of science know-how is involved."

The American Association for the Advancement of Science, the closest approximation to a council of technical societies, is wrestling with the ecological effects of deforestation in Viet Nam. Here, the problem is to pursue a valid science policy issue (whether military advantages are offset by long-term environmental damage) without allowing the assessment to deteriorate into the emotional political argument associated with that conflict.

The American Institute of Chemical Engineers is considering a policy statement proposed by its Government Programs Advisory Committee "to provide technical and professional assistance to the government in areas requiring chemical engineering knowledge, so that the laws and regulations adopted take full cognizance of and are in keeping with the pertinent technical facts."

The Iowa Section of the American Society of Civil Engineers expressed its opposition to the recently defeated bill which would have authorized wider trucks with increased allowable axle weights. The Ecological Society of America has formed a vigorous Committee on Public Affairs which represents a place that policy-makers can come to for competent ecological advice. They have provided several witnesses before public hearings of congressional committees.

The American Institute of Aeronautics and Astronautics has watched the aerospace budget wax and wane with little input from this 30,000 member organization. In the October 1968 issue of *Astronautics and Aeronautics*, the beginnings of a clamor for participation in policy planning are discussed. Dr. Glen P. Wilson of the staff of the Senate Aeronautical and Space Sciences Committee points out that "the Congress is a living breathing human group that operates something like a vast and complicated moment equation. A given amount of pressure at a given point will cause the center of gravity to shift . . . Congress cannot respond to a stimulus it has not received, although the lack of a particular stimulus will enable all other stimuli to have proportionally greater effect."

This is the most important reason for bringing the full weight of technical thought into the legislative process. Other forces, vested interests, viewpoints, needs, and demands are vigorously represented in planning, directing, allocating, and setting priorities for national programs. If science and engineering are not fairly and competently promoted, government support will decline and the benefits of R & D will not become available.

Usually, the relationship between research funding and eventual practical return on this investment isn't obvious or short term. An element of faith is necessary, and faith, as a rationale for disbursing tax revenue, is a fragile vessel on political seas. Professionals

Footnotes at end of article.

who are most familiar with the time-tested sequence of research-development-application must take the initiative to illustrate, document, and convince decision makers of the value of their work. This is an honorable, forthright responsibility for the technical professional in a civilization which is based on knowledge and use of natural science principles. The professional technical societies offer a mechanism for the justification of federal support which is free from the direct payroll relationships of other congressional information sources.

The indicated liaison can take many forms and will require ingenuity to exploit fully. There will be legal, financial, and logistical problems for the societies as various opportunities for policy participation are explored. But the stage is set. The Congress is receptive. The emerging social overhead problems can be served by relevant research. The Science Policy Research Division and congressional committee staffs are in operation as communication channels.

Dr. Eric A. Walker, president of the National Academy of Engineering, says: "Engineers have a deep seated yearning to be professionals, yet somehow or other, they aren't quite willing to take the steps that will really give them professional status. . . . When they meet in small groups, they complain about their status, they complain about their public image, and they confess that they are not carrying their share of the load as public servants."

The participation in a congressional information and advisory function via the established societies would seem to be an important and significant step toward individual recognition as professionals.

## FOOTNOTES

<sup>1</sup> Federal Funds for Research, Development, and other Scientific Activities, Vol. XVI, NSF 67-19, National Science Foundation, 1967, p. 2.

<sup>2</sup> *Ibid.*, p. 3.

<sup>3</sup> "Scientific-Technical Advice for Congress—Needs and Services," Committee on Science and Astronautics, U.S. House of Representatives, August 10, 1964, p. 63.

<sup>4</sup> "Government and Science," Hearings before the Subcommittee on Science Research and Development of the Committee on Science and Astronautics, 88th Congress, 1st session, October 15–November 20, 1963.

<sup>5</sup> Hearings before the Subcommittee on Accounts of the Committee on House Administration, on HR 6866 and HR 8066, 88th Congress, 1st session, December 4, 1963.

<sup>6</sup> Study Number X—Part II, Staff Résumé of the Activities of the Select Committee on Government Research, U.S. House of Representatives, February 18, 1965.

<sup>7</sup> "Science Advice for Congress," *Science*, April 3, 1963, pp. 29–32.

<sup>8</sup> "Scientific-Technical Advice for Congress—Needs and Services," *Op. cit.*

### LEGISLATION TO CORRECT ONE OF THE INEQUITIES OF THE SOCIAL SECURITY SYSTEM

**HON. LEONARD FARBSTAIN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FARBSTAIN. Mr. Speaker, I have today introduced legislation to correct one of the greatest inequities of the social security system—the exclusion of Federal employees from coverage under old-age, survivors, and disability insurance protection.

My bill would permit Federal employees to elect coverage under the insurance

program established by title II of the Social Security Act. They would have the choice as to whether they would come under the social security system in addition to their civil service retirement coverage. New employees would have 2 years from the date of their employment within which to file a certificate indicating their desire for such coverage. Existing employees would likewise have 2 years to make such election. The employer—in this case, the Federal agency—would pay the employee tax.

Federal employees make up the largest group of employees in the United States. I can see no reason why they should be excluded from coverage under title II of the Social Security Act. This matter has been under consideration by boards, bureaus, committees, and commissions, both in and out of the Congress for more than two decades. I think it is time to take affirmative action.

"THE PRIVATE INTEREST AND THE PUBLIC PURPOSE—THE REASON WHY"—ADDRESS BY BLAKE T. NEWTON, JR.

**HON. HUGH SCOTT**

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. SCOTT. Mr. President, we have heard much recently about the need for the private sector of our country to become involved with the great and pressing issues of the day. Mr. Blake T. Newton, Jr., president of the Institute of Life Insurance, recently addressed himself to this very problem. Mr. Newton's remarks before the Wilner Award Luncheon in Washington, D.C., entitled "The Private Interest and the Public Purpose—The Reason Why," show a unique insight into some of the major problems confronting the Nation. I commend this outstanding address to Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE PRIVATE INTEREST AND THE PUBLIC PURPOSE—THE REASON WHY

(Speech by Blake T. Newton, Jr., president, Institute of Life Insurance, at Wilner Award Luncheon, Washington, D.C., January 23, 1969)

Sixteen months ago the life insurance business committed itself to a program of capital investment in the core areas of our cities. The aim was to focus the investment function of our business upon those areas of our society that urgently required investments—the decaying and strife-prone inner city, where capital was in short supply and where the normal tendency of investment was frustrated by high risk, indifferent return and one thing more: the tradition among business people that it was difficult, if not impossible, to justify in competitive terms.

Specifically, the Joint Urban Problems Committee of two major trade associations of our business—the American Life Convention and the Life Insurance Association of America—agreed that as a business we would pledge \$1 billion to engage those needs of the troubled urban environment which might yield to economic solutions.

It was wholly proper that we should do this, and we sought at the time to make it clear that our primary concerns were business concerns.

Much of the investment of our business is located in cities. If the ability of our cities to survive and to progress as the gathering places of human and economic enterprise is threatened, then clearly our business is threatened.

Most of our policyholders live or work in cities. If the quality of their lives and the tranquility of their existence are in danger, then we are in danger, and it clearly is our concern.

It must be conceded, of course, that these are not concerns that are ordinarily attributed to business by those more accustomed to thinking exclusively in terms of the profit motive. But our careful enunciation of why we are involved and our constant repetition of these reasons have brought about, I believe, a larger result than we anticipated.

Gradually as our program took shape, as money was committed, as brick and mortar results began to rise, we began to recognize that this amorphous concept called "the business interest" was being cast in larger scale than had ever seriously been offered for public exhibit.

I must emphasize at this stage that we in the life insurance business were not moving in lonely and splendid isolation. Other areas of the business community also saw the issues that had been raised by our urban problems as business issues. They also looked to their resources and skills and they engaged the problems they felt competent to deal with.

I could spend the better part of the time you have allotted me today describing some of the responses business has made in the past year alone, but I am sure you have read of them yourselves.

What is important is that they all served to reinforce this larger concept of the business interest.

There were other responses too that not only strengthened the concept, but animated it and gave it momentum.

There was, for example, the reaction of government on both the local and national level. It wasn't so much that they looked upon our works and saw that they were good. But rather that they looked with new eyes—as we did—upon the immensity of the problem our society faced and saw that our resources of capital and diversity were needed, and they could properly be brought to bear.

In addition there was the response of those who were more intimately concerned with the problems of poverty and urban environment: those who lived there and those who served there in many roles. They were wary as people should be whose expectations had been too often dashed. But they were welcoming, too, and hopeful, and willing to accept our sincerity as it was established.

The net effect of all this is that business is engaged now in areas that were formerly considered to be the domain of government, of the social worker, of organized charity, of education. It is known to be engaged, and it is accepted, generally, that it is engaged because it is in the business interest.

Thus the larger concept of the business interest is no longer tentative. And I think at this point it should be stated clearly and without pretension:

The private sector of our national economy has recognized that business is affected by disruption and decay and disaffection both in the near and the long term. But this represents only the practical aspect of our concern. It is the thin end of the entering wedge of our involvement.

Deeper into the twin crises of poverty and environment, we have—like all good wedges—widened our perspective and we have come to realize that the very quality of our lives and the principles on which we

have based nearly 200 years of national conduct are at stake.

The gaps between what the majority of our people have achieved, and what the minority have not, are glaring, inexcusable and inescapable.

A lifetime of experience with the potentially fatal dangers of war and potentially disastrous ones of practical economics, has taught us also to recognize real danger when we see it. And we do see it.

For if it should come to pass that after all the effort of our history the opportunities of a free society cannot be extended freely to all of our citizens in all places, then they cannot with freedom be secured for any of our citizens—anywhere. The choice is between a free society and a society in which we suffer either violence or suppression.

And so, we hard-headed businessmen have discovered with some surprise and no little chagrin that we are back to the very fundamentals for which an anguished group of American colonials pledged their lives, their fortunes and their sacred honor.

We are, moreover, as private and corporate citizens, engaged in facing again, the basic challenge that Hamilton posed in the first number of the *Federalist*:

"To decide by conduct and example the important question whether societies of men are really capable or not of establishing good government form reflection and choice; or whether they are forever destined to depend for their political constitutions on accident and force."

How, you may wonder, in the midst of our affluence, at the height of our strength, have we come to such a juncture?

It may be of some use to us at this point to go back briefly over our recent economic, political and social history, to trace out the paths along which we have all careered—business, government, and the society we both serve—to arrive all together full tilt at one of those rare intersections where common destinies are decided.

The president of Cornell University, Dr. James Perkins, pointed out recently that this nation since World War II has acted under two principal stimuli: the need to prevent another catastrophic war, and the need to prevent another major economic collapse. Our foreign and our domestic policies were largely in the hands of those who had undergone the ordeals of the 30s with its depression, and the 40s, with its World War. It was natural that they should conduct national policy in such a way to prevent the recurrence of the two disasters in our recent national experience, and it would have been tragic if they had not.

They were objectives upon which the entire nation could agree; they were difficult objectives and they posed fearsome threats at every step of their accomplishment.

But today, after nearly 25 years of living with the threat of a nuclear war, we seem to have pushed back the doomsday clock. Moreover, by the beginning of the 1960s, the fear of a major economic collapse had subsided. A partnership of business and government, in agreement on a policy of full employment, had begun to produce the affluent society.

At this point, Dr. Perkins points out, the national consensus about our priorities began to erode, and part of our society began to look for new goals.

In short, our world-wide political objectives were weathering well, and our social and economic objectives—born in the New Deal of the Depression—were not only achieved, but in many cases surpassed.

We began to turn inward and discovered that in our overriding quantitative concerns of preventing war and depression we had overlooked the qualitative—or in Dr. Perkins' phrase, we had "bruised" the quality of our lives. We had moreover swept again beneath

the national rug the continually neglected problems of race and poverty.

They surfaced even as we were feasting upon our victories.

Like unwelcomed guests, justice and equality of opportunity appeared in rags and demanded their rightful place at the table.

Granted, this is an oversimple view. But we are not ever able to envision solutions, without first simplifying the problems and for this reason the view is useful to our perspective.

Let me now complicate the perspective—it wouldn't, after all, be real if it were thoroughly understood.

Former Presidential Aide Horace Busby, in a speech to the International City Managers' Association, recently added a valuable commentary. In his view, the wild water we are running is not caused by the surface violence we see about us, it is the result of the underlying velocity, the sheer speed of our progress.

Our problem is not the symptom of disorder, but the disease of disarray, brought about by the high-velocity, high-intensity momentum that has wrought more change in half a decade than other societies will experience in half a century.

Let me quote for you Mr. Busby's vision of where we stand as a result of our achievements:

"Not merely the America of the 1930s is gone," he says, "Even the America of the 1950s has been swept away. In a literal sense this is a new America. Sometime soon, before the decade ends, half of all the Americans who have ever lived will be alive: all that has been done before will need—already needs—doing again.

"In the America of today," he points out, "our institutions are new. Our roles, relationships and experiences are new—new, tentative and insecure. If there is to be a purposeful governable society, we have a need to come together. Yet we have all but lost communications among ourselves. . . . Even the language is disintegrating: it has different meanings, city-to-city, neighborhood-to-neighborhood. The same is true for our values—and for authority. Not only government, but churches, universities, employers, labor leaders, commentators, certainly parents, are suffering credibility gaps—not because the character of the people has declined, but more because their knowledge has so increased."

Then Mr. Busby concludes, "As a nation, as a people, we are at a time of beginning again."

The danger, as he sees it, is not division, but disruption, and he draws a parallel between our times and the supercharged, hyper-emotional years that immediately preceded our Civil War.

It is a truly frightening vision and whether or not we concur fully, it is hard to deny the velocity and volatility in our society which supports Mr. Busby's view. Nor can we deny the accomplishments which have preceded it, nor the competence and cooperation we will need to cope with the symptoms as well as the causes of what has wrongly been called "a national malaise."

I do not for a moment believe that we are a sick people.

Confused? Undoubtedly. Confused, not however by weakness, but by strength. We have learned how to win the means, and we must turn ourselves now to winning the ends. In short, what it was that we as a nation started out to do in the first place: "To secure the blessings of liberty for ourselves and our posterity."

Let me, for a moment, return to my original metaphor and then we'll get down to practical cases.

It should be pointed out that while all of our national interests—political, economic and social—have rushed together as it were at an intersection, they did not collide head-

on. There's been a kind of three-way side-swipe. We are all shaken, to be sure, and we are surely all confused. But essentially, we are not damaged—yet.

If we can keep our heads and restrain the natural, but unreasoning instinct to look for a scapegoat, we can sort it out and we can go forward again, better for the experience. We'll have acquired a decent respect for our neighboring interests and, just as importantly, a warier eye out for future accidents.

Now let's talk briefly again about our business community, its very proper involvement with basic national purposes, and the dangers this involvement poses to us as businessmen.

We are the last of the three grand divisions of society to become so openly involved, and as such we are vulnerable to criticism. We are vulnerable, first, because business has always been vulnerable. It's practically an American custom to attack big business; certainly it is a literary tradition and our literature forms many of our public attitudes. We are vulnerable, secondly, because of our potentiality for success. Our involvement has raised new hopes and new expectations. If we fail, and withdraw, we will have merely deepened the crisis, exacerbated our disorders, and very possibly opened the door for radical changes in our system.

Yet we will falter. We will stumble many times in many places before we begin to succeed and it is crucial that we understand this. But if we do not withdraw, if we maintain the new lines of communication we are building between business and government, and between business and the society, we can weather our small failures, learn from them and continue.

Fundamental to such a course of action is some initial introspection, not only on the part of business, but on the part of everyone concerned: those in government, those in the ghettos of the land, and those on the sidelines, both fans and critics.

This nation of ours has become so used to success, and it has been so richly endowed with the ingredients of success that it has become a convention to believe that if we truly want something to occur, then by Godfrey, occur it will. To be blunt, we have an almost fatal disposition to believe in our infallibility, once we set our courses of action.

In explaining this wonder to ourselves, and to account for our many failures, we have developed what Professor Eric Berne would describe as a game that we play. There are good guys and there are bad guys. When we achieve something, the good guys have prevailed. When we have failed, the bad guys are to blame. As we have grown more sophisticated, we have admitted to the game in-between guys, who are neither good nor bad. They are the majority, but the game is the same. When we win, the fellows in the white hats have convinced the in-betweens to adopt a proper course of action. When we've failed, the villains have somehow managed to mislead us all against better advice.

It would be only an amusing pastime were it not for the fact that we play for keeps. When a national policy falters, a traitor is surely involved and we begin to hunt for him. When a relationship breaks up—as between one group of interests and another—saboteurs have been at work. When violence erupts, conspirators are at the bottom of it. The whole game is reinforced by the occasional discovery of a real traitor, a real saboteur, and true conspiracy. But the plain fact is that most of our problems involve no traitor—no conspirator, but are simply the result of common accidents and mischances of everyday events.

Now we are faced with one of the biggest accidents of our history, and true to our code of infallibility, we are spending too much time hunting down the devils who have

brought it all about. Certainly there were devils and conspirators who initiated and supported the inequalities that have surfaced in our society. And there have also been saboteurs that prevented redress. But they are irrelevant. The fundamental stakes for which we risked extinction at our founding are now involved, and we cannot afford our little game. All of us and all of our interests, if they are to come together, must come to grips with the realities of our imperfect humanity.

It was in this spirit of self-knowledge that we fixed our original intentions and our original national purposes. Our constitution and our laws, checking the tendency toward bestiality, balancing our selfish interests, guarding against the undue concentrations of power and privilege, testify to our founders' willingness to concede that human beings were lamentably human—and fallible.

As we go about the tasks we have set ourselves, can we concede less?

Closer to home, we in the life insurance business have recognized that we have embarked on a challenging course. If this partnership of purpose we are trying to forge is to have the hope of success, the challenge to our institution is specific:

That challenge is not to find the words that will encompass our intentions; we have stated them clearly, I think, and credibly. Our challenge is to convince the audiences we are reaching out for that our intentions are genuine, and to convince them so thoroughly that the bond of mutual trust we build will survive our mutual fallibilities.

For when we falter, or fall short of society's expectations, we will have done so out of the same half-selfish, but basically genuine humanity that led us to join in a communion of purpose with society in the first place.

But mere recognition of our flawed humanity will not protect the private sector from just criticism if we ultimately fail in what we have only begun to do.

The brutal truth is that we cannot afford to fail. William F. Haddad, New York civic leader, sought to make this clear to me in a conversation last month.

He observed that everyone who has tried to solve these problems of poverty and environment has lost his credibility. Government has lost it; the intellectual community and the liberal establishment who have so long championed these causes have lost it; the educational establishment has lost it.

"Business," Mr. Haddad said, "is the only area that still has some credibility left."

If Mr. Haddad is right, and I suspect that he is, then we dare not squander the belief in our ability to achieve results. And the only way to preserve it is to make good our efforts.

It is crucial at this point that we all understand what we are trying to do and why we are trying to do it. Stated very simply, businessmen have come to recognize that it is the vital interest of business to direct a substantial share of its resources—both human and material—to the economic and social redress of the people our society has passed by. It is vitally in our interest because if it is not done, then our free economic system of self-government and the principles which give that system life, may not survive our own lifetime. As I said before, we will either suppress the just aspirations of the disadvantaged and lose our fundamental principles of freedom, justice and equality, or we will reanimate those principles by living up to them.

There is no third choice.

Many people and many areas of society have tried to do this very thing in the past, and we have all had plenty of time to reflect on why they have so far failed. Certainly it is not a lack of dedication. The energies of too many good people have been devoted to this effort for too long to sustain such a view. We would, moreover, be making a terrible mistake if we were to as-

sume that past failures are simply the result of mismanagement and that businessmen have some special magic in their methods. The problem goes much deeper than methods.

It is this: We have within us in equal measures the seeds of both success and failure. The devils we have sought to blame for our defeats are part of our individual natures, for the fundamental essence of the humanity which we seek to order, is a duality of evil and good. Human progress can be measured by the number of times the higher elements of our nature have prevailed over the base and mean within us.

In order to progress again, and give effect again, to the high aspirations and noble principles we all subscribe to, we are simply going to have to subordinate our self-interests to the higher interests we hold in common with society. If we are really agreed that those aspirations and principles are worth saving, our better natures must prevail.

We did this in the chaos that followed the American Revolution, and we founded the Republic. We did this again in World War II and saved it.

Having saved it, and strengthened it, we find ourselves called upon to rise to an historic occasion that is no less perilous for all its subtlety and complexity.

What the business community is demanding of itself as an institution, and demanding of us as businessmen, is nothing more than constancy in our dedication to the higher national and social interest—and nothing less than a constant recognition that selfish and personal interests can defeat us.

In other words, we are all the sons of Adam, flawed as he was flawed. I believe these flaws have produced our crisis; but, recognizing them, we can take heart that we will successfully surmount that crisis.

#### FLAGS FOR VETERAN'S CASKET

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation to amend title 38 of the United States Code to provide the next of kin of deceased veterans a choice in the size flag provided for the casket.

Mrs. Dorothy Goodbody, a friend and constituent from San Diego, wrote me recently pointing out that presently the Veterans' Administration may provide only a 4½- by 7-foot flag. In discussions with veterans' widows, however, she discovered that, after the funeral, these flags are often packed away for years and never used again because they are too big and cumbersome to display at home on flag holidays. Mrs. Goodbody found that many widows would have much preferred a smaller 3- by 5-foot flag suitable for flying on patriotic occasions.

I was particularly impressed by this idea and think it has considerable merit. In these days of student disorders, which have included acts of desecrating our flag, the display of our national standard by patriotic Americans is especially important. What could be a more fitting tribute to the departed veteran than the display of his flag on July 4, Memorial Day, Veterans Day, and other important occasions. For this reason, I feel that the surviving family should be allowed a choice in the type flag provided for the

veteran's casket. Many will still prefer the large-size flag required to fully cover the coffin, but I believe that many others will choose the smaller, display-size flag instead. This choice of two sizes could be accomplished by a simple change in the burial flag application form and would involve only nominal expense to the Government. It would, however, provide the veteran's survivors with a personal remembrance of his service to his country and a tribute to the cause for which he fought.

I sincerely hope that favorable consideration will be given to this legislation.

#### IDAHO TOWN REDUCES RATE OF VANDALISM

### HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. HANSEN of Idaho. Mr. Speaker, I am happy to call to your attention and to the attention of my colleagues in the House of Representatives an imaginative plan to reduce the loss in the public schools resulting from vandalism. The plan was proposed by a group of high school students at Salmon, Idaho.

The students suggested that a sum of \$500 be set aside to pay for repairs to broken windows in the school with any amount that is left over to be used by the student body to purchase a gift for the school system. This self-policing system, with the active support and cooperation of the entire student body, has resulted in a dramatic reduction in loss from broken windows. Before the plan was adopted, the annual cost to repair broken windows was about \$2,000. This year's bill is about \$30, most of which is a result of windows broken by accident.

Credit for the remarkable success of this plan belongs to Tom Tingle, principal of the Salmon High School, Robert Banks, superintendent of schools, Scott Zeigler, president of the Salmon High School student body and to other members of the faculty and student body of the Salmon High School. There is a creative and constructive response to a problem that confronts every school in the Nation.

Mr. Speaker, because other schools across the country may wish to adopt a similar plan to deal with the problem of vandalism, I include as a part of my remarks a recent news item from the Washington Post describing the success at Salmon, Idaho:

#### IDAHO TOWN REDUCES RATE OF VANDALISM

SALMON, IDAHO.—Vandalism, once an expensive headache for the schools of this small central Idaho town, is a rarity these days. Officials give the credit to students and a \$500 promise.

Last school year, more than \$2000 worth of windows were broken in the Salmon school system. This year, Principal Tom Tingle says the total is about \$30 and most of that has been accidental.

"I don't know just what has happened," Tingle said, "but the plan has worked."

The plan was offered by a group of students. They told Tingle if the school board would set aside \$500 to cover window break-

age and let the student body have whatever was left to buy a gift for the school system, they thought a self-policing plan would work.

"This is proof that the students can police themselves," said Superintendent Robert Banks.

The plan was discussed at length by school officials, parent-teacher officers and many of Salmon's 3000 residents before it was presented to the school board.

Now it looks as if the school system will save a lot of money and the school may wind up with a present. Banks is delighted at the turn of events.

"With school financing such a problem," he said, "We just hated to see all that money going down the drain."

Scott Zeigler, president of the Salmon High student body, said the program has helped bring the faculty and students closer.

"This is something the kids got interested in," he said. "Last year there was a bunch in school who just seemed to want to wreck things. We seem to have that solved this year."

As for the gift, Zeigler says the students haven't decided what to do with the money yet.

A CONSUMER CREDIT CODE FOR LENDERS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PATMAN. Mr. Speaker, Consumers Union, one of the most authoritative and prestigious consumer organizations, has lent its voice to the mounting criticism of the proposed Uniform Consumer Credit Code. This code, financed over 90 percent by the credit industry, is currently the subject of a quick-sale campaign in most of our State legislatures. In fact, it is a calculated effort to strike at the vitals of the consumer awareness of the American people.

Consumers Union in an article entitled "A Consumer Credit Code for Lenders" appearing in the March 1969 issue of *Consumer Reports*, declares in emphatic terms:

We don't think any state, no matter how bad its existing credit laws, should adopt the Uniform Consumer Credit Code without extensive amendments in favor of consumers.

Such "extensive amendments in favor of consumers" are virtually impossible. This code is being sold to the State legislatures as a package deal. Its supporters, as part of their invidious scheme, claim that any amendment will destroy a carefully wrought compromise and will negate the uniformity the code is purportedly designed to bring about. The attitude of the code's supporters leaves well-meaning citizens and State legislatures no alternative but rejection.

The *Consumer Reports'* article points out that the code does contain provisions which no consumer supporter could oppose. However, when these "sugar coatings" are considered against the multitude of anticonsumer weapons expressly preserved in the code and other practices which the code, by its silence, perpetuates.

Specifically the article criticizes the

extraordinarily exorbitant interest rates in many cases as high as 36 percent, permitted in the code ignoring solid experience showing that maximum interest rates become the norm except in the single area of auto dealer financing.

The code's supporters claim that they outlaw the pernicious use of the holder-in-due-course doctrine. Consumers Union's legal consultants say that despite the beneficial appearances, the code's holder-in-due-course provisions are nothing more than a sham.

The code also expressly preserves wage garnishment. Considering the untold trouble and hardships visited upon workers by wage garnishment, the article concludes that "the only cure is to outlaw all consumer credit garnishments."

The code does nothing about the practices of forced entry into a debtor's house to repossess goods. The code preserves deficiency judgments in automobile financing which has been the subject of more sharpshooting and unscrupulous practice than any other consumer abuse. The code continues the dishonest home improvement racket by sanctioning real estate as security for home improvement debts of \$1,000 or more.

Perhaps the article's most poignant observations relate to the negative philosophy behind the code.

Consumers Union is to be commended for its well-reasoned article which is inserted in the RECORD at this point:

A CONSUMER CREDIT CODE FOR LENDERS

(NOTE.—The reform of archaic state credit laws is long overdue. But a new uniform credit code being presented to state legislatures offers precious little in the way of relief for borrowers. Indeed, it looks more like a handout to those who sell debt.)

The casual buy-now-pay-later tone of the American marketplace touches the lives not only of those who habitually use credit but also of those who cling tenaciously to old-fashioned cash buying. Lately, everyone has suffered the inflationary effects of what may well be an overdose of consumer credit. Despite such anti-inflationary stratagems as a 10 per cent increase in income-tax withholdings, and despite the highest interest rates in history, installment credit contracts continue to finance vast amounts of buying. In the second half of 1968, consumers were plunging deeper into debt at the unprecedented rate of \$800 million to \$900 million per month.

Besides contributing to inflation, easy credit and its fellow-traveler, harsh collection methods, have lately fanned the fires of discontent in the city slums. During the 1967 riots in the black ghetto of Boston's Roxbury district, a furniture store was one of the first businesses put to the torch. According to officials of the National Association for the Advancement of Colored People, the store's exorbitant credit charges were "one of the causes of the riot and burning." The trade paper *Home Furnishings Daily* warned its readers that Negro resentment against unfair merchandising practices might spark similar riots in other cities. The paper was right. The U.S. Riot Commission Report of 1968, recounting the causes of disorders, said its investigators heard grievances of Negro consumers against unfair commercial practices in 11 of 20 cities studied.

Much has been said of the way consumer credit accelerates economic growth and provides the material comforts of an affluent society. Less is said of the hardships it has caused. Overcommitments to credit merchants burden uncounted families in every income bracket. By the mid-1960s—20 years

into the post-World War II consumer credit boom—one family out of two was paying off installment debts, not counting home mortgages; one family out of four had committed one-third of its income to such debt payments, and one family out of 10 had committed 40 per cent or more of its income. In the first eight years of the present decade, personal bankruptcies nearly doubled. In those eight years, one million consumers, under unbearable pressure from creditors, went broke.

ACTION AND REACTION

Excessive credit commitments and overreaching by credit sellers and collectors must be dealt with as a serious national problem. On that point all responsible observers, including those in the credit industry, can and do agree. The problems are indeed being dealt with this year at the national and state levels.

Leading the way is a magnificent piece of legal reform, the Federal Consumer Credit Protection Act. Beginning July 1, its Truth-in-Lending provisions will require all lending institutions and credit merchants to give consumers the facts they need in order to shop intelligently for credit (see page 386 of the 1969 Buying Guide Issue.)

With passage of the Consumer Credit Protection Act, Congress for the first time established some nationwide peacetime rules of behavior for lenders and some rights for borrowers. Beyond its demands for full disclosure, the act sets an upper limit on the percentage of a wage earner's paycheck that a creditor may seize through garnishment proceedings. For the first time, too, a Federal law gives you three days to change your mind about going through with a credit contract that takes your residence as security.

Thus, Congress has entered what previously was a private preserve of the state legislatures. Contracts between borrowers and lenders have traditionally been governed by business laws at the state level. Those laws were meant to cover relationships between businessmen, who can hold up their ends of a bargain. The same credit laws have come to govern "bargaining" between consumers and lenders. But that's usually no bargaining at all—only a take-it-or-leave-it deal based on a contract drawn up by the creditor's lawyers in terms and with implications that borrowers can only dimly grasp.

An elaborate web of hundreds of state retail installment sales laws and consumer loan laws has been spun during this century, ostensibly to right the balance. However, creditors themselves designed the web, and consumers are the flies. A generation born after World War II and now forming families and households will be signing loan forms and credit sale papers by the millions in the next several years. They sorely need the protection of a more realistic set of laws—laws that may have to be imposed by Federal rather than state government. The Consumer Credit Protection Act opens the door in that direction.

INDUSTRY'S WEDGE

Ironically, the credit industry has discovered in that new Federal law an excuse for pressuring state legislatures to pass in great haste the industry's latest version of a reform law. It seems that many existing state credit laws will need amending to avoid conflicts with the Federal law. Added legislative incentive comes from a states-rights section of the Federal law; it says that states that pass their own Truth-in-Lending laws may obtain exemptions from the Federal one.

The credit industry's new reform law is called the Uniform Consumer Credit Code (UCCC). The code was promulgated at the annual meeting last year of the National Conference of Commissioners on Uniform State Laws, a nongovernment organization closely related to the American Bar Association. Seldom in the checkered annals of state

legislation has so complicated a bill been offered in the name of consumer protection.

The 127-page statute was drafted with the help of a panel of distinguished university professors of law, economics and sociology working with funds supplied mainly by the credit industry. Consumers are presumably expected to support enactment of the UCCC in the belief that it was written in their interest. As a UCCC committee staff member wrote in the *Harvard Business Review*.

Most segments of the industry appreciate the advantages of uniformity and of outlawing undesirable credit practices that are used by a minority but reflect unfavorably on the majority. Responsible consumer groups similarly recognize that the code provides a much better balance between debtors' and creditors' rights than exists in current statutes.

It is true that some responsible consumer spokesmen have, despite misgivings, endorsed the UCCC, among them the White House consumer agencies of former President Johnson. But CU and its legal consultants can find little to cheer about. *We don't think any state, no matter how bad its existing credit laws, should adopt the UCCC without extensive amendments in favor of consumers.*

The UCCC's benefits to the credit industry are plain enough:

It opens the door to anyone who wants to go into the money-lending business. No license would be required unless interest rates charged were higher than 18 per cent, and no limit would be placed on the number of above-18 per cent lenders. Retailers could sell on credit, as they do now, at high legal interest rates without need of a license—and thus without fear of losing it for misbehavior.

It standardizes credit forms. Big loan companies and store chains would be able to replace scores of different credit applications, contracts and disclosure forms with one standard form. Standardization would make life simpler for consumers, too, if the contracts and forms were fair and easy to understand. But, as we will show, they could be quite unfair.

It offers an escape from Federal enforcement of the Truth-in-Lending Act. The UCCC was designed to qualify states for exemption. From the credit industry viewpoint, most state administrators are easier to live with than those in Washington. From the consumer's-eye view, state regulation of such related industries as banking and insurance is generally inadequate.

#### RAISING THE ROOF ON INTEREST

But the part of the UCCC best calculated to appeal to lenders is its maximum interest rates. They would exceed top rates now in effect in such industrial states as New York,

Illinois and California, where credit selling abounds. Under the UCCC, maximum installment rates would be set at 36 per cent per year on the first \$300, 21 per cent on the portion of a debt from \$300 to \$1000, and 15 per cent on any portion above that.

The UCCC would also open the way for big boosts in interest on revolving charge accounts. The usual maximums now are 18 per cent (1½ per cent per month) on the first \$500 and 12 per cent (1 per cent per month) on anything above that. The new ceiling would be 24 per cent and 18 per cent on store charge accounts and 36 per cent on bank credit cards and check-credit plans. And as is now the case, interest could be charged on the balance due at the beginning of the billing period—before your payments and returns were deducted.

Illustrations of the extra finance charges people might have to pay in states adopting the UCCC appear in the following table. The figures are based on data supplied by a government credit official in Massachusetts, and the comparisons are made with that state's present maximum rates, which are typical of those in industrial states. Note the possible increase in the cost of a one-year installment loan or purchase involving \$1000 of initial credit. It could cost you \$15 more than it does now at a licensed loan company and as much as \$78 more at a new-car salesroom. Although new-car dealers might seldom avail themselves of the top rate, other lenders probably would, according to the state official.

That prediction is supported by some findings about what happened to interest rates early in 1967, when Massachusetts became the first state to require disclosure of true annual interest rates on consumer credit. All stores and credit institutions had to switch over to new contract forms and rate tables. A survey published by the Federal Reserve Bank of Boston reported that "The tendency for the maximum to become the norm was reinforced by the use of the new annual rate tables. These are prepared by commercial publishers and most orders were for maximum rate schedules, except for auto dealer financing."

#### TAKING THE LID OFF INTEREST COSTS

As if maximum finance charges under present state laws weren't high enough, the Uniform Consumer Credit Code (UCCC) would frequently raise them considerably higher. Here are some comparisons between maximum charges and rates allowed in Massachusetts and the amounts consumers might pay if Massachusetts enacted the Code. Maximum rates in Massachusetts are typical of those in populous states. Credit life insurance and other charges could add significantly to the figures shown.

[Example: \$1,000 of credit, plus interest, repaid in 12 equal monthly installments]

Credit plan	Maximum annual interest rate (percent)		Maximum finance charge		Increase under UCCC	
	Massachusetts	UCCC	Massachusetts	UCCC	Amount	Percent
Licensed small loan.....	25.5	28	\$143	\$158	\$15	11
Loan to pay insurance premium.....	25.5	28	143	158	15	11
Unlicensed small loan.....	12.0	18	66	100	34	51
2d mortgage 1.....	18.0	28	100	158	58	58
Appliances, installment purchase 2.....	16.0	28	90	158	68	75
New car, installment purchase 3.....	14.5	28	80	158	78	97

<sup>1</sup> For comparison only, since the smallest 2d mortgage loan permitted in Massachusetts is \$1,500.

<sup>2</sup> Or any other goods and services except a car.

<sup>3</sup> Of the examples shown here, new car credit is the only one in which prevailing rates usually are lower than the maximum.

You may well ask why the Uniform Consumer Credit Code seeks to raise maximum rates. To make credit easier to get? Hardly. As already noted, installment debt has been expanding at a record pace under the present rate ceilings.

The Truth-in-Lending Act, by requiring disclosure of the true annual interest rate, has the potential for sharpening price com-

petition among lenders and credit retailers. If that happens, there may in theory be no need for rate ceilings at all. There was strong sentiment in that direction among the UCCC authors. They finally decided that it would be politically unwise to remove all ceilings.

But it will take some time for consumers to learn how to shop for credit since, after all, they have never before had the chance

to learn. The competitive fruits of Truth-in-Lending will not ripen overnight. For many consumers, no amount of Truth-in-Lending would bring down credit costs. They are the poor, the uneducated, students, newly married couples and borrowers who are already overcommitted. It is an axiom that people who need credit the most are likely to pay the most for it.

Not only do the poor pay more for money, they are also caught in the net of neighborhood credit monopolies. To tighten a lucrative hold on their customers, many stores and loan companies refuse to trade information with credit bureaus. Consequently, many low-income consumers who have never missed a payment to the local furniture store or loan shop nevertheless cannot get credit elsewhere.

Raising the interest-rate ceilings may therefore be something less than satisfactory from either a political or an economic standpoint. One who thinks so is George Brun, a municipal court judge in Berkeley, Calif., and a CU board member. He wrote to the UCCC sponsors: "To give persons a right to charge 36%, plus interest\* (or finance charge), shocks at least my conscience and I do not believe that I am unduly sensitive."

#### WHO TAKES WHAT RISK?

The credit industry takes the position that the interest rates it must charge are determined, not by good conscience and morality, but by the degree of risk to which a lender's money is exposed. People with uncertain employment, low income or nonexistent credit records are poorer-than-average risks. A maximum rate of 36 per cent interest, so the argument goes, is necessary for the sake of consumers who might otherwise not be able to get credit anywhere except from loan sharks.

Merchants and lenders who choose not to exchange information with credit bureaus do not fit very well that image of a prudent taker-of-risks who judiciously weighs each borrower's worthiness. But the image is distorted anyway. That web of state laws previously mentioned, and not the lender's good judgments, is what secures many credit risks. The law in almost all states takes the plain and moral view that debtors must pay, and it backs its brand of morality with the authority of constables and courts.

Most consumer credit contracts do not result from a meeting of minds between equally well informed parties. Armies of door-to-door salesmen, car dealers and retailers are truly merchants of debt. Their goods and services are bait for the credit hook. Their sales pitch is tailored to lull the customer into total unawareness of the obligations that will flow with the ink in his signature. The special committee that drew up the Uniform Consumer Credit Code wondered, at the start of its task, whether the legal remedies given to creditors in the age before widespread consumer credit were quite fair now that "buying on time is becoming the norm and the consumer credit transaction is casual and commonplace." Judging by the results of their work, they never quite made up their mind.

The UCCC does deprive creditors of two utterly inequitable tricks of their trade. First, it outlaws confessions of judgment. A confession of judgment is a contract clause, legally acceptable in most states, in which a debtor, in effect, pleads guilty in advance to nonpayment. It's a handy item for the creditor to have when he wants a court to declare a debtor in default or to repossess collateral. Further, he can use the court's

\*The "plus" in the judge's remarks refers to the fact that in some cases the UCCC ceilings would permit up to 39 per cent interest. Tacked onto that would be credit life insurance premiums and possibly a few ill-defined credit fees.

machinery to collect without giving the debtor his day in court. Second, the UCCC bans wage assignments, in which debtor assigns to lender the right to take his wages without a court order for garnishment.

The UCCC leaves the rest of the creditor's collection methods largely intact. Three case studies taken from recent Senate hearings on credit practices in the District of Columbia illustrate some abusive practices and how they are treated in the code.

#### HOLDER IN DUE COURSE

A woman responded to a radio commercial for a 10-day-free-trial offer on a television set. When a salesman came with the set, he said she would have to pay \$25 "tax" and sign a "delivery receipt." She paid and signed. The price of the set was said to be \$195, but in less than 10 days a finance company sent a book of 24 monthly payment slips totaling \$330. The TV set broke down after one year. The woman, finding that she had already paid \$190 and suspecting the set was second-hand, stopped making payments. A court summons followed. The woman requested a hearing. She was never called to court, but some months later the finance company garnished her wages. As a consequence, her employer said she would probably be fired.

Though misled by a commercial and gulled by a salesman, the woman had no right, under the law, to stop paying. She was a victim of the holder-in-due-course doctrine. Finance companies and banks make a business of buying negotiable sales contracts. Unless you can prove that they had reason to know a contract was fraudulently obtained, holders-in-due-course are viewed by the law as innocent parties entitled to be paid. Courts do not ordinarily question the validity of credit contracts. They routinely process thousands of default judgments and garnishments each day under the holder-in-due-course doctrine.

The UCCC should have banished the holder-in-due-course doctrine from all consumer credit transactions. Indeed, it appears at first reading to do that, but CU's legal consultants say the banishment is a sham, and the doctrine would live on virtually unimpaired. For one thing, it is banned only in sales contracts, not in consumer loans; the seller may get around the ban simply enough by wearing two hats, a salesman's and a loan company's; and stores would be free to open their own loan departments. Secondly, the finance companies that bought installment contracts would be able to force payment even though the law said such contracts were not negotiable. You'd have to take up your case against the store or sales firm, and the UCCC does little to encourage attorneys to represent you. In fact, it gives the consumer no right to sue, only to defend himself against a suit for default judgment. And his only reward for a successful defense would be a release from any further payments; he would get no refund.

Finally, the UCCC gives state legislatures the option of preserving the equivalent of holder-in-due-course doctrine for credit sales, provided the consumer doesn't raise a complaint with the finance company within three months.

In short, under UCCC the woman swindled on her television set purchase would very likely have been in the same predicament. And she was probably a victim of other bad credit practices as well.

For instance, her employer received a court order for wage garnishment even though she never had her day in court. In some states, debt collectors can obtain a garnishment without first winning a judgment against the debtor. The UCCC would stop that, theoretically. But in reality most judgments are handed down automatically, because the debtor fails to appear in court. One reason many people fail to appear is that the process server threw away the court notice

instead of delivering it. That's called "sewer service," and it is a serious problem in New York City and elsewhere. The UCCC makes no attempt to protect consumers from sewer service.

Many times, too, people who do receive notice to appear in court fail to show up because they would lose a day's wages. The UCCC could have helped them by authorizing judges to award damages for such losses. But it does not.

A truly enlightened consumer credit code would banish wage garnishment altogether. Instead, the UCCC sets about the same garnishment limit as will go into effect on July 1, 1970, under the Consumer Credit Protection Act—25 per cent of a debtor's take-home pay. Several state laws with 10 or 15 per cent limits would be weakened by passage of the UCCC in its present form, as would Texas and Pennsylvania laws prohibiting garnishments entirely.

Garnishments often lead to loss of jobs and thence to personal bankruptcy. Creditors as well as debtors are hurt by the sequence. Under UCCC, therefore, the woman with the television set could not legally be fired for receiving a wage garnishment. The trouble is, many employers resent the extra payroll expenses of processing wage garnishments. They can find other reasons for firing. The only cure is to outlaw all consumer credit garnishments.

#### THE REPOSSESSED

In a second case study of overreaching credit practices, an elderly woman had paid \$35 a month for three years—more than \$1200—on a bed, a chair and a television set. With a fairly large balance still due, she begged the store to lower the size of her payments because of a family medical emergency. The store was unsympathetic and warned her that it would repossess everything if she didn't keep making full payments. As good as its word, the store several times sent men for the furniture; but when the woman saw the truck outside she refused to open her door. One day, seeing no truck, she answered a knock on her door. A man burst in and braced the door open for his helper. Together, they hauled away the bed, the chair and the TV. A neighborhood legal assistance worker later found the woman sleeping on the floor. Meantime, the store continued billing her for the unpaid balance on the furniture it had repossessed.

Forced entry for purposes of repossessing goods on grounds of default is an everyday occurrence. State laws against it have so far proved futile. The authors of the UCCC have made no attempt to deal with the problem directly. At most, a state consumer credit administrator might be able to issue a cease-and-desist order against firms that repeatedly seized goods against the wishes of the debtor. Even that remedy is not spelled out, however.

Aside from the strong-arm stuff used against the old woman, the furniture company resorted to a nasty kind of "add-on" contract. In such a contract, payments are assigned proportionally to several items financed, and none is considered paid for until all are. The UCCC would put an end to that trick by requiring assignment of payments to one thing at a time. (Congress, rather than the code authors, deserve thanks for that rule; it is derived from the Truth-in-Lending Act.)

But can a creditor take back his goods and still demand payment of the balance due? Under present laws, he is supposed to sell the repossessed goods first and credit the amount realized to the balance due. In most states, he may then get a deficiency judgment for the rest, plus expenses of repossession and sale. Unscrupulous businesses have been able to milk that process for rich profits, as in the case of the following racket, described in the 1968 annual report of the Consumer

Frauds Unit of the U.S. Attorney for the Southern District of New York:

Investigations have disclosed a pattern of sales of certain used cars at many times their original cost, followed by a cycle of repossession, repurchase of the car at a low price at auction, and further resale at many times that price to new customers. . . . The inquiry indicated that in certain cases some used car dealers know in advance that there will be a complaint regarding each and every automobile sold and that many customers will give up the car and default because they feel it cannot be made to work.

Under UCCC, sellers of cars or anything else priced over \$1000 could continue to repossess and also get deficiency judgments. They would have to be satisfied with repossession alone on less expensive goods. But they would be allowed to keep all the proceeds of resale, even if, as was very likely true in the old woman's case, resale brought in more than the balance due. A fair credit law would, in our judgment, give creditors the alternatives of either repossession or a court judgment against a defaulting debtor, but not both. Such a law would insist further on a fair and open sale of any repossessed goods; it would give the defaulted debtor a refund if the repossessed goods sold for more than the unpaid balance due on them.

#### LAND GRABBING

The last case history is that of a home owner and his troubles with one of those home-improvement salesmen whose practice is to follow, buzzard-like, on the heels of city building inspectors. The victim, who owned his house for 20 years, fell for the salesman's line and signed up for \$3000 worth of repairs. He signed a number of mysterious papers, one of which was a deed of trust putting up his property as security. Later, a bank sent him a payment schedule totaling \$5250.

Finally realizing his mistake, he decided not to go through with the deal. But although no work was ever done on his house, the bank threatened to foreclose. Furthermore, the homeowner learned that a neighbor had lost her house under similar circumstances. He therefore borrowed \$400 to make up back payments. He wound up paying more than \$100 a month for nothing.

No one knows how many houses have been lost to the home-improvement racket, with its redoubtable sellers of aluminum siding, patios, water softener, furnaces, central vacuum-cleaning systems, intercoms and anything else attachable to a house.

The number is certainly large. For according to the executive vice president of a finance company specializing in home improvement "paper," his firm usually has an inventory of about 300 houses throughout the country as a result of quitclaims and foreclosures. He estimated a foreclosure rate of 1 to 2 per cent.

The UCCC would perpetuate the whole reprehensible process. It specifically sanctions taking real estate as security for home-improvement debts of \$1000 or more.

#### MISSING: THE RIGHT PHILOSOPHY

In far more ways than can be recited here (see box on page 125, not printed in Record), the Uniform Consumers Credit Code seems dedicated to perpetuating current unhealthy practices. This influence of the credit industry comes through in section after section.

Missing, in letter and spirit, is a proper legislative regard for economic incentives. If deprived of most of the forces of law now operating for him, the lender would truly have to rely on his prudent judgment. And the borrower would have to protect his reputation as a reliable risk. The proposition was well stated a few years ago by some experts on consumer credit:

More and more in our modern society credit is essential for the wage earner to obtain his share of goods and services. Credit

grantors, relying on credit information, can refuse credit to debtors who have not paid their debts. The emergence of electronic data processing equipment makes it even more likely that in the future rather complete information will be available to an inquiring credit grantor. The . . . debtor's fear of getting a bad credit rating may be one of the strongest collection remedies the creditor has—far surpassing his ability to deduct a few dollars from his debtor's paycheck. . . . A lack of self-restraint, coupled with aggressive selling by credit grantors . . . has led many to buy more than they can afford. . . . It may be that one answer is to force creditors to exercise self-restraint in the granting of credit.

Those words come not from outsiders—they come from a staff memorandum to the drafters of the Uniform Consumer Credit Code. As long ago as 1965, the code-drafting committee reported, "Our present thinking is that harsh collection laws may result in damage not only to debtors but also to the consumer credit industry and to society as a whole."

Perhaps if those same men were allowed to return to their task, unhindered this time by pressure from the credit industry, they would draft a law in harmony with their own thinking.

It might prove a very good law indeed.

#### SOURCES OF FURTHER INFORMATION

Leaders of consumer groups, public-interest lawyers and private citizens wishing to speak out on the Uniform Consumer Credit Code when it comes before their state legislatures will need much more detailed information than can be fitted into one magazine article.

A useful package of source materials and articles pro and con, called "A Critique of the Uniform Consumer Credit Code," has been made available. It consists of 300 pages of consumer-oriented commentary, plus copies of the UCCC; the Federal Consumer Credit Protection Act, including the Truth-in-Lending Act and its regulations; "Legislative Controls as a Response to Consumer-Credit Problems," by Barbara Curran, a noted student of state credit laws; and, in limited numbers, the March 1968 issue of the *Columbia Law Review*, 132 pages of which were devoted to the UCCC. The package is being offered for \$15 by the Consumer Research Foundation, Box 9034, Berkeley, Calif. 94709.

Also available in at least limited quantities is a close analysis of the UCCC prepared by the Consumer Affairs Advisory Council of New York City. Write to the Department of Consumer Affairs of the City of New York, 80 Lafayette St., New York, N.Y. 10013.

For copies of the UCCC itself and a summary booklet, write to its sponsor, the National Conference of Commissioners on Uniform State Laws, 1155 East 60th Street, Chicago, Ill. 60637.

Meanwhile, a task force of lawyers is preparing a critique under sponsorship of the Consumer Federation of America; furthermore, a thoroughly amended and consumer-oriented version of the UCCC (by Professor William F. Willier of the Boston College Law School) has been prepared for the Massachusetts Consumers' Council but has not yet been published. When and if those and other items become available, information on how to obtain them will be published in Consumer Reports.

#### CONGRESSMAN'S VACATION

### HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. McEWEN, Mr. Speaker, I would like to share with my colleagues a letter

written by a woman who understands the Congressman's life better than anyone else in the world—his wife. The February 27, 1969, issue of the *Washington Post*, carried a letter to the editor written by Gretchen Quie, wife of the distinguished Representative from Minnesota, ALBERT H. QUIE. Because her words so adequately describe what so many congressional wives feel, I am pleased to share them with you:

#### CONGRESSMAN'S "VACATION"

A UPI article in the *Washington Post* of Feb. 17 stated that Congress has returned "fresh from ten days of vacation." This implies to many people a trip to a Southern clime or just lolling around the house. My husband is a Congressman from a Northern state where the snow is four feet deep. He spent the ten-day "recess," as it is correctly named, with his constituents and I would wager a greater majority of the Congress follows this pattern rather than what the press would gleefully like to imply. While gone from Washington Feb. 6 to 16 he traveled 600 miles around his 12-county district, driving a rented or borrowed car himself. He held office hours in five locations for people who have problems with the Government. He made at least 15 speeches to service clubs, political meetings, high schools and farm groups.

Certainly the UPI is not so naive as to think that the only "work" a Representative does is in Washington. His work in his district with constituents is quite as important as that of legislating here.

In days of yesteryear the Congress met for about five months. This is no longer true; they meet for the greater part of 10 months a year. That means that if they are going to keep in touch with their district they must make the recesses count, and most of them do. The recesses at Lincoln's Birthday, Easter, Fourth of July, etc., are generally not a vacation time.

GRETCHEN QUIE.

SILVER SPRING.

#### SILVER AND GOLD IN THE FUTURE

### HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. McCLURE, Mr. Speaker, last month Phil Lindstrom of the Hecla Mining Co. delivered an important speech to the Canadian Institute of Mining and Metallurgy. Although he spoke in Vancouver, his message was clearly earmarked for Washington.

Mr. Lindstrom makes quite a devastating analysis of gold and silver policy. For instance, he recalls that Mexico made a profit of \$40 million on silver purchased from the United States to mint an Olympic commemorative medal and says:

The U.S. Treasury would do well to reserve silver and sell it at \$3.38 per ounce in the Kennedy half dollar instead of current sales in a restricted market at about \$1.80 per ounce.

By reserving silver salvaged from 90% silver coins for minting of the half dollars, an additional profit of \$1.58 per ounce on 191 million ounces would total about \$302 million.

Think of it. Mexico—one of the world's leading silver producing countries—made \$40 million from our silver at the same time that the Treasury itself was selling the metal domestically at below-market prices.

Now the Government's silver stocks are

beginning to dwindle. Evaporate might be a better word. Looking at the Treasury's prediction on how much longer it can maintain the weekly GSA sales made in September and comparing it with a similar prediction in January, you will find that 7 months of sales have vanished into the air. By now, several more months of predicted sales may have disappeared as well.

Once the silver market is out from under Treasury influence, the gap between supply and demand will close, as Mr. Lindstrom predicts. It may well be a violent time for the market.

How much better if the weekly silver sales were to be gradually phased out to ensure that the transition is an orderly one.

How much better if some of this silver were to be put back for future governmental needs.

How much better it would be if the United States made the big profit from its silver holdings rather than letting a few preferred customers do so.

There is still time for the Treasury Department to get silver policy back on the right track. A good way to start would be to make Phil Lindstrom's speech required reading down there. In the hope that someone in the Department reads the CONGRESSIONAL RECORD, I herewith insert Mr. Lindstrom's speech in its entirety:

#### SILVER AND GOLD IN THE FUTURE

(Delivered by Philip Lindstrom of Hecla Mining Co., February 13, 1969, before the Canadian Institute of Mining and Metallurgy at Vancouver, B.C.)

Mr. Chairman, members of the CIM, and guests: Greetings from Idaho! Our state is known as the land of the potato and I have noted that the menus in Montreal feature Idaho potatoes.

However, we produce silver even more significantly. About half of the U.S. production comes from the Coeur d'Alene Mining District in North Idaho where the veins persist to unusual depths.

Mr. Fred Stephens, when asking me to speak here, questioned the subject-title. He said, "Shouldn't you mention gold first?" I said that silver came first in the song of Idaho. Here are the first four lines:

"And here we have Idaho,  
winning her way to fame;  
Silver and gold in the sunlight blaze,  
and romane lies in her name."

Furthermore, 59% of my company's 1968 sales income from metals in concentrates was from silver, and only 11% came from gold.

These precious metals, which have caught the minds of men as money for over 6,000 years, still stand as a store of value and a means of its exchange. In other words, gold and silver are real money of intrinsic value and independent of promises as is authoritarian or fiat money.

#### GOLD RELATED TO SILVER

First, let me discuss gold because silver is related to it in so many ways. The traditional 16-to-1 value ratio varies, and is currently 21 to 1 with gold selling at \$42 per ounce and silver selling at about \$2 per ounce.

Values are always relative and money is related to gold such as the U.S. dollar which is worth 1/35 troy ounce of fine gold.

On an avoirdupois pound basis, \$42 gold is worth \$612 and \$2 silver is worth \$29.17.

A change in the price of either metal will eventually affect the price of the other metal. Remember this when you are considering the future. For instance, the world treasuries were selling gold recently for \$35,

which is a bargain price. What else can you buy at a 1934 depression price?

#### THE FREE WORLD MONETARY SYSTEM

The foundations for the present world monetary system were established by the United Nations Monetary and Financial Conference at Bretton Woods, New Hampshire, in July 1944. The cornerstone was, and still is, gold.

The final settlement of our credit system depends on gold.

Why are the news media giving so much attention to the gold and monetary situation? Because the major reserve currencies are in a period of crisis. There has been a loss of confidence which can only be restored when a nation balances its budget, pays its debts, and maintains a favorable trade balance.

Starting with the 14% devaluation of the pound from \$2.80 to \$2.40 in November, 1967, we have gone from crisis to crisis. If 1969 is similar to 1968, and the real inventory of U.S. gold reaches 4 to 5 billion dollars, there may be no alternative but to stop the run on the bank.

The word treasury has a high meaning—a place where value is stored. The two noble metals are precious and rare and have a rightful place in a treasury. Those in trust have seen fit to sell, at low prices, the U.S. Treasury's assets.

I would not condemn those from abroad who place a call on U.S. gold and silver. After all, who printed and gave them the paper promise? Something of value was usually gained in exchange.

If President Nixon does not take fundamental economic action, including revaluation of gold, we will find the rest of the world doing it for the U.S.A.

The revaluation of gold is now occurring under the two-tier system which was set up last March when the gold pool ceased. The free market gold price since has increased about 20%, while monetary gold remains at \$35 per fine troy ounce.

If the fiscal and other changes introduced by Germany and France two months ago are inadequate, a substantial franc devaluation will likely result, bringing pressure on sterling and the dollar.

Only a little more time was bought by the two-tier system. Even though South Africa has a recent unfavorable trade balance, the gold in its hands represents good bonding or borrowing power.

In such times, a world banker sleeps better with gold in his vaults rather than paper.

The rapid international movement of money can make any currency vulnerable.

The foreign purchase of \$7.7 billion of U.S. securities in U.S. markets last year can just as quickly be sold and result in a very unfavorable balance of payments.

#### GOLD IN THE FUTURE

The future, of course, will relate to supply, demand and price. Let us review a few of the factors and perhaps you will reach the same conclusion on gold that I do.

We had forewarning of today's tight gold situation when, starting in 1965, no gold entered the banking system. All 41 million ounces of gold mined in each of the last 4 years in the Free World went into private holdings. Russia last sold 16 million ounces of gold to the world in 1965.

#### GOLD PRODUCTION—1968

Estimated world gold production in 1968, including about 6.1 million ounces in communist countries, was about 46.5 million ounces. South African production was 31.2 million ounces, Canada produced 2.5 million ounces, 1.5 million ounces were mined in the United States and 5.2 million ounces were mined elsewhere.

#### GOLD CONSUMPTION IN THE FREE WORLD

Net consumption in industry and the arts in 1967 was 17 million ounces or 41% of pro-

duction. There has been a 12% compound growth, or a doubling, from the 8.5 million ounces used in 1961.

Total non-monetary absorption was almost 82 million ounces or about double the 43 million ounces that were absorbed outside of the Free World's banking systems in 1966.

#### TOTAL WORLD STOCKS—1968 YEAR-END

To put the gold picture in perspective, it may be helpful to remember that U.S. government reserves at 1968 year-end were 296 million ounces of which about 132 million ounces are obligated or on call as ounces of metal.

Other known Free World government reserves were 930 million ounces. If coins in use and hoarded, amounting to 2,770 million ounces, are added, we have a total Free World stock of 4,000 million ounces.

#### GOLD AND MONETARY HIGHLIGHTS IN 1968

(See Chart No. 1, London Gold Price by Mocatta & Goldsmid Ltd.) [Not printed in RECORD.]

(1) The heavy gold loss during the last two months of 1967, following the devaluation of the sterling on November 18, caused President Johnson to announce, on January 1, 1968, a five-point plan to reduce the U.S. balance of payments deficit.

(2) The 25% gold cover was barely removed by a slim-margin House vote on February 21 of 199 to 190 and by a Senate vote on March 14 of 39 to 37. The debate covered more than 100 pages in the "CONGRESSIONAL RECORD".

(3) Private demand for gold on the London market exceeded all records and reached a peak on March 14 at which time gold pool sales ceased. An estimated \$3.5 billion passed into private hands in the previous 18 months.

A big day for gold was March 15, 1968 when the London gold market closed for two weeks. The gold price increased on the following Monday, March 18, under the two-tier system. The U.S. Treasury allowed domestic producers and licensed consumers to seek their own gold market. Treasury announced that U.S. gold transactions would be only with the six central banks. The free price of gold increased to \$45 and backed off to \$38 by the end of March.

(4) Labor strikes and student unrest in France during May changed the status of the franc from one of the strongest currencies in Europe to one of the weakest. The French Government re-imposed exchange control regulations which caused a higher-priced French gold market that exists to this day.

Considerable concern by French citizens developed about devaluation of the franc and because the French market was insulated from the world market, the gold could not be supplied freely to nervous holders of francs. Therefore, the French gold price went up in classical manner.

World concern developed over a French devaluation and damage to the whole international monetary system resulted and a \$1.5 billion credit was extended to France by other nations.

(5) The Russian invasion of Czechoslovakia in August caused a gold price rise from about \$39 to \$40.

(6) The coming annual meeting of the International Monetary Fund in September and increased discussion of gold in the financial press helped cause a 50-cent gold price increase. This was followed by a \$1.50 drop to \$39 in October.

(7) The third major monetary crisis of 1968 occurred in November when there was a massive flow of capital from France to West Germany. The people determined that the French franc was overvalued in world markets and the Deutsche Mark was undervalued.

The foreign exchange markets were closed from November 20 to 22 while the Finance Ministers of the Group of Ten held an emergency meeting in Bonn.

President de Gaulle would not devalue and West Germany would not revalue the official parity. The United Kingdom and France announced austerity measures, while West Germany agreed to tax exporters and subsidize imports.

(8) In December, the future Secretary of the Treasury, David Kennedy, said in complete honesty, and with refreshing candor, that he wanted "to keep all the options open in regard to gold." Later, when in office, he said, "We won't seek an answer to our problems by a change in the monetary price of gold. We see no need or reason for such action."

President Nixon, in a perfectly honest and open statement, said that he sees no need to change the price of gold. He, too, still has every option open.

#### U.S. TREASURY GOLD STOCKS

The latest week reported was \$10,367 billion as compared to \$11,954 billion a year ago. This \$1.6 billion or 13% loss in one year may be compared to an average loss of \$1 billion per year for the last 12 years. U.S. gold stocks were at a peak of \$24.7 billion on September 21, 1949 or about 75% of the Free World total.

Douglas Johnston, when speaking in Spokane at the Northwest Mining Association meeting last December, said that \$4.6 billion of the 10.4 billion Treasury gold was obligated to cover Roosa Bonds, gold borrowed from the International Monetary Fund, and other foreign currency loans for ounces of metal. Therefore, the net gold holding of the U.S. Treasury is about \$5.8 billion.

Another run on gold like the one following October, 1967, which continued into 1968, may cause a revaluation of gold in relation to world currencies. U.S. holdings dropped \$1.36 billion in the first 2½ months of 1968.

After another similar run or two, Treasury may stop selling gold just as was done when massive runs were made on silver in May 1967.

#### SOUTH AFRICAN GOLD

South African 1968 production of 31.2 million ounces was 67% of total world production.

Total foreign exchange and gold in South Africa's reserve banks was \$1.24 billion at the beginning of 1968 as compared to about \$450 million in June, 1967.

South Africa can borrow or issue gold bonds if gold accumulates. They may sell gold into another run and thus trim the losses of gold from the monetary system.

#### FORECAST FOR GOLD

Demand will continue for gold. The trend for increasing price is up. Fluctuations will come with balance of payment problems, the rate money is printed, and the resulting confidence in currency, South African and Russian sales, and increasing monetization of gold by individuals.

Special drawing rights are only a supplement to existing reserve assets. Gold will continue to play a major role in the international monetary system.

My prognosis is more of the same series of monetary crises, a break in the two-tier system, and a price of \$70 or more.

#### SILVER: A DUAL PURPOSE METAL

Now, let's turn to silver whose future, too, depends on supply, demand and price. Economics will prevail even though affected by politics.

Can you think of another metal other than silver where about twice as much is being used as is mined?

Not only is silver peerless for many uses, but people are increasing their inventory for several reasons. While governments are demonetizing silver, the people are effectively monetizing it.

I need not mention the outstanding tech-

nical qualities of silver to the engineers and geologists here.

#### TREASURY SILVER SUPPLY

The biggest single supplier of hoarded silver is again the U.S. Treasury. On January 24, 1969, a Treasury Department spokesman said that there is sufficient bullion and pre-1965 90% silver coins on hand to continue selling silver at 2 million ounces per week for 22 months, indicating 191 million ounces available.

This latest estimate is 7 months sooner than the Treasury estimate made on September 9, 1968. During the last 6 months of 1968, a net 30.2 million ounces of silver in 90%-silver pre-1965 dimes and quarters were released to the public by Treasury and the Federal Reserve Banks.

#### SILVER MONEY

Monetary use is diminishing but perhaps more nations will perceive the importance of providing money of intrinsic value.

Last year, Mexico minted 30 million 25-peso Olympic commemorative 720-fine coins, each containing 1/2 ounce of silver, and the coin is equivalent to \$2.00 U.S. Therefore, Mexico effectively monetized silver at \$4.00 and made a profit of \$40 million on silver purchased from the U.S.A. at \$1.29 per ounce!

The U.S. Treasury would do well to reserve silver and sell it at \$3.38 per ounce in the Kennedy half dollar instead of current sales in a restricted market at about \$1.80 per ounce.

By reserving silver salvaged from 90% silver coins for minting of the half dollars, an additional profit of \$1.58 per ounce on 191 million ounces would total about \$302 million. If the people want this beautiful coin, as they have so demonstrated, why shouldn't they have it? I can think of no broader benefit and appropriate use. If the half dollar was made of base metal instead of silver, of course it would not have such beauty and would not sell in large quantity!

#### SILVER SUPPLY FROM THE FAR EAST

No one knows how much and at what price silver will be forthcoming from India and the Orient. During the first 11 months of 1968, 40 million ounces of smuggled unrefined silver was shipped from Dubai in the Arabian Trucial States to the United Kingdom.

The people of the Far East were willing to sell about 64 million ounces of silver through illegal channels last year. They traded their silver for gold. They may not be sophisticated enough to understand paper money. If you want a jolt—try passing a Canadian paper dollar to a shopkeeper in India! The outflow of silver from India will decrease as the price of gold rises.

Another consideration is the artistic, sentimental and religious value of silver articles in India and elsewhere. In our country, a \$10 sterling teaspoon contains about \$2.00 worth of silver. Therefore, do not consider such articles as a silver source. The silver contained in articles of personal value will not be released readily. Variables such as the price of gold and the magnitude of the monsoons are also factors.

#### SILVER COIN SALVAGE

Silver coins will be a very significant source of silver, but the people are rapidly collecting them. They will not release the silver as readily as will governments. The 12 billion silver coins in the U.S.A. represent only 60 coins per person and many of these will not be available at double and triple the current silver price.

#### NEW SILVER FROM MINES

Total 1968 Free World new production was about 238 million ounces, which if compared to 40.4 million ounces of Free World gold production, indicates that silver is 6 times as abundant as gold and should be worth about one-sixth of \$42 or \$7 per ounce. There is a fallacy in this reasoning, but I can dream!

The average \$2.14 price in 1968 has not been enough for mine production to close the supply-demand gap because the supply from the U.S. Treasury, India and elsewhere has been adequate.

Graph No. 2, furnished by Mocatta & Goldsmid, shows the London Bullion Merchant price in pence, which is the same as U.S. cents per fine ounce. You will note the down-trending silver price since August in contrast to the Graph No. 1 showing a rising gold price where supply was restricted.

There will be plenty of silver to supply industrial and monetary needs if the price is adequate.

Over 2/3 of the world's silver is mined as a by-product of copper, lead and zinc mining, so production is inelastic. Most silver deposits are shallow. The deep silver veins of the Coeur d'Alenes in Idaho are matched nowhere else in the world.

Much higher prices will be required to increase enough exploration effort, and even then there will be no assurance of discovery sufficient to meet the demand. The easy-to-find deposits have been mined. The rapid increase in mining costs will force a higher silver price after the weak silver owners are separated from their holdings.

As the price increases, mass mining of low-grade deposits will be possible, such as at ASARCO's properties in California and Arizona.

Many mines will produce less silver per year at higher prices because lower-grade ore will be mined and the life of the mine will be extended for more recovery and greater profit.

#### SILVER DEMAND

According to the U.S. Bureau of Mines, 1968 consumption as published by Handy & Harman was as follows:

Use	Ounces (millions)	Percent of total
Photography.....	42	29
Electrical and electronic products.....	33	23
Sterling ware.....	26	18
Brazing alloys.....	16	11
Electroplated ware.....	15	10
Jewelry.....	4	3
Miscellaneous.....	9	6
Total.....	145	100

The value of silver is about 1 1/2 to 3% of the cost of movie film. You can see that this use is inelastic or little affected by price. Likewise, such small quantities are used in many electrical applications that price is a small percentage of the total cost.

As the price increases, silver will be allocated to the best monetary and industrial uses.

Silver is the poor man's metal and is an alternative for the Americans and British who are forbidden to hold gold except in unusual forms. Silver's small bulk and buryability allows it to be secreted beyond the eyes of those who tax and confiscate wealth, whether it be by theft, deflation or inflation.

Developing technology is expanding silver's use but higher prices will force use of alternatives.

#### CONCLUSION

When the silver market is freed by cessation of Treasury sales, price will be the relentless disciplinarian and referee between supply and demand.

The crux of the situation is the fact that both mining supply and industrial demand, in large degree, are inelastic or little effected by price change.

We can expect to see a rising trend in the silver price with considerable volatility until the gap between supply and demand is eliminated. When gold rises to \$70 or more, \$5 silver will not be an unreasonable price based on historical ratios.

THE 75TH ANNIVERSARY OF THE BELLE VISTA UNITED METHODIST CHURCH OF CLIFTON, N.J.

### HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. JOELSON. Mr. Speaker, in these days of rapid change for the sake of change itself, it is gratifying to know that there are still Americans who are eager to maintain meaningful traditions. I am pleased to insert an article from the Paterson News of March 4, 1969, concerning the 75th anniversary of the Belle Vista United Methodist Church of Clifton, N.J.

I congratulate all those connected with the Belle Vista United Methodist Church, and hope that they will continue to derive inspiration from it for many years to come.

The article follows:

THE BELLE VISTA UNITED METHODIST CHURCH CELEBRATES 75TH ANNIVERSARY

(By Nell Kanzaki)

CLIFTON.—The Belle Vista United Methodist Church will mark its 75th anniversary on March 18. In celebration of the occasion a month-long program is planned, including a special service on Sunday, March 16, at 11 a.m.

The Rev. Milton B. Coleman, pastor, will lead the worship service at which many old members will be honored. The Methodist Youth Fellowship will be in charge of a social hour following the service.

Other anniversary events will include a family movie night this Saturday sponsored by the Women's Society of Christian Service; Mission program and hymn sing on Friday, March 14; a memory night on Saturday, March 22, sponsored by the Adult Fellowship; and climaxed by a buffet supper in Mountain-side Inn on Thursday, March 27.

Special guests will include two former pastors, the Rev. Forest M. Fuess, 1940-1944, present pastor of Westwood United Methodist Church and a former district superintendent, the Rev. Dean A. Lanning, 1956-1960, present pastor of the Mountain View United Methodist Church, Wayne, and the present district superintendent, the Rev. Julius Brasher.

According to church records Albion Place 75 years ago was "an isolated farm community with no public transportation and no churches." The only regular religious services were Sunday School classes conducted in the local school house, under the sponsorship of the Presbyterian Board of Paterson.

In 1893, John W. Barrett, with the support of the Rev. R. K. Boyd, then pastor of Simpson Methodist Church, Paterson, gathered a group of persons interested in forming a church and elected its first trustees. After much planning the church was incorporated the following year on March 18. A church building was constructed the same way, with a locomotive bell donated by the Lackawanna Railroad for a church bell. Mr. Boyd became its first pastor. Forty members were on the church roll at the end of the first year.

#### OLDEST MEMBER

Mrs. Charles Seabert, oldest living member of the church, was a Sunday School pupil at the time of the groundbreaking. Daughter of Mr. Barrett, she served as organist from 1908 to 1948. Mrs. Seabert, now 94, is a resident of a Parsippany nursing home.

The origin of the church's name is related by Dr. George Watson, pastor from 1901-1903, as follows:

"When Mr. Barrett called at Lambert Castle

to ask for financial support for the church, he found Catholina Lambert perplexed as to whether he should help this church or respond to other appeals. He finally asked his wife to decide.

"Mrs. Lambert, a practical and wise woman, promptly answered with the familiar saying, 'First come, first served,' whereupon Lambert wrote out a check for \$250 and presented it to Mr. Barrett.

"Since Mrs. Lambert had so decisively influenced her husband in giving such a substantial aid to the church, the trustees suggested that her name, Belle, be included in the name of the new church.

"No one knows who suggested the name 'Belle Vista,' but Belle, as every girl who bears that name knows means beautiful, and 'vista,' a word of Italian origin, means view.

BEAUTIFUL VIEW

"So the little church built on the side of Garret Mountain was soon to be known as 'the church with the beautiful view.'"

Mr. and Mrs. John Alt of 12 Mount Washington Drive, who will mark their 60th wedding anniversary on May 12, were the first couple to be married in the church in 1909. As a member of the Ladies Aid Society, the forerunner of the present WSCS, Mrs. Alt did much to assist with the church suppers which helped to pay off the church mortgage.

Electric lights were installed in the church in 1915 and a parsonage was added in 1924 "an incentive for the young student pastor, the Rev. George Kirk, who was planning to marry, to remain longer."

During the growth of the church the Young Adult and Adult Fellowships were organized, as well as youth groups, including Boy and Girl Scout troops.

Church expansion again took place in 1963 when ground-breaking was held for a new educational building. The \$60,000 addition which serves as a Sunday School and Fellowship Hall was completed in May 1964.

Committee members for the anniversary celebration include Mrs. Arthur Smith, chairman, assisted by Michael Bychek, Ray Farley, John Murdock, Mrs. Ellen Cluff, Miss Mary Ann Knotts, Mrs. John Lengler and Mrs. Myrtle Petty.

LEGISLATIVE REORGANIZATION ACT SHOULD BE ENACTED

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BROTZMAN. Mr. Speaker, I am today joining in introduction of the Legislative Reorganization Act of 1969.

Last year I supported an earlier draft of the bill which is being introduced in this body today, and my conviction remains unabated that the Congress is, if anything, taking serious note of the need for multiple reforms at least a decade late.

I am not in complete agreement with the total package included in this bill, which initially was introduced in the 91st Congress by our distinguished colleague from Illinois (Mr. RUMSFELD). I will express my reservations herein. But I want to go on record as stating that this bill should—as a duty to the American people—be brought up for hearings as soon as possible.

Furthermore, I believe that a somewhat modified version should be enacted before this 91st Congress is concluded.

What we will be doing, Mr. Speaker, is

simply updating the structure and procedures of this body to a level commensurate with our responsibilities as delineated by the Constitution.

Over the past few decades the executive branch of the Federal Government has encroached upon the historic powers of the legislative branch—powers which, in my opinion, were vested with Congress as a necessary part of the checks and balances which keep this great Government in the service of its people—and not the people in the service of the Government.

And in all candor, Mr. Speaker, this has occurred primarily because we have failed to keep pace with changing times. It is well and good to criticize the executive branch for its ever-expanding powers, but on the other hand I believe it can be demonstrated that, in many instances, it is a case of one branch of the Federal Government simply occupying a vacuum created by the failure of another branch to modernize itself.

I might add that it is evident that the American people do not hold Congress in particularly high esteem. And I believe that, to a large measure, this loss of prestige is attributable to the same fact: that we have not kept our House in good repair. The people who as a body have an uncanny sixth sense about what their Government is and is not doing, have made judgments about the role of Congress in a modern society, and those judgments have been unfavorable more often than not.

Passage of the Legislative Reorganization Act of 1969 will go a long way toward restoring the esteem of the American people. More importantly, it will enable us to do a better job for the Nation.

As I indicated earlier, there are several points—in the act as now constituted—all of them relatively minor—which I believe need to be examined particularly carefully during hearings and debate.

First, I am not sure that the establishment of an Office of Placement and Office Management, as provided for under title IV of the proposed act, is fully justified. While Members would not be obligated to avail themselves of the services of this Office, nonetheless I consider it likely that this Office would grow increasingly more expensive and bureaucratic.

Second, I would regard removal of service academy appointments totally from the province of Congress as unwise. Personally, I handle my nominations on a merit system, but I also believe that the subjective judgments which I make along the way result in a greater percentage of career officers than would be the case in a national merit system, as proposed in title IV.

And third, while I am in accord with the provisions for maintaining a tighter control over the activities of lobbyists, I disagree with the transfer of administration of the Lobbying Act from the Clerk of the House and the Secretary of the Senate to the Comptroller General. I take the position that the General Accounting Office should continue to be the watchdog of Congress—and such administrative functions would represent not only a possible but a probable conflict with the auditing functions of the GAO.

However, as I indicated earlier, my res-

ervations are few in number in the total context of this act. Hence, I am proud to join as a sponsor.

AMERICAN LEGION—HISTORY COMES FULL CYCLE

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DANIEL of Virginia. Mr. Speaker, It was my honor to represent the American Legion as national commander in 1956-57. I am proud of the contribution made by this organization to a better America.

John Edgar Hoover said that had it not been for the American Legion, subversive forces from within would have destroyed this country while the flower of her youth was fighting for its preservation on foreign battlefields.

I am proud of the system of Veterans' Administration hospitals that ring our land for which the Legion takes a great deal of credit. I am proud of our sponsorship of the GI bill of rights, a law which has done more to encourage home building, to stimulate interest in education and educational training than all other laws combined ever passed by the Congress.

I am proud that we have unremittingly supported and defended that immortal document known as the Constitution—the greatest document ever devised by man for the governing of himself—along with its bill of rights which builds fences around individual liberties that governments may wish to take away.

I am proud of our youth programs designed to instill into our leaders of tomorrow a sense of appreciation of the rich heritage that they enjoy under our representative form of government.

I am proud that we have consistently remained public enemies No. 1 on the list of the Kremlin because of our relentless fight against atheistic communism and, yes, that we are sponsoring a religious interest program designed to bring all of our people closer to the Creator who has blessed us so bountifully.

Mr. Speaker, I insert an article honoring the American Legion on its 50th anniversary written by Mr. Hallis Hull: FIFTIETH ANNIVERSARY OF THE AMERICAN LEGION

(By Hallis Hull)

In this golden anniversary year for The American Legion, history has come full cycle for the world's largest veterans organization.

When the officers and men of World War I while still in uniform gathered in Paris, France, to form the Legion, one of the major problems was how the returning veteran was to be reabsorbed into civilian life.

Now a half-century later this same problem is still a major concern of the Legion and it is working with and for a new generation of veterans.

Currently approximately 70,000 veterans of the Vietnam war are melting back into civilian life each month. This is a considerable number but not a large enough number to have the massive impact on society as the four-million-plus of World War I and the 12-million of World War II.

But the Legion feels that it is most impor-

tant that these men and women of this new generation of veterans are properly adjusted and brought again into the main stream of our society.

To insure a smooth transition to civilian life and to offer some well-deserved public recognition to these new veterans, the Legion is involved in a nationwide program of contact and service with these former servicemen.

Names and addresses of returning veterans are provided by the Veterans Administration. They are processed by computer at Legion National Headquarters and sent to the appropriate officers of Legion Posts, districts and departments across the country.

Local Legionnaires are asked to immediately contact recent separatees, to welcome them home and to offer them whatever help that is needed in their readjustment to civilian life.

Veterans' rehabilitation has been a foundation stone of The American Legion. Here this well-known and well-organized rehabilitation effort from the national to the local level comes into full play. The local Post service officer is a key factor in the effort.

The Legion's rehabilitation help in the local community may take many forms, and can include help with getting the new veteran medical attention, help with getting into school or help with getting a job.

To give impetus and strength to this humane effort, the Legion National Organization has given special up-to-the-minute training to a group of Legion professional staff members. They are now working with Legion volunteers in various sections of the country to make this effort count strongly for the benefit of the new veteran and our society.

Important as this new veterans' rehabilitation program is, it is not the only major effort in which The American Legion finds itself deeply involved and committed on this 50th anniversary year.

In the great tradition of volunteer organizations and their work for bettering our nation and society, the Legion makes its strength and organizational know-how felt in another area important to America. This is service to youth.

The American Legion Baseball Program is well known as having been the training ground for such greats of the game as Yogi Berra, Stan Musial, Jackie Robinson and Ted Williams.

But even more important, is the continuing good for America that comes from this program aimed at producing and training sound American manhood through learning the rules of good sportsmanship and citizenship in a competitive sports program. When "play ball!" is sounded this spring, a quarter-million boys playing on some 4,000 certified teams will vie for the honor of playing in The American Legion World Series.

Before totaling the Legion's work with youth, add to the effort such programs as Boys State and Boys Nation, where young high schoolers learn the elements of government by actual participation in its functions. Here they also learn the responsibilities as well as the rights that come to citizens in a government of law within a free society.

The Legion also is active in youth work through such other programs as the National High School Oratorical Contest, Boy Scouting and its uniformed groups. In the latter activity, an estimated half-million boys and girls are culturally involved by the Legion in bands and drum corps.

The Legion during this golden anniversary expects to rack up another record year of expenditures on behalf of the nation's children and youth.

Expenditures being made by the Legion, its Auxiliary and the Eight and Forty for child welfare work for the year ending next May 31 are expected to exceed the previous year's total of more than \$9.5-million. With last year's record figure, the Legion and affiliated organizations have expended a total

of more than \$230-million on behalf of the nation's children and youth during the organization's history.

The silver anniversary of the enactment of the G.I. Bill of Rights will be marked by the nation next June 22. How the Legion conceived and fought for this landmark legislation is almost a legend. It set off a revolution in education. It prepared this nation in an educational way for the demanding technological era into which it has moved. This legislation was another lesson in the wisdom of America investing in people and becoming a greater society as a result.

While the G.I. Bill stands on a high peak among accomplishments, the day-to-day work and efforts of this organization in the area of education must not be overlooked. With the National Education Association, the National Congress of Parents and Teachers and the U.S. Office of Education, The American Legion sponsors the annual observance of American Education Week to focus attention on and gain support for the nation's schools.

But what of the Legion itself, its growth and its future role of service to our nation and society?

The history of the United States' expanding world commitments since 1917 is reflected in the growth of the Legion. The founders at that initial Paris meeting had no idea that when the golden anniversary rolled around that the Legion would be anything more than an organization of veterans from the First World War.

But since then the Legion has found it necessary to ask Congress to amend its federal charter to admit the veterans of three later wars to membership. In every case, eligibility has been limited to those who have had active, honorable service during an actual period of hostilities.

The latest generation of veterans eligible for and joining the Legion in increasing numbers are those who have served during the current Vietnam war. This eligibility period began with the action at the Gulf of Tonkin on Aug. 5, 1964.

The new Vietnam war veteran is finding the Legion a worthy vehicle through which to find expression in civic service. On this 50th anniversary year, the Legion is expected to achieve the fifth straight year of membership growth. The organization appears to be pushing in the direction of the 2.7-million member mark.

While it can look back on a proud record of service in many important and vital areas to the nation, The American Legion at this moment in its history is not content to rest on its past achievements.

A special Task Force for the Future has already been at work for more than a year drawing up guidelines for future Legion programs and projects. The Task Force's report is due to be presented at the Legion's 51st Annual National Convention to be held in Atlanta, Ga., Aug. 22-28.

In short, The American Legion has its sights focused on the future and an even greater role of service to the community and nation in its second half-century.

#### TRIBUTE TO MAURITIUS

### HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DIGGS. Mr. Speaker, as chairman of the House Foreign Affairs Subcommittee on Africa, I wish to pay tribute to the island country of Mauritius which, on March 12, celebrated its first anniversary of independence and entry into the family of nations. Under the distinguished leadership of its Prime Minister,

Sir Seewoosagur Ramgoolam, a friend of the United States who has visited our country several times, Mauritius has already in its first year shown its devotion to the cause of international cooperation and peace among nations.

Mauritius, which bears a remarkable physical resemblance to the beautiful islands composing our own State of Hawaii, is known as the "Star and the Key of the Indian Ocean." In sailing days it was an important stop for ships making the long and hazardous journey around the Cape of Good Hope to the fabled East, and it remains today an important shelter for the large numbers of vessels plying the same vital waterways in the interests of closer international development through international trade.

Despite its far location and tropical island atmosphere, Mauritius is a thriving young nation with an important sugar industry. Its people have come from literally all quarters of the globe and though all are now Mauritians, they have kept the best of the legacies left them by their ancestors who arrived on their island from Africa, Asia, and Europe. Our common wish is for increased prosperity and progress for the new Mauritian nation.

TRIBUTE TO JOHN W. "DOC" RUST,  
MAYOR OF WILLOW SPRINGS, ILL.

### HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. KLUCZYNSKI. Mr. Speaker, one of the most colorful and beloved public personalities in my area was taken from us recently. He was a truly free spirit in politics, a man who believed in, practiced, and defended individual independence. The tribute paid him by Lyn Daunoras and printed in the Enterprise Midweek Family magazine on February 26 last is a warm memorial to a man who served his people well, and I include it here not only to join in the tribute but also because I think the story of his life can remind each of us that loyalty to people and principle is the essential element without which we cannot hope to succeed.

The tribute follows:

JOHN W. "DOC" RUST, POPULAR MAYOR OF  
WILLOW SPRINGS DIES  
(By Lyn Daunoras)

"Doc" Rust is dead.

On the eve of his greatest triumph when he was nominated for his tenth term as mayor of Willow Springs and there was no opposition party slated against him, the colorful, flamboyant, western-type leader of this small, peaceful community, died as he wanted to die—with his boots on.

He's dead.

It seems inconceivable to imagine Willow Springs without him. A man of paradoxes, he could swing from the salty language of a seaman to the sophisticated phrases of Shakespeare or the Bible with equal aplomb.

This was his beloved village, where he had been born and lived all his life. He knew every nook and cranny from the time he was toddling about, following his father, Dr. John W. Rust, on his rounds of sparse home-steads while the latter was country doctor

in the area. It was this habit of being with his father that earned John R. Rust Jr. the nickname he cherished, "Doc."

He didn't follow his father in the medical field, but he did follow him in politics. After the senior Rust died in office, "Doc" took over the reins in 1935 for a two-year term as mayor. Since then, he served eight full four-year terms.

But not without a fight. The only noise in this quiet, tranquil town was produced by the roar of the wounded lamb as he took on his foes, one by one, election year by election year.

They came and went—young men, educated men, well qualified men. But if they had defeated "Doc," he would have died of a broken heart long before 1969.

Invariably, it was the men he had helped the most on their way up who hurt him in the end. A man of average build, he had a heart the size of Texas and all gold. He was a push-over for anyone with a sob story. He wanted to help, and he did the best he could. But sometimes the best was not good enough for some.

This was his town, his love. The people were his family. Married twice, he had no children, so he adopted everyone in Willow Springs as his official family. He was the last of his kind—a gentle breeze with the whiplash of a whirlwind; a colorful soul who never failed to perk up an ordinary day.

And he's gone. Unbelievable. The streets of Willow Springs will be lonely without the slouching "Doc", replete in his plaid shirt, cowboy tie and 10-gallon hat. It will be a silent town without his booming "Hiya!"

But somewhere "Doc" is enjoying a laugh. Somewhere he knows that only death could remove him from the town he loved and served for so many years. His many opponents could never do it. Four years ago, it looked bleak for "Doc." He had two parties against him, with two slates of candidates going all out in an effort to leave his administration in shambles. And he lived to laugh at them as he continued for his ninth term.

This year they hadn't planned to try again. They knew when they were whipped. They acknowledged that "Doc" was for the people and the people knew it. Only when he was flat on his bed this weekend did the others sense this was finally their chance to "beat him"—and they hurried to file their candidacy.

He had the last laugh on others, too. There has been the daily press whose biased reporters would visit Willow Springs and be horrified at one little tavern which they said had to go. "Doc" would chuckle quietly.

"Why? This same press keeps saying people have no rights anymore. So, hasn't a man, more than 21, got the right to do what he pleases on a night out?" he would ask.

And the tavern, which had been there for a number of years, remained, in spite of the BGA, the daily press and other "big" people. "Doc" didn't flinch; in fact, he would work that much harder. He always said ridicule didn't hurt him but he wore a Pagliacci facade. It did hurt, but he was able to assuage his wound through the votes of confidence given him by the people who meant the most to him. It remains a fact that Rust himself was never defeated and when he ran, his whole ticket won, but his ticket did lose in off-year elections when his name was missing from the ballot.

And now his voice has been stilled at last, by the only one who could possibly silence him—the One who gave him the voice and boxed it in a mighty body. The oak tree has been felled.

"Doc"—so restless that he could never sit down at a banquet table and relax. "Doc"—so energetic that even a major illness could not keep the iron warrior off the campaign trail. His one concern was that he might have a lingering illness. "I couldn't stand that. I don't ever want to be helpless," he said. He needn't have worried. Someone up there heard him and his was a mercifully

quick death. He collapsed on Saturday night and died on Monday, Feb. 10th.

"He's gone and no longer will we look up and see him stride into a room, booming, "Hiya, doozy-bella" (his pet name for this reporter).

His last cheery note came Jan. 10th. It read merely: "Lyn—Forgot? Guess not! Happy New Year." One month to the day his restless spirit found a home. We'll miss him.

But more than that. Willow Springs will miss him.

FEDERAL COURT UPHOLDS CONGRESSIONAL POLICY AGAINST SEX DISCRIMINATION

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mrs. GRIFFITHS. Mr. Speaker, a few days ago, the U.S. Court of Appeals for the Fifth Circuit strongly affirmed the congressional policy against sex discrimination. In *Weeks v. Southern Bell Telephone & Telegraph Company* (No. 25725, March 4, 1969), the court ruled that title VII of the Civil Rights Act of 1964 cannot be evaded by employers under the guise of protecting women from having occasionally to handle a 34-pound fire extinguisher in the event of a fire. The court ruled that employers who seek to exclude women from jobs on the grounds that part of the work may be "strenuous" have the burden of proving by facts not by speculation that "all or substantially all women would be unable to perform safely and efficiently the duties of the job involved." The court emphasized that a speculative emergency cannot be used "as a smoke screen by any employer bent on discriminating against women." The Weeks decision by the Fifth Circuit Court of Appeals marks a significant milestone on the road toward providing equality of opportunity for women in employment. I believe that this decision will be of interest to all Members of the Congress and the general public, and I therefore include the text of the decision, at this point, in the RECORD:

[In the United States Court of Appeals for the Fifth Circuit, No. 25725]

Mrs. LORENA W. WEEKS, APPELLANT-APPELLEE, v. SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY, APPELLEE-APPELLANT (AND REVERSE TITLE)

(Appeals from the United States District Court for the Southern District of Georgia, March 4, 1969.)

Before Wisdom and Ainsworth, Circuit Judges, and Johnson, District Judge.

JOHNSON, District Judge: This appeal and cross-appeal present important unsettled questions concerning the proper interpretation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e. Mrs. Lorena W. Weeks brought this suit against her employer, Southern Bell Telephone & Telegraph Company (hereinafter Southern Bell) pursuant to 42 U.S.C. Sec. 2000e-5(e). Mrs. Weeks, an employee of the Company for 19 years, claims that the Company's refusal to consider her application for the position of switchman constituted discrimination based solely on sex, in violation of 42 U.S.C. Sec. 2000e-2. She prayed that she be awarded the position and damages and that Southern Bell be permanently enjoined from such unlawful employment practices.

The record reveals that Mrs. Weeks sub-

mitted her bid for the job of switchman on March 17, 1966. On April 18, 1966, the Company returned her bid with a letter advising her that it had decided not to assign women to the switchman's job. On June 2, 1966, Mrs. Weeks filed a written but unsworn charge with the Equal Employment Opportunity Commission (hereinafter the Commission). A representative of the Commission secured a sworn charge from Mrs. Weeks on July 30, 1966. After investigation of the facts and analysis of the duties of the position of switchman, the Commission decided that there was reasonable cause to believe that the Company had violated the Act. Mrs. Weeks was informed on April 19, 1967, that conciliation efforts with Southern Bell had failed and that she had 30 days within which to file suit. As authorized by Section 2000e-5(e) of the Act, the District Court relieved Mrs. Weeks of the payment of costs and appointed counsel for her. Counsel filed suit on her behalf on May 18, 1967.

I

The Company moved to dismiss or in the alternative for summary judgment on the theory that since the alleged unlawful practice occurred on April 18, 1966, and a sworn charge was not filed with the Commission until July 30, 1966, the requirements of Section 2000e-5(a) and (d)<sup>1</sup> that the sworn charge be filed within 90 days had not been met and the District Court lacked jurisdiction. The contention that the District Court's overruling of this motion was error is the basis for the Company's cross-appeal.

The District Court, in effect, sustained the validity of a Commission regulation which permits amendments to the charge more than 90 days after the unlawful practice, in this case on July 30, 1966, 29 C.F.R. 1601.11(b) provides:

"Notwithstanding the provisions of paragraph (a) of this section, a charge is deemed filed when the Commission receives from the person aggrieved a written statement sufficiently precise to identify the parties and to describe generally the action or practices complained of. A charge may be amended to cure technical defects or omissions, including failure to swear to the charge, or to clarify and amplify allegations made therein, and such amendments relate back to the original filing date."

The Commission has filed a brief amicus curiae urging that we sustain the regulation and affirm the District Court's holding on this point.

The only case supporting the Company's contention, *Choate v. Caterpillar Tractor Co.*, 274 F. Supp. 776 (S.D. Ill. 1967), has since been overruled by the Court of Appeals for the Seventh Circuit. In a strongly-worded opinion, Judge Swygert held:

"We are of the view that the district court was in error in holding that its jurisdiction to entertain the suit depended upon whether the charge of discrimination filed with the Commission was under oath. Basic to our view is the fact that the 'under oath' requirement relates to the administrative procedures which are conducted by the Commission and which precede any court action. The statute gives the Commission no enforcement powers through the adjudicatory process. It allows the Commission only to investigate charges and attempt to gain compliance by informal methods of conference, conciliation, and persuasion. Enforcement of the rights of aggrieved parties resides exclusively in the federal courts. When the statute is thus considered, it is clearer that the requirement for verification of charges lodged with the Commission relates solely to the administrative rather than to the judicial features of the statute. We believe that the provision is directory and technical rather than mandatory and substantive."

We agree with the Seventh Circuit and with the Commission that a complaint in

Footnotes at end of article.

writing timely received may be amended after the 90-day period so as to meet the requirements of 42 U.S.C. Sec. 2000e-5(a).<sup>2</sup>

What Chief Judge Brown, speaking for this circuit, expressed in a similar context seems relevant here:

"The legislative history is silent on the requisites of the charge. This is not unusual since the charge is the catalyst which starts the informal conciliation proceedings of EEOC. It is in keeping with the purpose of the Act to keep the procedures for initiating an action simple. . . . For a lay initiated proceeding it would be out of keeping with the Act to import common-law pleading niceties to this 'charge' or in turn to hog-tie the subsequent lawsuit to any such concepts. All that is required is that it give sufficient information to enable EEOC to see what the grievance is all about." *Jenkins v. United Gas Corp.*, 400 F.2d, 28, 30 n.3 (5th Cir. 1968).

Finally, while we think it is clear that the purpose of certain of the procedural requirements of Section 2000e-5 is to protect employers from unfounded charges and harassment, it is equally clear that the employer here was in no way bothered or prejudiced by the unsworn charge and that the employer did receive the protection envisaged by Congress. In its amicus brief the Commission makes clear that under its procedures unsworn charges are not served upon respondents and that the investigation does not commence until a sworn charge is served. On this question, the District Court is affirmed.

## II

Turning to the merits we observe that there is no dispute that Mrs. Weeks was denied the switchman's job because she was a woman, not because she lacked any qualifications as an individual. The job was awarded to the only other bidder for the job, a man who had less seniority than Mrs. Weeks. Under the terms of the contract between Mrs. Weeks' Union and Southern Bell, the senior bidder is to be awarded the job if other qualifications are met. Southern Bell, in effect, admits a prima facie violation of Section 703(a) of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e-2(a), which provides in pertinent part:

"(a) Employer practices: It shall be an unlawful employment practice for an employer—  
(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's . . . sex . . . ; or

"(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's . . . sex . . . ."

Southern Bell's answer, however, asserts by way of affirmative defense that the switchman's position fits within the exception to the general prohibition of discrimination against women set forth in Section 703(e)(1), 42 U.S.C. Sec. 2000e-2(e)(1), which provides in pertinent part:

"(e) Notwithstanding any other provision of this subchapter, (1) it shall not be an unlawful employment practice for an employer to hire and employ employees, . . . on the basis of his . . . sex, . . . in those certain instances where . . . sex, . . . is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise. . . ." (Emphasis added.)

The job description of the post of switchman reads as follows:

"Engaged in the maintenance and operation of dial central office equipment, test, power, frame, switch, and other telephone equipment, including the locating and correcting of faults; making adjustments, additions, repairs, and replacements, performing routine operation tests, etc., and working with test-desk, field, and other forces con-

nected with central office work. Also operates and maintains, including adjusting and making repairs to or replacement of, air conditioning equipment, and performing other work as assigned in accordance with local circumstances and the current needs of the business."

We think it is clear that the burden of proof must be on Southern Bell to demonstrate that this position fits within the "bona fide occupational qualification" exception. The legislative history indicates that this exception was intended to be narrowly construed.<sup>3</sup> This is also the construction put on the exception by the Equal Employment Opportunity Commission.<sup>4</sup> Finally, when dealing with a humanitarian remedial statute which serves an important public purpose, it has been the practice to cast the burden of providing an exception to the general policy of the statute upon the person claiming it. *Phillips Co. v. Wailing*, 324 U.S. 490, 493 (1942).

The more important question that must be decided here, however, is the extent of the showing required to satisfy that burden. In the court below, Southern Bell contended that a bona fide occupational qualification was created whenever reasonable state protective legislation prevented women from occupying certain positions. Southern Bell relied upon Rule 59, promulgated by the Georgia Commissioner of Labor pursuant to Section 54-122(d) of the Georgia Code, which provides:

"Lifting. For women and minors, not over 30 pounds. Less depending on physical condition of women or minors. Minor as used here means anyone under 18 years of age, male or female."

The Commission has recognized that reasonable state protective legislation may constitute a bona fide occupational qualification. Thus, Section 1604.1(3) of the Commission's guidelines provides:

"The Commission does not believe that Congress intended to disturb such laws and regulations which are intended to, and have the effect of, protecting women against exploitation and hazard. Accordingly, the Commission will consider qualifications set by such state laws or regulations to be bona fide occupational qualifications, and thus not in conflict with Title VII . . . so, for example, restrictions on lifting will be honored except where the limit is set at an unreasonably low level which could not endanger women."

Mrs. Weeks does not dispute on appeal that the position of switchman occasionally requires lifting of weights in excess of 30 pounds. She has consistently contended that the Georgia limit is unreasonably low and that the Georgia Commissioner of Labor's Rule 59 does not have the intent or effect of protecting women from hazard. She also contends that the rule is arbitrary in violation of the equal protection clause of the Fourteenth Amendment and that it is contrary to Title VII and thus in violation of the supremacy clause, article 6, clause 2 of the Constitution. In this regard, it may be noted that a United States District Court has recently held that provisions of the California Labor Code restricting lifting by women to weights of 25 pounds and under is a restriction set at an unreasonably low level within the meaning of the Commission's guidelines and that even if 25 pounds did not constitute an unreasonably low level within the meaning of those guidelines, such restrictions are still contrary to Title VII of the Civil Rights Act and must yield. *Rosenfeld v. Southern Pacific Co.*, 59 CCH Lab. Cas., para. 9172, Civil No. 67-1377-F (C.D. Cal. Nov. 22, 1968). In that case the Commission appeared as amicus curiae and urged the result reached by the District Court on the basis that there was an irreconcilable conflict between federal and state law which required invalidation of the state law under the supremacy clause.

Footnotes at end of article.

We need not decide the reasonableness or the constitutionality of Rule 59, however, because effective August 27, 1968, Georgia repealed Rule 59. In its place, the Georgia Commissioner of Labor has promulgated a rule which reads:

"Manual loads limited. Weights of loads which are lifted or carried manually shall be limited so as to avoid strains or undue fatigue."

The decision to repeal the specific weight limit seems to have been at least partially motivated by, and is in conformity with, the recommendations of the Task Force on Labor Standards of the Citizens' Advisory Council on the Status of Women. The President's Commission pointed out:

"Restrictions that set fixed maximum limits upon weights women are allowed to lift do not take account of individual differences, are sometimes unrealistic, and always rigid. They should be replaced by flexible regulations applicable to both men and women and set by appropriate regulatory bodies."

Because the new, flexible rule does not in terms necessarily prevent all women from performing the duties of switchman, the issue of protective state legislation disappears from the case. We are left with the question whether Southern Bell, as a private employer, has satisfied its burden of proving that the particular requirements of the job of switchman justify excluding women from consideration.

In ruling for Southern Bell, the District Court relied primarily on the effect of Rule 59. It did, however, make some additional findings of fact which Southern Bell contends are sufficient to satisfy its burden:

"At the trial of the case, the evidence established that a switchman is required to routinely and regularly lift items of equipment weighing in excess of thirty (30) pounds. . . . Additionally, the evidence established that there is other strenuous activity involved in this job. . . ."

"The evidence established that a switchman is subject to call out 24 hours a day and is, in fact, called out at all hours and is sometimes required to work alone during late night hours, including the period from midnight to 6 a.m. In the event of an emergency or equipment failure, the switchman would be required to lift items of equipment weighing well in excess of thirty (30) pounds."

Southern Bell puts principal reliance on the fact that the District Court found the job to be "strenuous." That finding is extremely vague. We note, moreover, that Southern Bell introduced no evidence that the duties of a switchman were so strenuous that all, or substantially all, women would be unable to perform them. Nor did the District Court make a finding on this more concrete and meaningful statement of the issue. The Commission in its investigation, on the other hand, rejected Southern Bell's contention "that the switchman job at this location requires weight lifting or strenuous exertion which could not be performed by females." In addition, Mrs. Weeks produced testimony to the effect that she was capable of performing the job, that a woman in New York had been hired as a switchman and that seven others were performing the job of frameman, the duties of which were essentially indistinguishable from those of a switchman.

In examining the record carefully to interpret the finding that the duties of a switchman were "strenuous," we have observed that although Southern Bell attempted to connect a switchman's duties with various pieces of heavy equipment, only a 31-pound item called a "relay timing test set" was used "regularly and routinely" by a switchman. The testimony at trial and the Commission's investigation reveal that in actually using the set the normally accepted practice is to place the test set on the floor or on a rolling stepladder and that very little

lifting of it was required. Thus, while there would be a basis for finding that a switchman's job would require lifting technically in excess of a 30-pound weight limitation, the infrequency of the required lifting would permit quibbling over just how "strenuous" the job is. But we do not believe courts need engage in this sort of quibbling. Labeling a job "strenuous" simply does not meet the burden of proving that the job is within the bona fide occupational qualification exception.

Southern Bell also may be taken as contending that it has simply applied its own 30-pound weight limitation and that a reasonable privately-imposed weight limitation fits within the exception. In this contention, Southern Bell relies heavily on the broad construction of the exception adopted in *Bowe v. Colgate-Palmolive Co.*, 282 F. Supp. 332 (S.D. Ind. 1967). In holding a privately-imposed 35-pound weight limitation within the exception, Judge Steckler stated:

"Generally recognized physical capabilities and physical limitations of the sexes may be made the basis for occupational qualifications in generic terms." 272 F. Supp. at 365.

As indicated above, the Commission appeared in *Rosenfeld v. Southern Pacific Co.*, *supra*, to urge that the California weight limitation legislation be struck down. In so doing, the Commission successfully contended that this broad construction of the bona fide occupational qualification exception should not be followed. The Commission's amicus brief there stated that it has consistently interpreted its regulations as being incompatible with the idea that privately-imposed weight limitations for women are within the bona fide occupational qualification exception. It has taken that position on a case involving a 35-pound weight limit. The Commission relied upon its guidelines found in 29 C.F.R. Sec. 1601.1(a):

"(1) The Commission will find that the following situations do not warrant the application of the bona fide occupational qualification exception: (i) the refusal to hire a woman because of her sex, based on assumptions of the comparative employment characteristics of women in general. . . . (ii) the refusal to hire an individual based on stereotyped characterizations of the sexes. . . . The principle of nondiscrimination require that individuals be considered on the basis of individual capacities and not on the basis of any characteristics generally attributed to the group."

These guidelines are, of course, entitled to considerable weight. As the Supreme Court said in *Udall v. Tallman*, 380 U.S. 116 (1965):

"When faced with a problem of statutory construction, this Court shows great deference to the interpretation given the statute by the officers or agency charged with its administration. To sustain the Commission's application of this statutory term, we need not find that its construction is the only reasonable one or even that it is the result we would have reached had the question arisen in the first instance in judicial proceedings. . . . Particularly in this respect due when the administrative practice at stake involves a contemporaneous construction of a statute by the men charged with the responsibility of setting its machinery in motion; of making the parts work efficiently and smoothly, while they are yet untried and new."

See also *United States v. Jefferson County Board of Education*, 372 F. 2d 836, 847, (5th Cir. 1966), cert. denied sub nom, *Caddo Parish School Board v. United States*, 389 U.S. 840.

We agree with the Commission that the broad construction of the bona fide occupational qualification in *Bowe v. Colgate-Palmolive Co.*, *supra*, is inconsistent with the purpose of the Act—providing a foundation in law for the principle of nondiscrimination.<sup>5</sup> Construed that broadly, the exception will swallow the rule. We conclude that the principle of nondiscrimination requires that

we hold that in order to rely on the bona fide occupational qualification exception an employer has the burden of proving that he had reasonable cause to believe, that is, a factual basis for believing, that all or substantially all women would be unable to perform safely and efficiently the duties of the job involved.

Southern Bell has clearly not met that burden here. They introduced no evidence concerning the lifting abilities of women. Rather, they would have us "assume," on the basis of a "stereotyped characterization" that few or no women can safely lift 30 pounds, while all men are treated as if they can. While one might accept, *arguendo*, that men are stronger on the average than women, it is not clear that any conclusions about relative lifting ability would follow. This is because it can be argued tenably that technique is as important as strength in determining lifting ability. Technique is hardly a function of sex. What does seem clear is that using these class stereotypes denies desirable positions to a great many women perfectly capable of performing the duties involved.

Southern Bell's remaining contentions do not seem to be advanced with great seriousness. The emergency work which a switchman allegedly must perform consists primarily in the handling of a 34-pound extinguisher in the event of fire. A speculative emergency like that could be used as a smoke screen by any employer bent on discriminating against women. It does seem that switchmen are occasionally subject to late hour call-outs. Of course, the record also reveals that other women employees are subject to call after midnight in emergencies. Moreover, Title VII rejects just this type of romantic paternalism as unduly Victorian and instead vests individual women with the power to decide whether or not to take on unromantic tasks. Men have always had the right to determine whether the incremental increase in remuneration for strenuous, dangerous, obnoxious, boring or unromantic tasks is worth the candle. The promise of Title VII is that women are now to be on equal footing. We cannot conclude that by including the bona fide occupational qualification exception Congress intended to renege on that promise.

Having concluded that Southern Bell has not satisfied its burden of proving that the job of switchman is within the bona fide occupational qualification exception, we must reverse the District Court on this issue and hold that Southern Bell has violated 42 U.S.C. Sec. 2000e-2(a). This case is remanded to the District Court for determination of appropriate relief under the provisions of 42 U.S.C. Sec. 2000e-5(g).

Affirmed in part; Revised and Remanded in part.

FOOTNOTES

<sup>1</sup>Section 2000e-5 provides in pertinent part:

"(a) Whenever it is charged in writing under oath by a person claiming to be aggrieved. . . . that an employer, employment agency, or labor organization has engaged in an unlawful employment practice, the Commission shall furnish such employer, employment agency, or labor organization . . . with a copy of such charge and shall make an investigation of such charge, provided that such charge shall not be made public by the Commission. . . ."

"(d) A charge under subsection (a) of this section shall be filed within 90 days after the alleged unlawful employment practice occurred. . . ."

<sup>2</sup>District courts in this circuit have recently come to the same conclusion. See *Georgia Power Co. v. EEOC*, 58 CCH Lab. Cas., para. 9149, 69 L.R.R.M. 2017 (N.D. Ga. 1968); *Russell v. Alpha Portland-Cement Co.*, 58 CCH Lab. Cas., para. 9151, 69 L.R.R.M. 2256 (N.D. Ala. 1968). In the *Georgia Power Co.* case Judge Smith observed that "there is longstanding authority, both state and federal, to the effect that verification is an

amendable defect, even for technical common-law pleadings, much less a citizen-drawn statement of grievance."

<sup>3</sup>For an interpretative memorandum by Senators Clark and Chase, floor managers of the bill, suggesting that Section 703(e)(1) creates a "limited exception," see 110 Cong. Rec. 7213 (1964). See also H.R. Rep. No. 914, 88th Cong., 1st Sess. (1963).

<sup>4</sup>29 C.F.R. Sec. 1604.1(a) (1968).

<sup>5</sup>Our disagreement with that broad construction does not necessarily imply that we disagree with the result reached there. It should be noted that the Court there made specific findings that:

"It was not and is not practical or pragmatically possible for Colgate, in the operation of its plant, to assess the physical abilities and capabilities of each female who might seek a particular job as a unique individual with the strength and stamina below average or above average. . . ." *Bowe v. Colgate-Palmolive Co.*, *supra*, at 357.

This finding was based on the "highly refined, bizarre, and extraordinarily complex system of seniority and job assignment in effect at the plant." *Id.* at 356. It may be that where an employer sustains its burden in demonstrating that it is impossible or highly impractical to deal with women on an individualized basis, it may apply a reasonable general rule. No such showing was made here; it seems plain that it could not be.

CRIME AND RECIDIVISM IN NEW YORK

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. PODELL. Mr. Speaker, recent studies by the New York City Police Department of the criminal background of persons arrested during 1968 in that city for murder and nonnegligent manslaughter fully demonstrate the dimensions of the problems faced by law-enforcement officers.

These studies show a marked and tragic increase in the number of arrests for those crimes of youngsters under the age of 16 and of those between the ages of 16 through 20.

Complaints of murder and nonnegligent manslaughter in New York City increased 21.3 percent in 1968 over 1967, from 745 complaints in 1967 to 904 complaints in 1968. Arrests for murder in New York City increased 28.5 percent in 1968 over 1967, with the largest increase amounting to 35 percent in the under 16 age category, and the second largest increase amounting to 29.7 percent in the 16 through 20 age group. Following are the arrest statistics:

Age groups	Arrest, 1968	Murder, 1967	Numerical increase	Percent increase
Under 16.....	27	20	7	35.0
16 through 20....	192	148	44	29.7
21 and over.....	700	547	153	28.0
Total.....	919	715	204	28.

A recidivism study of persons arrested for the crime of murder during the first 10 months of 1968 showed that of 885 persons over 16 for this crime, 563 or 63.4 percent had been previously arrested, amounting to almost two out of every three arrested for murder and nonnegligent manslaughter.

The past record of these 563 recidivists shows a significant volume of past experience with serious criminal conduct. Highlights among these are the following:

First. Of them, 390 or 69.3 percent, more than two out of three, had been previously arrested for one of the violent crimes of murder, forcible rape, robbery or felonious assault.

Second. A total of 17 persons or 3 percent had previously been arrested for homicide. Significantly enough, there seems to be a high correlation in the ratio of persons arrested a second time for a second homicide offense. A study in 1965 showed that 2 percent of those arrested that year for homicide had been previously arrested for homicide.

Third. A total of 271 persons or 46.1 percent had been previously arrested for felonious assault.

Fourth. A total of 82 persons or 14.6 percent had been previously arrested two or more times for felonious assault.

Fifth. A total 22 persons had been arrested four or more times for felonious assault.

These grim statistics clearly indicate that many persons of violent habit and temper are freely roaming our streets, striking terror at the hearts of our people. Obviously, more needs to be known about the reasons for release from custody of these recidivists. However, the accumulated experience of those best informed about law-enforcement problems points to the long lag in time between arrest and conviction and the failure of our penal institutions to do a decent job on rehabilitation.

Crime will not be reduced until the pace of judicial process is speeded up. Crime will not be reduced until the deterrent value of swift punishment is achieved. Nor will crime be reduced until our penal institutions concentrate on rehabilitative procedures instead of letting them remain as institutions where the inmates learn how to succeed in crime without really trying.

#### FEED BIAFRA

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BIAGGI. Mr. Speaker, while we helplessly view the massive starvation of the innocent civilians of Biafra, a special pang of remorse rises up within us as we suspect that from our position of abundance and wealth it is within our power to avert this tragedy. So far the United States has donated \$31.4 million worth of material and financial assistance to the international relief force serving Nigeria and Biafra. More, however, must be done. Relief workers predict that the coming months in Biafra will bring an increasing rate of starvation. Yet the scale of the present international relief effort so far has not even been able to meet completely the present needs.

Admittedly, political obstacles have been created which make the operation of a truly effective relief effort very difficult. The United States cannot and

should not intervene in the political aspects of this conflict. Therefore, within the limitations imposed upon us we must make every effort to follow all the courses of action open to us. If the relief forces need additional airfields and the Biafrans will provide us with the land, as they have offered to do, we should construct the needed landing facilities. If more and larger relief planes are required, we should provide the planes. It is difficult to reconcile our position as the world's wealthiest and most advanced technological society with any other course of action. We cannot do less than the most we can do.

One group of experts has estimated that at least 1.5 million Biafrans have died of starvation in the last 12 months. Statistics are really superfluous for it is not difficult to recognize the fact that whatever the exact toll it is too high to be acceptable in the modern world. John Donne once said "any man's death diminishes me, because I am involved in mankind." The fact that the man is a Biafran or American should make no difference.

#### THE MYOPIA OF LOWER FARM PRICES

### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ZWACH. Mr. Speaker, I am inserting a radio statement by the Farmers Union Grain Terminal Association regarding the consequences of continuation of economic thought that the answer to present low farm income is to lower farm prices. I believe this article is worth reading by my colleagues:

The drive for cheaper and cheaper farm production continues. It doesn't seem to be some kind of an evil—master-minded plot, but rather a sort of economic astigmatism compounded by severe near-sightedness. This appears to develop into a kind of tunnel vision. As a result, the only cure for our farm ills that can be seen by those afflicted souls is lower product prices to farmers. Their prescription is bigger and bigger doses of lower farm prices.

An editorial in one of the city newspapers here informs us that "well-informed farmers know that high price supports restrict foreign sales. . . . The country needs to move toward a more market-oriented agriculture. . . . That won't be accomplished by increasing support prices and imposing acreage restrictions."

Well, quite an argument can be built that way for making corn and wheat and soybeans so cheap no foreign country could pass up the bargain, no matter how little it needed the commodities. But that's not the way it works at all. With the wheat price support now way down to \$1.25 a bushel, this country has some wonderful bargains on the shelf. And that's just where many of them are remaining—on the shelf. Our exports aren't doing very well. It seems that countries that don't need wheat won't buy it, no matter how cheap it is. That pretty well blows up the bargain argument.

There is, as you know, a fat international argument over trade, and the gradual movement toward freer trade that has been fostered by progressive nations over the past 30 years or so is in trouble. More and more nations are tending to put restrictions on imports to keep out the competition, and

subsidies on exports to undersell the other guy. The Russians, for example, pour cut-price sunflower oil into world markets, making it difficult for us to sell our soybean oil, which is by no means expensive.

The export market undoubtedly is very important to our U.S. farmers, but there is a limit to how cheaply they can be asked to produce just to make the U.S. balance of payments look better at Fort Knox. Other industries won't even listen to that cut-price nonsense. The new oil industry up in Alaska, for example, sends its crude down here to the "lower 48" because the administered price here is twice the price the Japanese will pay.

The exporting of farm production is very important to the nation, too. Three of the crops produced here in the Midwest—wheat, soybeans and feed grains—account for more than half of all U.S. agricultural exports. All farm exports total up to between \$6 and \$7 billion a year, and without them the U.S. balance of trade would look pretty sick.

In 1967 Midwest farmers produced about 55 percent of the wheat, 75 percent of the feed grains and 80 percent of the soybeans that were exported to other countries.

That's a nice piece of business for everybody concerned—farmers, shippers, processors, handlers, brokers, and the paper work crews. But there are some problems, and we seriously doubt that the solution to them is forcing ever-lower prices on the original producer—the farmer.

#### WHEN IS POLITICS NOT POLITICS?

### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, when is politics politics, and when is politics not politics? The answer seems to depend upon one's definition of the word politics, and it is beginning to appear that my definition does not coincide with that of the administration and the Post Office Department.

We were informed with great fanfare and publicity last month that "politics" was to be taken out of postmaster appointments. Vacancies, we were told, were to be filled on a nonpolitical, nonpartisan merit basis, with the only criteria to be ability and experience.

The Nation's news media responded with enthusiasm. It was to be the end of the spoils system in the Post Office Department, the end of a tradition begun by Benjamin Franklin nearly two centuries ago, the opening of a new era in which political favoritism would give way to efficiency, capability, and merit.

It sounded good. For a few days, I was impressed. I hoped that we really were about to embark on a new era of progress in the Post Office Department.

But then the clouds began to gather, and dim the bright vista that had been opened before us.

The Postmaster General, in a nationally televised interview, announced that all existing eligibility lists for postmaster vacancies, were to be canceled. The reason? Because Republicans had been reluctant to participate in civil service examinations which had established the registers. Accordingly, the Civil Service Commission was to spend more time and money to give new examinations and

create new registers, so that deserving Republicans would have a chance to put in their bids for the postmaster jobs. This is not politics?

Then came the real disillusionment. Postal inspectors walked unannounced into selected post offices throughout the country, and informed the acting postmasters that they were fired, immediately and without notice. The reason? Not because they were inefficient or incapable, but apparently because their political preference was Democratic. This is not politics?

There were outcries of indignation throughout the country. News media which had hailed the original announcement began to express skepticism. Members of Congress besieged the Postmaster General's office with protests. The administration responded nobly. Acting postmasters were still to be removed without reason, but henceforth they would be given a week's notice. Postal inspectors or seconds-in-command were put in charge of post offices until the new registers could be created and permanent postmasters appointed. This is not politics?

I went back and reread the grandiose announcements about taking politics out of postmaster appointments. A careful analysis revealed that there was really no change. The U.S. Civil Service Commission, now safely under control of a Republican majority, would still adjudge postmaster applicants, and still select the "top" three, from whom the choice would be made. And the final selection would be made by the Postmaster General, a

political appointee of the President. This is not politics?

To paraphrase the oft-quoted Bard of Avon, "That which we call politics by any other name would still be politics."

**IT ALL DEPENDS ON WHOSE OX IS IN THE WHITE HOUSE—A SPECIAL DEMOCRATIC STUDY GROUP VOTING STUDY ON PROPOSALS TO INCREASE THE DEBT LIMIT**

**HON. DONALD M. FRASER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FRASER. Mr. Speaker, in recent years the proposals to raise the national debt limit have been treated more and more as a political issue. The decision to treat these bills as partisan measures was made by Republicans who, for all practical purposes, withdrew their support in 1961 when the new Democratic administration took over.

The Eisenhower administration asked for, and received, approval of one permanent and seven temporary increases in the debt ceiling. Each time these bills were handled by Democratic Congresses, they were passed with margins of at least 2 to 1.

In the nine debt limit increases since 1963, however, Republicans have provided only 12 votes on final passage roll-calls.

An analysis of the 20 votes on passage

of debt limit increase bills in the House in the last two administrations has been prepared by the Democratic Study Group. I recommend that the text of this study, entitled "It All Depends on Whose Ox Is in the White House," be included at this point in the RECORD:

**IT ALL DEPENDS ON WHOSE OX IS IN THE WHITE HOUSE—A SPECIAL DSG VOTING STUDY ON PROPOSALS TO INCREASE THE DEBT LIMIT**

In the last two administrations there have been 20 votes on proposals to increase the temporary or permanent debt limit.

Analysis of these votes would seem to indicate that the general Republican attitude toward increasing the debt limit depends primarily on whether the President requesting the increase is a Republican or a Democrat. This theory is based on the fact that House Republicans overwhelmingly supported debt limit increases requested by President Eisenhower and overwhelmingly opposed increases requested by President Kennedy and Johnson.

For example, on each of the six debt increase roll calls during the Eisenhower years, an average of 43 Republicans voted No while 123 voted Yes.

On the 12 votes during the Kennedy-Johnson years, on the other hand, an average of 147 Republicans voted No on each roll call while only 10 voted Yes. On four of the 12 votes not a single Republican voted Yes.

Democrats have been somewhat more consistent and less partisan. On each of the six votes during the Eisenhower years, an average of 64 Democrats voted No while an average of 144 voted Yes. And on the 12 votes during the Kennedy-Johnson years, an average of 32 Democrats voted No while an average of 206 voted Yes.

A complete listing and breakdown of all 19 votes is attached!

DEBT LIMIT VOTING PATTERNS

Bill	Year	Vote	Republicans		Democrats		Bill	Year	Vote	Republicans		Democrats	
			For	Against	For	Against				For	Against	For	Against
H.R. 6672	1953	239 to 158 <sup>1</sup>	169	33	69	125	H.R. 11990	1962	211 to 192	9	153	202	39
H.R. 6672	1954	193 to 31	(?)	(?)	(?)	(?)	H.R. 6009	1963	213 to 204	1	172	212	32
H.R. 6692	1955	267 to 56	133	13	134	43	H.R. 7824	1963	221 to 175	2	158	219	17
H.R. 11740	1956	Voice					H.R. 8969	1963	187 to 179	0	147	187	32
H.R. 9955	1958	328 to 71	142	42	186	29	H.R. 11375	1964	203 to 182	0	154	203	28
H.R. 13580	1958	286 to 109	120	65	166	44	H.R. 8464	1965	229 to 165	6	122	223	43
H.R. 7749	1959	256 to 117	88	48	168	69	H.R. 15202	1966	199 to 165	1	121	198	44
H.R. 12381	1960	223 to 134 <sup>2</sup>	83	60	140	74	H.R. 4573	1967	215 to 199	2	173	213	26
H.R. 2244	1961	231 to 148	40	113	191	35	H.R. 10328	1967	197 to 211 <sup>4</sup>	0	176	211	21
H.R. 10050	1962	251 to 144	60	98	191	46	H.R. 10867	1967	217 to 196	0	176	217	20

<sup>1</sup> Included 1 Independent Member.  
<sup>2</sup> This was a standing vote.

<sup>3</sup> Bill included extension of certain taxes.  
<sup>4</sup> Bill defeated on floor.

**OKLAHOMA'S GREEN COUNTRY WINS PRAISE IN ORBIT**

**HON. ED EDMONDSON**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. EDMONDSON. Mr. Speaker, I have spoken here previously to tell my colleagues of the outstanding "green country" tourism campaign conducted by Oklahoma Northeast, Inc., a 19-county organization representing northeastern Oklahoma.

It was my privilege to attend the organizational meeting of Oklahoma Northeast, Inc., in Bartlesville in 1965, and I have worked closely with this fine group since then. The people of northeastern Oklahoma take great pride in their region, and rightly so.

Oklahoma's Orbit, the Sunday magazine of the Daily Oklahoman in Oklahoma City recently featured the green country in two pages of story and pictures, and I would like to have this article appear in the RECORD. I only regret that the beautiful color pictures of the beautiful azaleas in Muskogee's Honor Heights Park, the Talimena Skyline Drive, and the Tsa-La-Gi Cherokee Indian village cannot appear here. If they could, I can guarantee that northeastern Oklahoma would have a record group of vacationing congressional families this summer.

GREEN COUNTRY

You could spend all your weekends for the next hundred years or so looking at Oklahoma's Green Country.

You could throw in your vacation time, work hard at the job, and still there'd be new places to see. And places you wanted to see again.

Green Country is 19 counties in northeastern Oklahoma, starting with Osage County on the west and swinging east and south as far as Le Flore County.

That area was designated Green Country, most appropriately, in August of 1965 when some of the state's leading businessmen got together at Bartlesville and formed Oklahoma Northeast, Inc.

Their goal was to promote tourism and industrial development in the 19 counties.

They started a campaign to tell people in Oklahoma and surrounding states what they had to offer. They told their story through lobby displays in hotels, motels, restaurants and tourist centers, offering free tour guides of Green Country.

By the time the project was three years old, it had exceeded all expectations. James C. Leake, Muskogee, president of Oklahoma Northeast, was able to report that during the 1968 tourist season the 19 counties had more than doubled their goal of attracting an additional one million tourist greenbacks to Green Country.

What are the attractions? Even the most avid Green Country fans didn't know how much they had to offer until they got their heads together.

You might start with the 35 man-made lakes, as big or as small as you like, which offer fishing, boating, swimming, float trips, water-skiing, scuba diving, camping.

If you're planning an overnight trip, you're never very far from one of the state's comfortable lodges in Green Country. If you want to rough it, there are camping grounds at nine state parks in the area.

You can rent a saddle horse, shoot a round of golf or brush up on your tennis game at state lodges and parks. You can swim or sun yourself. You can navigate a big boat or a small one.

Hunters find game plentiful all over the area when nature paints Green Country in new seasonal colors for the fall and winter.

Or maybe, for a couple of trips, you'd rather just look.

Man and nature team up to make the flower gardens in Muskogee's Honor Heights Park one of the most beautiful sights in this part of the country.

Talimena Skyline Highway, the beautiful new drive from Talihina into Arkansas, is rated one of the most scenic in the nation. In fact there are countless places in Green Country where rugged hills, clear streams and thick timber add up to breathtaking panoramas.

And on a day's trip you can see everything from a rare Chinese Jade to a live buffalo in Green Country.

There great cultural museums contain articles which compare with things you'd expect to find in the Louvre or the Smithsonian. Tulsa's Philbrook Art Center and Gilcrease Institute and Bartlesville's Woolaroc Museum are well-known all over the country.

Woolaroc is part lodge, part museum and a lot more. You drive through the gate and for a couple of miles you go through country that looks just the way it did when the first white man saw it. The only difference is that now you see buffalo, elk, deer, Brahmas, longhorns and other animals.

Inside the museum are enough wonders to keep you coming back time after time.

The Will Rogers Museum at Claremore has long been one of the nation's top tourist attractions. Of especial interest to Oklahomans are the Pawnee Bill Museum at Pawnee and the Tom Mix Museum in Dewey.

You might want to plan a trip to include the Kerr Museum at Poteau. And while you're in the area don't forget to see the Heavener runestone.

You'll be fascinated by the Phillips Petroleum Exhibit Hall in Bartlesville. And drop by the city park on the Caney River to look at the Nellie Johnstone, the state's first commercial oil well.

A tour of Picher's underground Vanpool Lead and Zinc Mine shows you ore specimens of all shapes and sizes.

From there you could go by the Afton Buffalo Ranch and then on to Tahlequah and Tsa-La-Gi, the authentic living recreation of an 18th century Cherokee village in the Carolinas.

The Five Tribes Museum, housed in the Union Agency at Muskogee, is devoted to the five tribes which maintained separate governments in eastern Oklahoma before Statehood. The Osage Tribal Museum at Pawhuska is the only one in the world owned exclusively by an Indian tribe.

And when you've seen all those things, you're just getting started on the exploration of Green Country. You can see as much on any trip as your time will allow, and come away with a list of places you still want to see.

## THE DEBT LIMIT AND THE REPUBLICAN DOUBLE STANDARD

### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. EILBERG. Mr. Speaker, all men of principle abhor the double standard whenever or wherever it is applied.

Among Richard M. Nixon's first pleas to Republican partisans here in Congress is a request to return to their double standard and vote an increase in the national debt limit.

While, Mr. Nixon was frustrated somewhat in his original request, my distinguished colleague from Arkansas, Chairman MILLS, has acceded to the demands of the public interest and will present next week a bill to increase the debt ceiling.

It must be pointed out that Mr. MILLS' proposal is certainly more reasonable than the one requested by the President and, for this, all Americans should applaud the good sense of the gentleman from Arkansas.

The Republican leadership, of course, will try to convince its members that they must and should vote for this proposal.

I would be amused to hear how this argument will reconcile the record.

In 12 votes on similar measures taken since 1961, our Republican colleagues have voted resoundingly against increasing the debt limit.

They also have waxed eloquently in support of their frequently obstructionist views. It should be remembered that two Democrats, John Fitzgerald Kennedy and Lyndon Baines Johnson, occupied the White House during that time.

This is particularly noteworthy when we consider the Republican voting pattern on similar requests between 1953 and 1960. In six recorded votes during that period on the same issue, our Republican colleagues voted for increasing the debt ceiling.

In this period of course, the President, Gen. Dwight David Eisenhower, was of their own party.

The pressures on the Treasury have consistently mounted, but the Republicans have always voted a strictly party line, camouflaging this narrow partisan approach in cynical illusions to good government, and fiscal responsibility.

I say simply they have employed the double standard.

Is raising the debt ceiling better public policy and more necessary when a Republican is in the White House than when a Democrat calls 1600 Pennsylvania Avenue home?

Of course not. It is simply a case once again of that consistent Republican voting patterns which places partisanship above public interest.

For the RECORD, I submit a brief chronology of recent voting patterns on the debt limit and a document, "Voices from the Past." These are, of course, Republican voices:

#### DEBT LIMIT VOTING PATTERNS

Bill	Year	Vote	Republicans		Democrats	
			For	Against	For	Against
H.R. 6672	1953	1239-158	169	33	69	125
H.R. 6672	1954	193-31	(?)	(?)	(?)	(?)
H.R. 6692	1955	267-56	133	13	134	43
H.R. 11740	1956	Voice				
H.R. 9955	1958	328-71	042	42	186	29
H.R. 13580	1958	286-109	120	65	166	44
H.R. 7749	1959	256-117	88	48	168	69
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H.R. 11990	1962	211-192	9	153	202	39
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H.R. 10328	1967	197-211	0	176	211	21
H.R. 10867	1967	217-196	0	176	217	20

<sup>1</sup> Included 1 Independent Member.

<sup>2</sup> This was a standing vote.

<sup>3</sup> Bill included extension of certain taxes.

<sup>4</sup> Bill defeated on floor.

#### VOICES FROM THE PAST

Representative JOHN BYRNES of Wisconsin in floor debate on June 18, 1964: "Frankly, Mr. Chairman, I cannot vote and will not vote to give my approval to these debt ceiling increases in order to continue the spending programs that are contemplated. I believe some brakes should be put on. In my opinion this is the only brake I have at my disposal. We should either use the ceiling in a meaningful way or the majority on the committee might just as well be honest with the Congress and with the public and say, 'We are reporting out a bill repealing the debt ceiling legislation.' That would be the honest thing to do, unless you are

going to use it to exert some pressure on spending. But what kind of restraint is it if you give them everything they want for spending and in addition a \$3 billion cushion in case they have incorrectly estimated their needs and then another \$4 billion in the banks?"

Representative JOEL T. BROYHILL of Virginia in floor debate on June 18, 1964: "I cannot assume the responsibility for these reckless policies. My position has always been that in times of prosperity we should live within our revenues. I ask that my colleagues join with me in sending this bill back to committee. It is past time that we faced the issue squarely and put a halt to further

deficits. It is obvious that the amount asked for refutes the false claims of economy being made by this administration. If these claims have any substance, the Congress would not have to increase the debt ceiling . . ."

Representative WILLIAM H. HARSHA of Ohio in floor debate on June 9, 1964: "This administration is shoveling out federal money so fast it has run out of debt limit again. Since no one is raising the roof about it, the President wants to raise the ceiling, but it should not be called a ceiling, it is a fiscal hole he is digging and he wants to excavate more to put the Nation deeper in debt. We have again reached the time of year when the piper must be paid."

Representative H. ALLEN SMITH of California in floor debate on June 8, 1966: "Raising the debt limit, in my opinion, could be prevented if the President and the Congress would exercise greater restraint in their fiscal spending policies . . . Why does this debt limit have to go up at this particular time? The Government today has more money to play with than ever before. This year the Government will have the biggest tax take in our history."

Representative CLARENCE J. BROWN of Ohio in floor debate on June 18, 1964: "Personally, I am opposed to increasing the national debt limit at this time, or at any other time, unless there is a grave and a great national emergency that would require such action in order to preserve our own security and our own way of life."

Representative Thomas B. Curtis of Missouri in floor debate on June 18, 1964: "It is perfectly logical for Republicans, of course, to resist the expenditure policies of this administration, as we tried to under the Kennedy administration. This is a basic issue for the people to decide. I wish my colleagues on the Democratic side of the aisle would face it forthrightly. Their economic philosophy is to spend and finance it through deficits. The President does not submit a balanced budget to the Congress and has no intention of submitting a balanced budget in the foreseeable future. What we Republicans are fighting for and what we regard as fiscal responsibility is balancing the budget."

Representative Bruce Alger of Texas in floor debate on June 18, 1964: "As a choice, of course, I would point out that Republicans have disapproved of an increase in the debt ceiling, and it is because they believe there can be control in the rate of expenditures even as we are deciding where to reduce the total expenditure itself. We who are not responsible for this deficit financing believe that where it is legitimately and consistently possible, the debt ceiling increase can be opposed without being irresponsible."

Representative HAROLD R. COLLIER of Illinois in debate on June 18, 1964: "If we vote to give the administration the debt limit increase it requests today, we are merely approving the continuation of fiscal conduct which can only lead to disaster. There are those of us who consistently practice economy in government through voting against programs which may be politically expedient but which we cannot afford if we are ever to emerge from the mire of indebtedness which we are merely passing on to the next generation as a rather sad heritage."

Representative JOHN P. SAYLOR of Pennsylvania in floor debate on June 8, 1966: "Sometime in the future, if the cost of defending this country against Communist aggression becomes much more expensive than is currently estimated by the administration, there may be justification for increasing the debt limit. At the moment the request for further depreciation of the dollar cannot be defended, for cutbacks in bureaucratic extravagance would more than account for budget deficiencies. With sound fiscal policies

it would in fact be possible to reduce the debt and thus fulfill an obligation not only to today's taxpayers, but to future generations which will incur the unpleasant consequences of the present administration's wasteful policies."

Representative WILLIAM G. BRAY of Indiana in floor debate on June 8, 1966: "I have opposed these temporary debt limit increases in the past and I am opposed to this one, not solely because of the amount of increase granted, nor of the rising cost of financing the public debt, but because congressional approval will, as the minority report on the bill points out, imply approval of the administration's fiscal policies."

Representative PAUL A. FINO of New York in floor debate on February 8, 1967: "I rise in opposition to any further extension of the national debt ceiling. I do not think any member can deny that our government is spending too much as it is. This is not the year for a huge debt ceiling hike and a stiff tax increase. This is not the year to raise the bridge—if anything, this is the year to lower the water. In short, let us cut spending and let us stop raising the taxes of this generation and generations yet unborn."

Representative HENRY SCHADEBERG of Wisconsin in floor debate on February 8, 1966: "I believe we have a responsibility to our people back home to take the necessary measures now that will force us and the administration to live within our income. I am aware that the need for the increase in the debt limit is due to the fact that the money has already been spent. Perhaps the present critical need for available money on the part of the Government needs to be dramatized so that we in Congress will be lulled out of our complacency about fiscal matters and the American people can see for themselves what is troubling our economy. My vote against the debt limit increase is one which is based on the firm conviction that the only way we can bring the wayward spenders into line is to cut off the source of supply of their funds and refuse them the right to squander today the wealth of tomorrow's generation in order that they may selfishly live high off the hog."

Representative JOHN T. MYERS of Indiana in floor debate on February 8, 1967: "There are those who have called us irresponsible for opposing the administration proposal to hike the federal debt limit from \$330 billion to \$336 billion. It is my opinion our position is rather one of responsibility. Why even go through the motion of having a debt limitation if we are not going to observe it and raise it whenever it is politically expedient."

Representative LOUIS C. WYMAN of New Hampshire in floor debate on February 8, 1967: "Mr. Chairman, I cannot vote to increase the debt limit and keep faith with the people in my district who sent me to this 90th Congress. My constituents want the continuous overspending of the federal government brought to a stop. I pledged to do this. A vote to increase the debt limit is a license to continue federal overspending. It would be a breach of commitment to my constituents."

Representative DONALD RIEGLE, JR., of Michigan in floor debate on February 8, 1967: "The easiest thing for the government to do is to go into debt. For as long as the government can go deeper and deeper into debt—the more it can spend and spend and spend, then the more it can, in turn, expand the grasp of the federal government and its influence and control over the individual citizen. And that has been the pattern—borrow, borrow, borrow; spend, spend, spend—and let the country sink deeper and deeper and deeper into debt. I believe this country is already too deeply in debt."

Representative JOE SKUBITZ of Kansas in

floor debate on February 8, 1967: "I am fully aware of the problems which might result should the Congress refuse to increase the debt ceiling. But I know of no other way to sound the warning, to impress upon the spenders that we go this far and no further. There is virtue in a balanced budget and a limit to what we can afford. These principles are not so outmoded as to be ignored in our Great Society. The time has come when those who believe in a sound fiscal policy must vote against any proposal to increase the debt limit."

Representative H. R. GROSS of Iowa in floor debate on June 7, 1967: "We here today are trying to eat filet mignon steaks on a hamburger income. We are not skating on good solid financial ice in this country—we are just walking in the water with our skates on and a hell of a lot of people do not seem to know it. I am opposed to this enormous debt increase."

Representative GEORGE BUSH of Texas in floor debate on June 21, 1967: "I said last time—and I say again today—that before accepting a deficit of this magnitude, before being willing to risk the consequences of such a deficit, we had better tell the Administration again to take another look at their figures and come back to Congress with some constructive proposal for reducing the amount of the deficit. Rejection of the bill before you is our only hope."

Representative MARK ANDREWS of North Dakota in floor debate on June 21, 1967: "There is no excuse, except in time of national emergency declared so by Congress, for a country to engage in deficit financing."

Representative FRED SCHWENGLER of Iowa in floor debate on June 21, 1967: "I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit."

Representative DAVID T. MARTIN of Nebraska in floor debate on June 7, 1967: "This (debt interest) is the second largest item in our budget, next to the appropriations for the military. It seems to be the policy of the Great Society to go deeper and deeper into debt, saddling the burden of this debt and the increased interest charges on our children, our grandchildren, and future generations."

#### BANKING AND CURRENCY COMMITTEE HEARINGS ANNOUNCED ON REGULATION OF ONE BANK HOLDING COMPANIES

#### HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. PATMAN. Mr. Speaker, on April 1, 1969, the Banking and Currency Committee will begin hearings on one of the most important matters confronting our economy today—the need to regulate the dramatic growth of one bank holding companies.

Through loopholes in the Bank Holding Company Act of 1956, commercial banks have been moving rapidly into nonbanking activities throughout the Nation. I will not take the time today to enumerate the many problems connected with this aspect of the overall growth of conglomerates in our econ-

omy. I, as well as others, have expressed concern over this problem, and the hearings, which will be held on H.R. 6778 and other related bills, will carefully examine this issue and how it should be solved.

At this point I would just like to say that any parties interested in testifying before the House Banking and Currency Committee on the one bank holding company issue should contact the committee either in writing or by calling the committee office on 225-4247 to express their desire to be heard.

#### THE ONE REAL QUESTION

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DERWINSKI. Mr. Speaker, as the Communists escalate their terrorist attacks against civilian population centers in South Vietnam, it is obvious that a full reappraisal of the limitations which face our military take place.

We must ask at which point should policies be changed to give our servicemen maximum security and to what conditions could protection develop that would produce the absolute minimum U.S. casualties.

The Chicago Tribune, in a very provocative lead editorial March 10, raises the basic question of Vietnam policy. The editorial follows:

#### THE ONE REAL QUESTION

On Friday we devoted two whole pages to an account of a series of conferences in the late and early spring of last year in Washington. These were concerned with the formulation of further policy to be pursued in Viet Nam, where for years the United States had been entangled in a hard battle to resist the communist formula to achieve piecemeal conquest thru so-called "wars of national liberation," employing creeping aggression, subversion, insurgency, and terror.

President Johnson at the time was meditating some statement to the public. First indications were that he would deliver a "hawkish" speech and assent to the recommendation of the military for a further large commitment of troops. In the end he announced the suspension of bombing above the 20th parallel, sparing the cities and 90 per cent of the population of enemy North Viet Nam, as well as ports, industrial complexes, air fields, and dikes without which that country's agriculture would be doomed.

He coupled this concession—represented as an invitation to the other side to negotiate a finish to the war—with the surprise statement that, in order to demonstrate sincerity and place himself politically above the battle, he would not seek or accept nomination for another term as President.

The story of this succession of frenzied meetings to iron out a policy is that characteristic of almost all councils of state. The participants talked about everything but the one real issue—whether the people of the United States any longer have the stomach to fight a war.

It was obvious that the people were deeply divided. This division had inescapable political effects. Sen. Eugene McCarthy, a "dove," had already captured the New Hampshire Democratic primary. Sen. Robert F. Kennedy, with a quick switch of feathers, was also coming out as a dove and joining the primary contests. The Wisconsin primary was on April 2, and the assumption of Johnson's counselors was that the speech was to help him in that contest. But then, in his speech the

night of March 31, Johnson unexpectedly vacated the field.

The conferees never got around to discussing whether we were in the right war, in the right place, at the right time. They never discussed the strategic implications if the United States were to withdraw from the battle and leave the field to the enemy. They never undertook to answer the contention of the proponents of open or camouflaged surrender that their country was convicted of "immorality" for resisting communist conquest thru a process of nibbling, first here, then there.

They did not even support President Johnson's defense of Viet Nam in his state of the Union message of 1965: "We are there, first, because a friendly nation has asked us to help against communist aggression. . . . Second, our own security is tied to the peace of Asia. Twice in one generation we have had to fight against aggression in the far east. To ignore aggression now would only increase the danger of a larger war."

The White House counselors avoided all these things. They sought only to formulate a course which was supposed to disclose our reasonableness and yearning for peace, but which certainly also constituted an admission that we had no intention of being united in a tough determination to win the war. The formula, in short, was designed as much to appease our home-grown Communists, pacifists, draft card burners, and the student left as it was to reassure Ho Chi Minh.

Of course, the enemy didn't have to be told twice. It had before it a confession of America's irresolution and wavering purpose. So if we wanted to go to the conference table, why not oblige? They would keep fighting the war while talking thru a meaningless marathon, while we would stay our arm and waltz in the combat clinches.

The result is what could have been foreseen. A year later the war is as far from being resolved as ever, and a new President shows every indication of being clasped in a bankrupt policy. The intended armistice by stalemate in Korea more than 15 years ago showed the United States had abandoned its historic record of engaging in wars to win them. Viet Nam is just more of the same.

Will we, in the end, simply let Viet Nam go? What do we let go next? Will we simply confess that as a nation we are the gutless wonders or paper tigers that the Red Chinese call us? Where, then, will we make a stand? Who would join us as an ally?

These questions are not yet settled, but there is an unhappy likelihood that they will be settled before it is all over, for the very fact that the White House council dodged the central question went far toward the admission that, as a people, we are not prepared to match the disciplined Communists in resolution, in tenacity, in patience, in sacrifice, and yes, in that dedication to a national cause which used to be known as patriotism.

#### PRESIDENT NIXON ENDS POLITICAL PATRONAGE IN POST OFFICE DEPARTMENT

### HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. RUMSFELD. Mr. Speaker, after years of complaints about postal misdeliveries, nondeliveries, delays and back-ups, President Nixon has seized the initiative in moving the Post Office Department toward a higher level of professionalism.

By his prompt action to remove the selection of postmasters and rural car-

riers from the political patronage system, the President has demonstrated clearly that he intends to create a postal system capable of meeting the demands of our growing population.

The patronage system, as the President pointed out in his message to Congress on February 25, has become an anachronism the Nation can no longer afford. Often it has resulted in the appointment of men unacquainted with postal systems. Even more incredible, major post offices with receipts in the tens of millions of dollars have operated for long periods without postmasters.

The morale problem in the postal service has become serious. Because of this unacceptable situation, broad support has developed both in Congress and across the Nation for a nonpolitical postal service. In the last Congress, a legislative reorganization bill which contained a section eliminating the patronage system passed the Senate by a vote of 75 to 9. A similar bill for consideration in this Congress already has more than 70 cosponsors in the House of Representatives.

The President's decision and legislation to support this move toward a more businesslike operation are excellent initial steps toward an improved postal service. More comprehensive legislation on postal reform will be necessary if further deterioration in the postal service is to be curbed and reversed.

Placing the selection of postmasters on a merit basis points the way toward a complete restructuring of the Nation's postal operations. It was a decision that properly came early in the life of the Nixon administration, and one that came none too soon.

#### ACADEMIC SURVIVAL

### HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DORN. Mr. Speaker, the greatest threat to academic freedom, and indeed academic survival, is the anarchist, the lawless, the rioter, and the arsonist on the American campus. His objective is the utter destruction of American education. The anarchist in the academic community is the greatest single threat to our Nation today.

I commend the following outstanding and superb letter of the Reverend Theodore M. Hesburgh, president of the University of Notre Dame, to the attention of the Congress and free people the world over:

UNIVERSITY OF NOTRE DAME,  
Notre Dame, Ind., February 17, 1969.

DEAR NOTRE DAME FACULTY AND STUDENTS: This letter has been on my mind for weeks. It is both time and overtime that it be written. I have outlined the core of it to the Student Life Council, have discussed the text with the Chairman of the Board of Trustees, the Vice Presidents Council, all the Deans of the University, and the Chairmen of the Faculty Senate and the Student Life Council. This letter does not relate directly to what happened here last weekend, although those events made it seem even more necessary to get this letter written. I have tried to write calmly, in the wee hours of the morning

when at last there is quiet and pause for reflection.

My hope is that these ideas will have deep personal resonances in our own community, although the central problem they address exists everywhere in the university world today and, by instant communication, feeds upon itself. It is not enough to label it the alienation of youth from our society. God knows there is enough and more than enough in our often non-glorious civilization to be alienated from, be you young, middle-aged, or old.

The central problem to me is what we do about it and in what manner, if we are interested in healing rather than destroying our world. Youth especially has much to offer—idealism, generosity, dedication, and service. The last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Compassion has a quiet way of service. Complicated social mechanisms, out-of-joint, are not adjusted with sledge hammers.

The university cannot cure all our ills today, but it can make a valiant beginning by bringing all its intellectual and moral powers to bear upon them: all the idealism and generosity of its young people, all the wisdom and intelligence of its oldsters, all the expertise and competence of those who are in their middle years. But it must do all this as a university does, within its proper style and capability, no longer an ivory tower, but not the Red Cross either.

Now to the heart of my message. You recall my letter of November 25, 1968. It was written after an incident, or happening if you will. It seemed best to me at the time not to waste time in personal recriminations or heavy-handed discipline, but to profit from the occasion to invite this whole University community, especially its central Councils of faculty, administration, and students, to declare themselves and to state their convictions regarding protests that were peaceful and those that threatened the life of the community by disrupting the normal operations of the University and infringing upon the rights of others.

I now have statements from the Academic Council, the Faculty Senate, the Student Life Council, some College Councils, and the Alumni Board, and a whole spate of letters from individual faculty members and a few students. Some of these are enclosed in this letter. In general, the reaction was practically unanimous that this community recognizes the validity of protest in our day—sometimes even the necessity—regarding the current burning issues of our society: war and peace, especially Vietnam; civil rights, especially of minority groups; the stance of the University vis-a-vis moral issues of great public concern; the operation of the University as university. There was also practical unanimity that the University could not continue to exist as an open society, dedicated to the discussion of all issues of importance, if protests were of such a nature that the normal operations of the University were in any way impeded, or if the rights of any members of this community were abrogated, peacefully or non-peacefully. I believe that I now have a clear mandate from this University community to see that: 1) our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected; 2) civility and rationality are maintained as the most reasonable means of dissent within the academic community; and 3) violation of other's rights or obstruction of the life of the University are outlawed as illegitimate means of dissent in this kind of open society. Violence was especially deplored as a violation of everything that the University community stands for.

Now comes my duty of stating, clearly and unequivocally, what happens if. I'll try to make it as simple as possible to avoid misunderstanding by anyone. May I begin by saying that all of this is hypothetical and I personally hope it never happens here at Notre Dame. But, if it does, anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law. The judgment regarding the impeding of normal University operations or the violation of the rights of other members of the community will be made by the Dean of Students. Recourse for certification of this fact for students so accused is to the tripartite Disciplinary Board established by the Student Life Council. Faculty members have recourse to the procedures outlined in the Faculty Manual. Judgment of the matter will be delivered within five days following the fact, for justice deferred is justice denied to all concerned.

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

Let there be any possible misunderstanding, it should be noted that law enforcement in this procedure is not directed at students. They receive academic sanctions in the second instance of recalcitrance and, only after three clear opportunities to remain in student status, if they still insist on resisting the will of the community, are they then expelled and become non-students to be treated as other non-students, or outsiders.

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

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

I have studied at some length the new politics of confrontation. The rhythm is simple: (1) find a cause, any cause, silly or not; (2) in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; (3) once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provoke it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the

head of the president on a platter, the complete submission to any and all demands. One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialogue when they are going for the jugular vein?"

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

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings. We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law or we allow the university to die beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: too many people have given too much of themselves and their lives to this University to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it.

May I now say in all sincerity that I never want to see any student expelled from this community because, in many ways, this is always an educative failure. Even so, I must likewise be committed to the survival of the University community as one of man's best hopes in these troubled times. I know of no other way of insuring both ends than to say of every member of this community, faculty and students, that we are all ready and prepared and anxious to respond to every intellectual and moral concern in the world today, in every way proper to the University. At the same time, we cannot allow a small minority to impose their will on the majority who have spoken regarding the University's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right or proper. We only insist on the rights of all, minority and majority, the climate of civility and rationality, and a preponderant moral abhorrence of violence or inhuman forms of persuasion that violate our style of life and the nature of the University. It is, unfortunately, possible to cut oneself off from this community, even though the vast majority of our members would regret seeing it happen. However, should this occur, the community as a whole has indicated that it will vote and stand for the maintenance of this community's deepest values, since this is the price we all pay for the survival of the University community in the face of anyone and everyone who would destroy or denature it today, for whatever purposes.

May I now confess that since last November I have been bombarded mightily by the hawks and the doves—almost equally. I have resisted both and continue to recognize the right to protest—through every legitimate channel—and to resist as well those who would unthinkingly trifle with the survival of the University as one of the few open societies left to mankind today. There is no divine assurance that the University will survive as we have known and cherished it—but we do commit ourselves to make the effort and count on this community, in this place, to uphold the efforts that you have inspired by your clear expression of com-

munity concern. Thanks to all who have declared themselves, even to those who have slightly disagreed, but are substantially concerned as well.

As long as the great majority of this community is concerned and involved in maintaining what it believes deeply to be its identity and commitment, no force within it, however determined or organized, can really destroy it. If any community as a whole does not believe this, or is not committed to it, it does not deserve to survive and it probably will not. I hope we will. To this, I commit myself with the presumption that the great majority of you are with me in this concern and commitment.

I truly believe that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today. If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it.

Devotedly yours in Notre Dame,  
REV. THEODORE M. HESBURGH, C.S.C.  
President.

#### WHO DEFENDS THE UNIVERSITY?

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, in recent weeks we have seen a welcome development on a number of our university campuses as faculty and administrators have taken it upon themselves to oppose violence in the academic community. Father Hesburgh of Notre Dame and 100 faculty members at Columbia have stated unequivocally the obligation of the university to defend itself against student disruption.

Unfortunately this commitment to academic freedom may come too late for some of the Nation's leading universities. Failure on the part of a university to accept the responsibility of keeping its own house in order can only lead to a decline in its status as an educational institution. A number of campuses, as a result of their past history of disorder and violence, are finding it difficult to attract and retain quality personnel. It is to be hoped that additional members of the academic community will follow the lead of Father Hesburgh and the Columbia faculty.

I include editorials of March 12, from the New York Times and the Washington Evening Star at this point as part of a continuing effort to bring to the attention of my colleagues materials relating to campus disturbances:

[From the New York Times, Mar. 12, 1969]

#### WHO DEFENDS THE UNIVERSITY?

The warning by a hundred members of the Columbia faculty that it is the university's own obligation to defend itself against student disruption comes at a critical moment in the history of the American campus.

The crisis is nationwide. It stems from the adoption of terroristic methods as a substitute for rationality in the pursuit of greater student power. At Rutgers University vandals

sprayed academic buildings with noxious liquids, forcing the abandonment of most instruction. At Pomona College in California a staff member was severely injured by a bomb placed in a mail depository.

Cornell's president, James Perkins, was physically pulled off a platform during a campus discussion. At San Francisco State College, a student who apparently was in the process of placing a home-made explosive device was blinded and otherwise horribly maimed. On scores of other campuses the avoidance of serious injury has been a matter of luck rather than restraint by the dissidents.

The inevitable reaction to the escalating violence is an intensifying threat by Federal and state authorities to move in on the disciplinary authority that should be—but rarely is—exercised by the academic community itself. The imminence of such intervention is reflected in Justice Department notice that professional agitators are touring the campuses to incite discord and must be stopped by Federal prosecution.

These charges parallel Mayor Lindsay's complaint that outside forces are responsible for much of the upset in city schools, but there is one significant difference. The maintenance of order in the elementary and high schools is clearly a local police function when teachers cannot maintain control. But it would be a confession of intellectual bankruptcy for the nation's colleges and universities to have to acknowledge the necessity for surrendering their independence to police patrols or "law and order" vigilante groups.

The Columbia faculty group recognizes what an academic tragedy such an acknowledgment would be, just as did the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, in his earlier warning that public revulsion against the inability of universities to police themselves might bring "a rebirth of Fascism."

Among the proudest elements in the academic tradition is its devotion to nonviolence, to the substitution of reasoned argument for blind passion. The abandonment of that tradition by a small but imperious segment of academia and the tendency of a far larger segment to condone or explain away the attendant excesses as a temporary therapeutic phase menace the survival of academic freedom and the capacity for internal reform.

The Columbia group rightly warns that it is up to the academic community to "demonstrate the will to act." The extent of that demonstration on campuses everywhere will provide an important measure of the universities' ability to insure their survival in freedom.

[From the Washington (D.C.) Evening Star, Mar. 12, 1969]

#### EXODUS AT BERKELEY

It is not a pleasant thing to contemplate what may be the death agony of a great university, but that is what seems to be happening at the University of California at Berkeley. After years, now, of student revolt on an apparently endless series of issues, distinguished teachers and scholars are giving up and heading for the schools back east not plagued with anything like the mania that has afflicted Berkeley.

Throughout all the bitter demonstrations, much has been made of the rights of the student dissidents to freedom of speech—including such "symbolic" speech as barricading buildings. Less attention, or none, has been paid to the rights of others affected by the dissidents.

Teachers interested in teaching, scholars interested in study, students interested in learning, do not, as a rule, demonstrate, seize buildings and issue manifestos. But eventually they get the idea that their particular interests are better pursued elsewhere. That is what is happening at Berkeley. Many of the university's prize faculty members are now installed along the east coast.

One attraction here, of course, is the community of scholarship that has existed since Harvard and William and Mary were founded. But another is the sheer burden of the leftist student movement in California. "I got to spending half my time on judicial and faculty committees," says Dr. Mason Haire, a former Berkeley psychologist now at M.I.T.

At Berkeley and at nearby San Francisco State College the militants may possibly find that they have won, but that the thing they fought over has been destroyed by their own actions.

#### VOICES FROM THE REPUBLICAN PAST, OR, WHERE ARE THEY NOW?

### HON. JOHN BRADEMAs

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BRADEMAs. Mr. Speaker, next week the House of Representatives is scheduled to vote on a bill to raise the ceiling on the national debt. I have found in conversation with colleagues in the House, both Democrats and Republicans, many questions with respect to the priorities of President Nixon's administration in spending additional funds.

So far we have heard very little from the White House with respect to any aspect of the President's spending program or, indeed, any other program.

During the period of the last 8 years of Democratic administrations, our Republican colleagues have, quite properly, as have Democrats, made persistent inquiries into the fiscal and other decisions made by the executive branch of Government. We can, I am sure, assume that our Republican colleagues will, as will we on our side of the aisle, wish to ask the officials of President Nixon's administration the same kinds of questions with respect to such matters as the national debt, the economy, and spending priorities.

Mr. Speaker, I think it enlightening in this respect—and in view of the forthcoming vote on the bill to raise the national debt limit—to take a look at recent discussions in the House on earlier debt limit bills. These discussions demonstrate the kinds of questions that our Republican colleagues put to Democratic administrations and which now become equally relevant when a Republican administration is in office.

I, therefore, include in the RECORD several excerpts from statements in the House of Representatives by Republican Members of Congress on earlier bills to increase the ceiling on the national debt. My distinguished colleague, the gentleman from Minnesota (Mr. FRASER), is today inserting in the Extensions of Remarks of the RECORD the pattern of roll-call votes by Republican and Democratic Members of the House on debt limit increases in the last 16 years.

With regard to the first of the following statements, Mr. Speaker, I note with interest that it was made by our distinguished colleague, the gentleman from Wisconsin (Mr. BYRNES), who 5 years ago was strongly opposed to a bill to increase the debt ceiling. I note with some interest, therefore, that he is listed as the co-

sponsor of H.R. 8508, the bill to increase the debt limit, on which the House is to vote next week.

Mr. Speaker, following are the statements of the Republican Congressmen:

VOICES FROM THE REPUBLICAN PAST, OR,  
WHERE ARE THEY NOW?

Rep. John Byrnes of Wisconsin in floor debate on June 18, 1964: "Frankly, Mr. Chairman, I cannot vote and will not vote to give my approval to these debt ceiling increases in order to continue the spending programs that are contemplated. I believe some brakes should be put on. In my opinion this is the only brake I have at my disposal. We should either use the ceiling in a meaningful way or the majority on the committee might just as well be honest with the Congress and with the public and say, 'We are reporting out a bill repealing the debt ceiling legislation.' That would be the honest thing to do, unless you are going to use it to exert some pressure on spending. But what kind of restraint is it if you give them everything they want for spending and in addition a \$3 billion cushion in case they have incorrectly estimated their needs and then another \$4 billion in the banks?"

Rep. Joel T. Broyhill of Virginia in floor debate on June 18, 1964: "I cannot assume the responsibility for these reckless policies. My position has always been that in times of prosperity we should live within our revenues. I ask that my colleagues join with me in sending this bill back to committee. It is past time that we faced the issue squarely and put a halt to further deficits. It is obvious that the amount asked for refutes the false claims of economy being made by this administration. If these claims have any substance, the Congress would not have to increase the debt ceiling . . ."

Rep. William H. Harsha of Ohio in floor debate on June 9, 1964: "This administration is shoveling out federal money so fast it has run out of debt limit again. Since no one is raising the roof about it, the President wants to raise the ceiling, but it should not be called a ceiling, it is a fiscal hole he is digging and he wants to excavate more to put the Nation deeper in debt. We have again reached the time of year when the piper must be paid."

Rep. H. Allen Smith of California in floor debate on June 8, 1966: "Raising the debt limit, in my opinion, could be prevented if the President and the Congress would exercise greater restraint in their fiscal spending policies . . . Why does this debt limit have to go up at this particular time? The Government today has more money to play with than ever before. This year the Government will have the biggest tax take in our history."

Rep. Clarence J. Brown, Jr. of Ohio in floor debate on June 18, 1964: "Personally, I am opposed to increasing the national debt limit at this time, or at any other time, unless there is a grave and a great national emergency that would require such action in order to preserve our own security and our own way of life."

Rep. Thomas B. Curtis of Missouri in floor debate on June 18, 1964: "It is perfectly logical for Republicans, of course, to resist the expenditure policies of this administration, as we tried to under the Kennedy administration. This is a basic issue for the people to decide. I wish my colleagues on the Democratic side of the aisle would face it forthrightly. Their economic philosophy is to spend and finance it through deficits. The President does not submit a balanced budget to the Congress and has no intention of submitting a balanced budget in the foreseeable future. What we Republicans are fighting for and what we regard as fiscal responsibility is balancing the budget."

Rep. Bruce Alger of Texas in floor debate on June 18, 1964: "As a choice, of course, I would point out that Republicans have disapproved of an increase in the debt ceiling, and it is because they believe there can be

control in the rate of expenditures even as we are deciding where to reduce the total expenditure itself. We who are not responsible for this deficit financing believe that where it is legitimately and consistently possible, the debt ceiling increase can be opposed without being irresponsible."

Rep. Harold R. Collier of Illinois in debate on June 18, 1964: "If we vote to give the administration the debt limit increase it requests today, we are merely approving the continuation of fiscal conduct which can only lead to disaster. There are those of us who consistently practice economy in government through voting against programs which may be politically expedient but which we cannot afford if we are ever to emerge from the mire of indebtedness which we are merely passing on to the next generation as a rather sad heritage."

Rep. John P. Saylor of Pennsylvania, in floor debate on June 8, 1966: "Sometime in the future, if the cost of defending this country against Communist aggression becomes much more expensive than is currently estimated by the administration, there may be justification for increasing the debt limit. At the moment the request for further depreciation of the dollar cannot be defended, for cutbacks in bureaucratic extravagance would more than account for budget deficiencies. With sound fiscal policies it would in fact be possible to reduce the debt and thus fulfill an obligation not only to today's taxpayers, but to future generations which will incur the unpleasant consequences of the present administration's wasteful policies."

Rep. William G. Bray of Indiana, in floor debate on June 8, 1966: "I have opposed these temporary debt limit increases in the past and I am opposed to this one, not solely because of the amount of increase granted, nor of the rising cost of financing the public debt, but because congressional approval will, as the minority report on the bill points out, imply approval of the administration's fiscal policies."

Rep. Paul A. Fino of New York, in floor debate on February 8, 1967: "I rise in opposition to any further extension of the national debt ceiling. I do not think any member can deny that our government is spending too much as it is. This is not the year for a huge debt ceiling hike and a stiff tax increase. This is not the year to raise the bridge—if anything, this is the year to lower the water. In short, let us cut spending and let us stop raising the taxes of this generation and generations yet unborn."

Rep. Henry Schadeberg of Wisconsin, in floor debate on February 8, 1966: "I believe we have a responsibility to our people back home to take the necessary measures now that will force us and the administration to live within our income. I am aware that the need for the increase in the debt limit is due to the fact that the money has already been spent. Perhaps the present critical need for available money on the part of the Government needs to be dramatized so that we in Congress will be lulled out of our complacency about fiscal matters and the American people can see for themselves what is troubling our economy. My vote against the debt limit increase is one which is based on the firm conviction that the only way we can bring the wayward spenders into line is to cut off the source of supply of their funds and refuse them the right to squander today the wealth of tomorrow's generation in order that they may selfishly live high off the hog."

Rep. John T. Myers of Indiana in floor debate on February 8, 1967: "There are those who have called us irresponsible for opposing the administration proposal to hike the federal debt limit from \$330 billion to \$336 billion. It is my opinion our position is rather one of responsibility. Why even go through the motion of having a debt limitation if we are not going to observe it and raise it whenever it is politically expedient."

Rep. Louis C. Wyman of New Hampshire in floor debate on February 8, 1967: "Mr. Chairman, I cannot vote to increase the debt limit and keep faith with the people in my district who sent me to this 90th Congress. My constituents want the continuous overspending of the federal government brought to a stop. I pledged to do this. A vote to increase the debt limit is a license to continue federal overspending. It would be a breach of commitment to my constituents."

Rep. Donald Riegler Jr. of Michigan in floor debate on February 8, 1967: "The easiest thing for the government to do is to go into debt. For as long as the government can go deeper and deeper into debt—the more it can spend and spend and spend, then the more it can, in turn, expand the grasp of the federal government and its influence and control over the individual citizen. And that has been the pattern—borrow, borrow, borrow; spend, spend, spend—and let the country sink deeper and deeper and deeper into debt. I believe this country is already too deeply in debt."

Rep. Joe Skubitz of Kansas in floor debate on February 8, 1967: "I am fully aware of the problems which might result should the Congress refuse to increase the debt ceiling. But I know of no other way to sound the warning, to impress upon the spenders that we go this far and no further. There is virtue in a balanced budget and a limit to what we can afford. These principles are not so outmoded as to be ignored in our Great Society. The time has come when those who believe in a sound fiscal policy must vote against any proposal to increase the debt limit."

Rep. H. R. Gross of Iowa in floor debate on June 7, 1967: "We here today are trying to eat filet mignon steaks on a hamburger income. We are not skating on good solid financial ice in this country—we are just walking in the water with our skates on and a hell of a lot of people do not seem to know it. I am opposed to this enormous debt increase."

Rep. George Bush of Texas in floor debate on June 21, 1967: "I said last time—and I say again today—that before accepting a deficit of this magnitude, before being willing to risk the consequences of such a deficit, we had better tell the Administration again to take another look at their figures and come back to Congress with some constructive proposal for reducing the amount of the deficit. Rejection of the bill before you is our only hope."

Rep. Mark Andrews of North Dakota in floor debate on June 21, 1967: "There is no excuse, except in time of national emergency declared so by Congress, for a country to engage in deficit financing."

Rep. Fred Schwengel of Iowa in floor debate on June 21, 1967: "I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit."

Rep. David T. Martin of Nebraska in floor debate on June 7, 1967: "This (debt interest) is the second largest item in our budget, next to the appropriations for the military. It seems to be the policy of the Great Society to go deeper and deeper into debt, saddling the burden of this debt and the increased interest charges on our children, our grandchildren, and future generations."

PROGRESS IN RACIAL UNDER-  
STANDING THROUGH SCIENCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. RARICK. Mr. Speaker, Dr. Arthur R. Jensen, professor of educational psy-

chology and a research psychologist at the Institute of Human Learning—a research agency of the University of California at Berkeley—author in the field of psychology and vice president of the American Educational Research Association, has released a scholarly study, "How Much Can We Boost IQ and Scholastic Achievement?" published by the Harvard Educational Review, winter 1969, No. 1, volume 39.

Dr. Jensen's thorough study into the taboo subject of heredity and environment is must reading for all serious students seeking positive answers to what is wrong in our domestic policies in the U.S. today.

For sure, Dr. Jensen's conclusions emphasize the need for reform in teaching techniques as well as an overall reevaluation of our domestic policies under the present forced social justice theories of the egalitarians.

"Compensatory" education now costing taxpayers hundreds of millions of dollars is founded on false promises and is doomed to failure as long as it pursues old approaches stressing "cognitive" learning.

Dr. Jensen's tests also dismiss the environmental excuses heretofore promoted by Myrdal and others of the human experimenters who blame intellectual inadequacies on poverty and similar socioeconomic rationalizations.

Now that the taboo has been lifted so that heredity and genetics have been properly restored as a legitimate study in behavioral science we can hope for additional research from other learned sources to aid in freeing mankind from the scourge of darkness that has descended upon our land.

Brown against Topeka is now discredited, truth and justice demand a new trial.

Mr. Speaker, I include reports from the U.S. News & World Report, Arizona Republic, Jackson Daily News, and Joseph Alsop's gasping and wistful dissent, as follows:

[From U.S. News & World Report]

**CAN NEGROES LEARN THE WAY WHITES DO? FINDINGS OF A TOP AUTHORITY**

(NOTE.—Are all men created equal in ability to learn the same thing the same way? A noted professor of educational psychology—Dr. Arthur R. Jensen of the University of California—has reopened an old controversy by offering new arguments on that question. His study, entitled "How Much Can We Boost I.Q. and Scholastic Achievement?" has just been published by the "Harvard Educational Review." It brings into issue some of the fundamental teaching methods used in racially mixed schools. The main points of his article are given below, as well as the reaction of other prominent authorities to his conclusions.)

Shock waves are rolling through the U.S. educational community over a frank and startling reappraisal of differences in classroom performance between whites and Negroes.

In a lengthy article, taking up most of the winter issue of the "Harvard Educational Review," one of the nation's leading educational psychologists, Dr. Arthur R. Jensen of the University of California at Berkeley, presents these major findings:

Negro scores averaging about 15 points below the white average on I.Q. tests must be taken seriously as evidence of genetic differences between the two races in learning patterns.

Research suggests that such a difference would tend to work against Negroes and against the "disadvantaged" generally when it comes to "cognitive" learning—abstract reasoning—which forms the basis for intelligence measurements and for the higher mental skills.

Conversely, Negroes and other "disadvantaged" children tend to do well in tasks involving rote learning—memorizing mainly through repetition—and some other skills, and these aptitudes can be used to help raise their scholastic achievement and job potential.

Unfortunately, big programs of "compensatory" education, now costing taxpayers hundreds of millions of dollars a year, are doomed to failure as long as they pursue old approaches stressing "cognitive" learning.

The Berkeley psychologist, who also is vice president of the American Educational Research Association, stressed his view that "the full range of human talents is represented in all the major races of man and in all socioeconomic levels." He added, however, that research clearly shows differing patterns of average intellectual skills among the races.

**GENETIC FACTORS IGNORED**

Dr. Jensen acknowledged that far more research is needed to define the extent and nature of these differences, because "the possible importance of genetic factors . . . has been greatly ignored, almost to the point of being a tabooed subject." He strongly attacked the domination of educational theory by "environmentalists," who argue that all children except a rare few come equipped with the same learning mechanisms, and that differences in I.Q. scores are the result of social, economic, emotional and other pressures.

Cited by Dr. Jensen was the then U.S. Commissioner of Education, Francis Keppel, who proclaimed a few years ago that children "all have similar potential at birth—the differences occur thereafter."

There is now a growing realization among scholars in this field that discrepancies in performance "cannot be completely or directly attributed to discrimination or inequalities in education," Dr. Jensen said.

**A REAPPRAISAL**

Pointing to many admissions of failure in huge "compensatory" education programs for the poor, he asked:

"What has gone wrong? In other fields, when bridges do not stand, when aircraft do not fly, when machines do not work, when treatments do not cure . . . one begins to question the basic assumptions, principles, theories, and hypotheses that guide one's efforts. Is it time to follow suit in education?"

A fresh look at the whole problem of inequalities in the classroom, the Berkeley educator said, must begin with a re-examination of what "intelligence" really is. He stressed that the term "intelligence" is generally used by psychologists to apply to only a small part of the total range of mental ability, which also includes such qualities as acuteness of perception, motor behavior and memorizing skills.

As developed over the years, he said, the "intelligence test" is a sampling of abilities, oriented toward the middle-class child, by which testers can forecast likely performance in school and in occupational status and job capacities—not precisely, but within a small margin of error.

The crucial ability in this sampling is "cognitive" or "conceptual" learning—the capacity for abstract reasoning and problem-solving through classifying of similarities and dissimilarities. As observed by Dr. Jensen, it is this quality that has generated the world's great discoveries. It is this that enables children to proceed from rote learning to reasoning for themselves.

For most children, Dr. Jensen has found, this reasoning capacity begins to take hold in the first or second grade. But it does so at a varying pace and to varying degrees—and it is this variation that accounts in large

measure for the differences in I.Q. test scores in any sampling of children.

**RAISING INTELLIGENCE**

Can intelligence centering on the "cognitive" factor be raised as much as environmentalists claim?

Dr. Jensen's reply is No. His article took up at length many tests of children whose origins and upbringing were thought to offer some clues on this issue.

Of especial interest were studies of identical twins—those who develop from a single fertilized ovum and therefore have identical genetic endowment. These studies, Dr. Jensen said, showed that such twins, even if reared apart in dissimilar environments, still tend to develop I.Q.'s almost as similar as those of identical twins reared together.

Furthermore, he cited research indicating that children adopted shortly after birth are far more similar in I.Q. to their natural parents than to their adoptive parents.

Such studies, Dr. Jensen said, make it clear that "brain mechanisms which are involved in learning are genetically conditioned just as are other structures and functions of the organism." Altogether, his summation of studies on individual differences in I.Q. concluded that heredity accounts on the average for about 80 per cent of those individual variations, as against only 20 per cent resulting from environmental influences.

**ENVIRONMENTAL INFLUENCES**

Contrarily, he did find much evidence that environment can play an important role in modifying actual performance in the classroom or on the job, without much changing I.Q. itself. Studies of twins, he said, suggested that individual differences in scholastic performance are determined only about half as much by heredity as are I.Q. variations.

This means, said Dr. Jensen, that "many other traits, habits, attitudes and values enter into a child's performance in school besides just his intelligence, and these non-cognitive factors are largely environmentally determined, mainly through influence within the child's family." I.Q. gains were described as being significant only when youngsters are removed from extreme, often bizarre, isolation and deprivation. Dr. Jensen found that the "disadvantaged" child often makes initial gain after a change for the better in environment, but then regresses toward his parents' level.

As an instance, he referred to a Milwaukee study last year of 586 children of 88 low-income Negro mothers living in a slum neighborhood which had only 5 per cent of the city's school population—but one third of the retarded children, defined as those with I.Q.'s of under 75. Of the 88 mothers, this study found, 45.4 per cent were below 80 in I.Q. Children of the low-I.Q. mothers suffered a systematic decline in intelligence testing, and in first grade accounted for four fifths of the children with under-80 I.Q.'s in the total sampling.

This study and others were seen as underlining the influence of genetic factors in the relationship of I.Q. showings to social and economic status. Similarly, Dr. Jensen said, heredity probably plays some role in the heavy representation of Negroes in America's lower socioeconomic groups.

**HEREDITY FINDINGS**

After looking over the accumulated research on this subject, Dr. Jensen summed up the major findings as follows:

Negroes, on the average, test about 15 I.Q. points below the white average. This discrepancy is about the same in school achievement rather consistently in Grades 1 through 12.

One study found that I.Q.'s below 75 have a much higher incidence among Negroes than among whites at every socioeconomic level. In the two highest of these levels, the Negro incidence was more than 13 times as high as for whites—an important statistic,

Dr. Jensen said, because "if environmental factors were mainly responsible for producing such differences, one should expect a lesser Negro-white discrepancy at the upper [socioeconomic] levels."

A 1967 survey of Negro and white children in a California school district found that Negroes lagged only 3.9 points in the lowest socioeconomic category—but the gap widened to 15.5 points in comparing white and Negro children from professional and managerial families.

Over all, Dr. Jensen said, one summation of the total literature on this subject up to 1965 found that in studies with subjects grouped by class, the upperstatus Negro children averaged 2.6 points below the low-status whites. The author of this summary, Dr. Audrey M. Shuey, wrote:

"It seems improbable that upper and middle-class colored children would have no more culture opportunities provided them than white children of the lower and lowest class."

To buttress his argument that genetics—not environment—plays the major role in Negro I.Q. scores, Dr. Jensen mentioned the American Indians as actually being the most "disadvantaged" of racial groups included in the Coleman Report of the U.S. Department of Health, Education, and Welfare in 1966. In almost every way, this report found, the environmental rating of Indians is as far below the Negro average as the Negro average is below that of whites.

Despite this, in scores on both ability and achievement tests, it was discovered that Indians averaged six to eight points above Negroes.

#### USES OF TESTS

Intelligence tests, Dr. Jensen said, satisfactorily measure intelligence as defined by the psychologists in line with "objective reality"—the educational and occupational demands of modern society. Even so, he believes, the findings open up many questions about the course that U.S. education should take in times ahead.

Mentioned in some detail were child-development tests that placed Negro infants considerably ahead of whites in motor skills and noncognitive abilities. One study found 60 per cent of Negro infants—compared with 30 per cent for white infants—doing well between the ages of 9 and 12 months in walking and "pat-a-cake" muscular co-ordination. Even in nonmotor items, Negro infants up to six months of age in the poorest section of Durham, N.C., scored six to eight points above white norms.

In still another study, Dr. Jensen told of repeatedly showing and naming to children about 20 unrelated but familiar objects, after which the youngsters were told to recall as many of the items as possible, in any order that came to mind.

Repeated testing, said the University of California psychologist, revealed that lower and middle-class children did about equally well, though their I.Q.'s differed by 15 to 20 points.

The I.Q. differential, however, became clear when 20 familiar objects again were presented in a random order—but the objects this time could be grouped into conceptual categories such as food, furniture and clothing.

White children, in this test, tended to recall the items in "clusters" corresponding to the common categories. Negro children displayed significantly less of this conceptual clustering. Even though they recognized the concepts, the Negro children did not appear to respond as instinctively as white children did, Dr. Jensen said.

#### DIFFERENT REQUIREMENTS

A deficiency in conceptual ability, Dr. Jensen added, need not have the importance currently attached to it as the ultimate yardstick of fitness to play a productive role in modern society. Job descriptions, he sug-

gested, should be reviewed to see whether the educational and mental-test requirements that now bar many "disadvantaged" persons are necessary.

Also recommended were smaller, more intensive and more carefully focused programs of "compensatory" education than those tried so far. Massive experiments such as New York City's "Higher Horizons" program were seen as disappointments because they tended merely to offer bigger doses of generalized "cognitive" learning. Dr. Jensen said such efforts should use as their basis instead the "associative" learning skills possessed by many poor children.

#### TIMETABLE OF LEARNING

Some basic skills can be acquired by rote learning at an early age, Dr. Jensen said—and ways should be found to transfer such memorized learning in a lasting way to the later stages of learning. He gave this explanation:

"Too often, if a child does not learn the school subject matter when taught in a way that depends largely on being average or above average on general intelligence, he does not learn at all, so that we find high-school students who have failed to learn basic skills which they could easily have learned many years earlier by means that do not depend much on general intelligence. . . . If a child cannot show that he 'understands' the meaning of 1 plus 1 equals 2 in some abstract, verbal, cognitive sense, he is in effect not allowed to go on to learn 2 plus 2 equals 4. I am reasonably convinced that all the basic scholastic skills can be learned by children with normal associative learning ability, provided the instructional techniques do not make general intelligence the *sine qua non* of being able to learn."

As one example of what can be done, he told of a preschool program at the University of Illinois which centered sharply on specific skills—language, reading and arithmetic—considered essential in developing the cognitive process. A high degree of pupil attention and participation was stressed in the experiment, along with emphatic repetition. In general, the Illinois experiment put less stock on I.Q. gains than in scholastic performance. The result, Dr. Jensen said, was that achievement levels of the "disadvantaged" youngsters compared favorably with those of children whose I.Q.'s ranged 10 to 20 points higher.

#### OPPOSED TO SEGREGATION

Dr. Jensen made it clear that he is opposed to racial segregation. He said: "All persons must be regarded on the basis of their individual qualities and merits, and all social, educational and economic institutions must have built into them the mechanisms for insuring and maximizing the treatment of persons according to their individual behavior." While the article in the "Harvard Educational Review" did not specify how this could be accomplished in classrooms, Dr. Jensen on other occasions has mentioned such methods as small groupings of children and the use of computer-assisted teaching which could enable each child to learn through his own pattern of mental skills.

Required more than anything else, Dr. Jensen suggested, is for educational theorists to abandon "doctrinaire attitudes" on questions related to racial inequalities, and to undertake scientific inquiry—with "no holds barred." He concluded:

"Diversity rather than uniformity of approaches and aims would seem to be the key to making education rewarding for children of different patterns of ability. The reality of individual differences thus need not mean educational rewards for some children and frustration and defeat for others."

#### IN RESPONSE TO DR. JENSEN

Controversy already is developing among scholars over Dr. Arthur R. Jensen's views on

the role of heredity in human intelligence and in racial differences in I.Q.

Early responses suggest that Dr. Jensen will get a measure of support for his criticism of extreme "environmentalists" who discount heredity almost entirely. Also being voiced is agreement that remedial or "compensatory" education for poor children has been "oversold."

#### Some qualifications

This support for Dr. Jensen, however, is qualified in most cases—sometimes heavily—by questioning of his research and some of his conclusions. That is the picture that emerges from comments of authorities invited by the "Harvard Educational Review" to reply to Dr. Jensen.

A geneticist, Dr. James F. Crow of the University of Wisconsin, found himself "in substantial agreement" with Dr. Jensen's conclusions.

"Races are characterized by different gene frequencies, and there is no reason to think that genes for behavioral traits are different in this regard," Dr. Crow said. He added, however, that "this is not to say that the magnitude and direction of genetic racial differences is predictable."

Dr. Crow referred to a study quoted by Dr. Jensen which showed that American Indians did better than Negroes in intelligence testing, despite a lower socioeconomic status. Dr. Crow said of this example: "It can be argued that being white or being black in our society changes one or more aspects of the environment so importantly as to account for the difference."

Dr. Carl Bereiter, a former University of Illinois psychologist now with the Ontario Institute for Studies in Education in Toronto, agreed that the heritability of intelligence is "unquestionably high." He did not comment specifically on the racial issue, but suggested that the Berkeley psychologist may have underestimated I.Q. gains that might result from properly designed and administered "compensatory" education.

#### Overstatements

Another psychologist, Dr. Lee J. Cronbach of Stanford University, said:

"Dr. Jensen has girded himself for a holy war against 'environmentalists,' and his zeal leads him into overstatements and misstatements. The genetic populations that we call races no doubt have different distributions of whatever genes influence the psychological processes. We are in no position to guess, however, which pools are inferior."

Current experiments, Dr. Cronbach continued, suggest that the lower-class children who have trouble in the "conceptual clustering" test mentioned in Dr. Jensen's article can overcome their initial weaknesses after getting simple instruction.

Also, he said, "The influence of environment on a trait with high heritability is dramatically apparent to the American Fulbrighter of average height who finds large numbers of today's Japanese youth towering over him." On an intellectual level, he said, mental tests in most cultures show generation-to-generation gains attributable to environment.

#### Infant intelligence

Along somewhat similar lines, Dr. J. McV. Hunt, University of Illinois psychologist, held that Dr. Jensen had overlooked much research, especially among infants, which suggested that circumstances can aid development of intelligence skills. Dr. Hunt said:

"He emphasizes quite heavily the temporary nature in many instances of I.Q. improvement, but neglects the possibility emerging in recent research that intelligence gains can become permanent when used as a base for further development in the individual child's conceptual skills."

This authority added: "I've ever seen of the 'Dr. Jensen has given the most sophisti-

standard argument for heredity as a primary factor in human intelligence. He says many worthwhile things, but some of his argument is misleading. I'm willing to see more research on heredity, but I would hope that his emphasis on heredity and on what he calls the 'failure' of compensatory education won't weaken support for research and development of better programs of this sort."

[From the Arizona Republic, Feb. 5, 1969]  
RACE OPINIONS OSTRACIZE PAIR  
(By Holmes Alexander)

WASHINGTON, D.C.—It used to be literally worth a man's life, in the days of Copernicus, to express belief in the solar system, and today it's worth a man's political career in Britain and his social status in America to contend that there is any difference except color between the races.

Enoch Powell, the lynx-eyed Tory MP, who wants to limit Afro-Asian immigration into his country, gets much the same treatment for his opinion's sake that Carleton Putnam, author of *Race and Reason*, was meted out on the western shores of the Atlantic.

Both men, known to me but not to one another, are eminent scholars in the precise meaning of that loosely-used word.

In 1967, Powell wiped up the floor with ex-Sen. Paul Douglas at George Washington University in a debate on socialism. The Britisher is a man whom it's safer to denounce than to argue with.

Carleton Putnam, a lanky Yankee of urbane mien, author of a Scribners-published Theodore Roosevelt biography until ostracism chopped off the final volumes, asks only that the scientists quit their book-burning and acknowledge the mental inequalities of men.

When I last talked with Putnam, a Senate subcommittee was investigating malnutrition (called "hunger" in campaign rhetoric), and I brought up the natural question. Why is it always the Negroes who seem to go short of food, jobs, education and the other good things of American prosperity? Is it because as this subcommittee was knocking itself out to prove, the Negroes suffered from the white man's injustice?

"The black race, and every other race," said Putnam, "has been unjustly treated at times, and we should eradicate unfairness wherever it's discovered. But injustice is not a fundamental cause of poverty. If we could remove every vestige of injustice tomorrow, there would still be poverty in a free society. The basic cause of poverty is the variability of capacity among individuals, groups and races. The modern Axis (a black-white minority) has kept on telling this lie about injustice-causes-poverty."

It's not a "good" lie, then, like some of our many cheerful myths in religion and folklore?

"It's a bad lie," Putnam said. "Bad for the Negro because it gives him a grievance against the whites. And bad for the whites because it gives them guilt. The guilt feeling, causing so many of our leaders to fawn over the poor, has bred contempt for their elders on the part of the college generation."

You can't talk that way in our English-speaking democracies without being punished for it. When Enoch Powell cuts loose with a statement about the "alien intrusion of colored immigrants into 'England's green and pleasant land,'" he wins support from Opinion Research Center polls (82 per cent of British white adults agree with him), but he catches hell in his party and in the press.

A reputable U.S. news agency recently sent out a London-dated news story on Powell, which screeched like a witch-hunter. The supposedly objective reporter (or his editors at home) said that "sadly" the British people thought Powell to be correct. The story went on to name-drop such incendiary words as Hitler, Joe McCarthy and "extremism." It ended on the far out prophesy that Powell

was "waiting for the day" when "the climate is right" for unspeakable racial atrocities.

[From the Jackson (Miss.) Daily News, Feb. 17, 1969]

WARFARE IN CLASSROOMS MAY REVIVE PUTNAM IDEA

Do you recall when concerted efforts were made to instill a bit of common sense into national thinking on the racial turmoil? One of the tools distributed by concerned individuals and organizations was the Carleton Putnam book and pamphlets on "Race and Reason."

But the nation was so swallowed up in emotionalism over alleged racial incidents in the South until only a bare minimum of persons associated with the national news media would touch Mr. Putnam's thoughts with a 70-foot pole, but crusading "war" correspondents descended upon Dixie in droves to stir emotions to the point that some thought a new civil war against the South might be in the offing.

Things have changed. All the souped up theories of race-mixing have resulted in the threat of domestic war in Northern cities.

There is renewed interest in the thinking expressed a decade ago by Mr. Putnam and a handful of others.

Few things could be more significant than remarks of Dr. Arthur R. Jensen at an educational symposium in Los Angeles a few days ago. It was a symposium held in connection with the annual convention of the American Educational Research Association.

"It is reasonable hypothesis," the educational expert continued, "that hereditary factors as well as environmental factors play a part in this difference. The bulk of the evidence is that three-fourths of the variability of intelligence is accounted for by genetic factors in our present society.

"By not recognizing these differences," Dr. Jensen concluded, "we run the risk of failing to develop the various capabilities of all our people."

Not to dwell on the fact that it sometimes takes science a long time to catch up with common sense, we are reminded that five years ago the Federal court in Jackson officially recognized, though it seemed powerless to act upon, certain of those racial differences which are so well known to white and black folks alike, and are indeed what make them interesting to each other. The late Judge Sidney C. Mize, in the case of "Darrell Kenyatta Evers, et al. vs. Jackson Municipal Separate School District et al.," stated in his opinion of July 6, 1964:

"The Court concludes that white and Negro pupils of public school age have substantially different educational aptitudes and learning patterns which are innate in character and do not arise out of economic or social circumstance and which cannot therefore be changed or overcome by intermixed schooling or other change of condition or environment within the powers of this Court to decree. The Court finds such differences to be racial traits so directly related to the learning process as to reasonably require separate forms of instruction in separate schools if equal educational opportunity is to be made available to the children of both races."

Judge Mize concluded by urging—"a complete reconsideration of the decision in the 'Brown' case," i.e., the "Black Monday" decision of the Warren Court in 1954, on which subsequent moves of the Federal government to force school integration have been based. The Mississippi jurist was at one, as far as the merits of racially separate education are concerned, with Federal Judge Frank M. Scarlett of the Southern District of Georgia, who in the "Stell" case of 1963 had ordered separate schooling to be maintained in Savannah and Chatham County, Georgia, but had been overruled by the Fifth Circuit

Court of Appeals. Both Judge Scarlett and Judge Mize had heard extended and uncontradicted testimony by duly qualified scientific experts, notably including Dr. Henry E. Garrett, former President of the American Psychological Association, and Professor Emeritus of Psychology at Columbia University.

Waiving discussion of the rather obvious fact that the Federal courts really have no business administering schools at all, it is clear enough that in the long run the courts will have to rule on educational matters along lines which educational experts indicate. That is why the report of Dr. Jensen's research is so important. It is perhaps the beginning of a thorough reconsideration of the operation of genetic differences in society, as urged since October 1967 by Nobel Prize-winning physicist Dr. William B. Shockley of Stanford University.

With President Nixon reversing himself from unreserved campaign statement on easing Federal pressure on classroom activities across the nation and with Health, Education, and Welfare commissar Finch going full speed on using Federal funds to whip educators in line in behalf of forced race-mixing in the schools, utter chaos is sure to follow.

Somewhere, sometime somebody will have to face up to this issue which the late Judge Mize said: "Cries out to be heard."

[From the Washington (D.C.) Post, Mar. 13, 1969]

DISSENT IS REGISTERED TO REPORT ON NEGRO INTELLIGENCE LEVELS

(By Joseph Alsop)

The unspeakable has been spoken. The unmentionable has been mentioned. And this reporter would like to enter a qualified but vigorous dissent.

Arthur R. Jensen, professor of educational psychology at Berkeley and vice president of the American Educational Research Association, is the man who has mentioned the unmentionable. In a formidable paper in the Harvard Educational Review, he has said that human intelligence depends far more upon heredity than upon environment.

Thus he has frontally attacked the general belief that the ghetto environment is the sole cause of the poor performance of the children in the ghetto schools. Nor has he stopped here.

He has gone on to say, with a vast mass of figures seeming to prove his claim, that on average, the IQs of black Americans are about 15 points lower than the IQs of white Americans. In part, this is merely an assertion that on average, unsuccessful Americans are less intelligent than successful Americans.

In other words, children of white families of low social-economic status have substantially lower average IQs than children from white families of higher stature, as is also true of black children of different backgrounds. Yet Dr. Jensen insists that even after making allowance for this poor-rich differential there is also a clearly detectable racial difference.

For example, he points to comparative figures obtained by Prof. Rick Heber of the University of Wisconsin on percentages of children with IQs below 75 (or near to mental retardation) in white and black families at five levels of social-economic status. At the highest status level, there was already a difference, though a trifling difference, between the whites and the blacks.

But at level two, the low-IQ children were only 0.8 per cent of the white sample, against 14.5 per cent of the black sample. And this divergence was found all down the line, so that in the lowest level group, there were 7.8 per cent of low-IQ children among the whites, against 42.9 per cent of low-IQ black children.

This makes grim reading, unless someone can disprove Dr. Jensen, Dr. Heber, and all

the other factual data Dr. Jensen quotes. It must above all be noted, of course, that Dr. Jensen is dealing in percentages.

Hence his figures also mean that there are great numbers of very able, indeed brilliant black Americans, far above the white average and fully as intelligent as the very ablest whites. Otherwise, this gap between black and white average IQs would be much greater.

Yet there is no use being mealy-mouthed about it. Dr. Jensen is really saying that in addition to the handicaps wickedly imposed by prejudice and discrimination, the average black American begins the race of life with a detectable genetic handicap. And for the unduly large group of black Americans with IQs below 75, this handicap is grave enough to constitute a really massive problem in a high-technical society.

If Dr. Jensen's data cannot be successfully challenged (which seems unlikely), what then is one to say about his thesis? The first thing to say is that Dr. Jensen has failed to stress the crucial genetic role of both culture and history. This means, quite simply, that any human breeding population's culture and history can greatly influence the group's heredity, by biasing the selective process in one direction or the other.

Thus, both Chinese and Jewish cultures and histories have in different ways biased selection in favor of intelligence, and Chinese and Jewish children have substantially higher average IQs than non-Jewish white children. The same, one may be sure, is true of Biafra's wretched Ibos. Ibo culture has always placed an enormous premium on achievement and on status. Selection has therefore favored high achievers. Hence the Ibos have regularly and quite vastly outperformed other Nigerians; and this is the real root of the Biafran tragedy.

Viewed in this light, Dr. Jensen's findings only underline the solemn duty of the white majority to aid the black minority to escape from exclusion into equal opportunity. For slavery, discrimination and injustice have been the history of America's black minority, by no fault of theirs; and these experiences, too, have mainly shaped their culture—not without having an effect, one may be sure, on all the data Dr. Jensen has collected.

Yet the central fault of Dr. Jensen's remarkable, deeply disturbing paper is something else again. Quite simply, it is the bland dismissal of the only lever we can use, to enable the black minority to compete on equal terms with all other Americans. But Dr. Jensen's treatment of "compensatory education" must be examined in a second report.

**A MONTGOMERY COUNTY MAN ELECTED PRESIDENT OF THE MARYLAND STATE ELECTION OFFICIALS ASSOCIATION**

**HON. GILBERT GUDE**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. GUDE. Mr. Speaker, in recent months there has been increasing public and official interest in needed reforms in the election processes at all levels—and by the administration specifically in the area of electoral reform. Both political parties have listed this an area of special attention.

In my own State, the Maryland State Election Officials Association has done yeoman work during the last few years advising the Maryland General Assembly on election law reforms. In addition it

provides assistance to individual counties in new techniques in office management and in the general area of the conduct of elections. In the few years since the association was founded in 1963 it has been of great service to the lawmakers and the people of Maryland. The organization consists of election board members, chief clerks, board of registry members and board attorneys from the election board of Maryland's 23 counties and the city of Baltimore.

It is with a great deal of pleasure that I learned that this group at their annual convention in Baltimore on February 20, 1969, chose as their president a very distinguished citizen of Montgomery County, Frederick A. Shand, chairman of the Montgomery County Board of Election Supervisors. Mr. Shand has served the people of Montgomery County with great distinction and I have every confidence that he will serve the State election officials with the same degree of devotion.

Mr. Speaker, I would like to express my congratulations to Mr. Shand and the other officers chosen to serve with him, Gerald F. Devlin, of Prince Georges County, who was elected vice president, Paul Hishmeh, of Wicomico County, who was reelected treasurer and Mrs. Margaret Addison, of Charles County, the new secretary.

**SLOVAK INDEPENDENCE DAY**

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. STOKES. Mr. Speaker, on behalf of the Slovak people living in their own country under the rule of the Soviet Union and those who escaped to this country, I ask that March 14, 1969, be recognized as "Slovak Independence Day."

Thirty years ago today the courageous Slovaks founded the free and independent Republic of Slovakia after enduring more than a thousand years of foreign rule, but their hope of freedom was short lived and their independence was almost illusionary. At first they were subject to Nazi rule, until April 1945 when United States and Russian troops liberated the Slovaks and made them part of Czechoslovakia as they had been before their independence as a Nazi-sponsored state. In February 1948, the Bohemians and Slovaks of Czechoslovakia were taken over as a Russian satellite. It was in this capacity that they functioned until last August when Russia moved in troops to crush the reform movement under Premier Alexander Dubcek. All the world was shocked and dismayed to learn of the Soviet Union's brutal crime against self-determination.

I urge all Americans to take a few minutes of their time today to imagine what it is like to live under the tyrannies of both nazism and Soviet communism, and to have your independence snatched away each time you think it is just se-

cured. This is what the courageous Slovaks have had to face over and over.

Of course, many Slovakian people escaped to find freedom and opportunity in the United States, and as citizens they have contributed immeasurably to the religious, cultural, educational, industrial, and civic growth and betterment of our cities. But finding freedom in someone else's homeland is not quite the same as finding it in your own homeland.

Maybe in our thoughts today we should also remind ourselves to show our sympathy to the Slovaks by understanding and bolstering their hopes for a rebirth of freedom in their homeland.

Thus, in the best of American traditions—to recognize the independence of other nations—I ask that March 14, 1969, be recognized as "Slovak Independence Day," to stress the urgency of the situation of the Slovakian people and to honor the Slovakian people for their courage and forbearance.

**CIVIL SERVICE RETIREMENT SYSTEM**

**HON. JOEL T. BROYHILL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, I rise to endorse with all the vigor at my command and to urge upon my congressional colleagues the earliest consideration and passage of H.R. 770, introduced on the first day of this Congress by the distinguished gentleman from New Jersey (Mr. DANIELS), for himself and several of our colleagues.

Mr. Speaker, every Member is knowledgeable of the urgent need to improve the financing and funding practices of the civil service retirement system and to also make significant and needed improvements in the benefit structure of the Federal retirement laws. To add to my verbal support of this legislation, I have today submitted a companion bill to H.R. 770, in the hope that other Members will join me in reaffirming the decision of the House last year in again passing this bill.

For years the Congress has had the specter of bankruptcy of the civil service retirement fund looming over the horizon. It is time that the method of financing this fund be overhauled. We must assure every employee entering the Government's service today that payments to retirees of the future will be guaranteed. Mr. Speaker, this is not a guarantee we can make to him today. This fund is currently over \$55 billion in the red. This bill will correct the problem and put the affairs of this fund in order. Again I strongly urge quick action on this measure.

Mr. Speaker, this bill is also urgently needed to improve the benefits to annuitants under the civil service retirement system. The reduction of the period determining average salary for annuity computation purposes from the highest 5 years to the highest 3 years as provided in this bill is completely justified and

long overdue. Also desirable is the change in the computation on the basis of "basic pay" to include overtime pay, differentials, and premium pay. Moreover, there is no sane reason for requiring our Federal employees to surrender their unused sick leave upon retirement. This bill will correct this by creating a system for crediting unused sick leave to the total service of the employee. Finally, there is included a provision for the continuation or restoration of a survivor annuity when the survivor is remarried on or after July 18, 1966. This latter feature corrects a bothersome inequity in the present retirement law.

Mr. Speaker, I urge my colleagues to join me in seeking early adoption of this legislation.

#### CONCURRENT RESOLUTION OF THE LEGISLATURE OF THE STATE OF NEW YORK

**HON. JAMES F. HASTINGS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. HASTINGS. Mr. Speaker, I am pleased today to call to the attention of all Members of Congress the below concurrent resolution of the Legislature of the State of New York. It is my hope that the resolution as introduced by Mr. Adams, of the New York State Senate, and Mr. Emery, of the assembly, will draw attention to what I feel is one of the most glaring of today's social problems:

#### CONCURRENT RESOLUTION

Concurrent resolution of the Legislature of the State of New York, memorializing Congress to enact legislation to create a minimum standard for public assistance in all States which provide an adequate level for the maintenance of health and decency and which cannot be altered or reduced by the introduction or application of minimum payment levels, or other percentage deductions or other devices which impose a limit below the national standard amount of assistance which eligible families may receive; to provide that assistance to the aged, disabled, and the blind be fully funded and administered by the Social Security Administration of the Department of Health, Education, and Welfare; to establish a comprehensive, nation-wide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; creating a simple and uniform formula to determine federal reimbursement for public assistance, other than aid to the aged, disabled, and blind, which will provide for equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance level; to provide block grants to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance program and to establish demonstration projects in each of the States for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services

Whereas, It has been recognized that the

foremost domestic crisis facing the people of this nation is poverty; and

Whereas, Public welfare is the only governmental vehicle primarily designated to assure the provision of guarantee against poverty and social deprivation, and to insure the basic essentials of living to individuals and families who are in need; and

Whereas, Rapid urbanization and advancing technology have markedly affected the dimensions of public welfare in this country to the point that individual states are no longer in a position to control or ameliorate the causes of rising welfare rolls nor are they fiscally able to support an adequate system of income maintenance for those who require assistance; and

Whereas, The present Federal system of administering public welfare, based on the restrictive categorical programs and inequitable reimbursement rates to the states, tends to ignore our national commitment to provide an adequate standard of living for all citizens irrespective of their place of residence; and

Whereas, It is the judgment of this Legislature that efforts should be made to correct the injustices imposed upon the people and the inequities imposed upon the states referred to herein; now, therefore, be it

Resolved (if the Assembly concur), That the Congress of the United States be and it hereby is memorialized to enact legislation creating a minimum standard for public assistance in all states which provides an adequate level for the maintenance of health and decency, and which cannot be altered or reduced by the introduction or application of maximum payment levels, percentage reductions, or other devices which impose a limit below the national standard amount of assistance which eligible families may receive; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be, and it hereby is, memorialized to enact legislation providing that assistance to the aged, blind and disabled be fully funded and administered by the Social Security Administration of the Department of Health, Education, and Welfare; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be, and it hereby is, memorialized to enact legislation to establish a comprehensive, nation-wide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation creating a simple and universal formula to determine Federal reimbursement for public assistance, other than aid to the aged, blind and disabled, which will promote equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance levels; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation to provide block grants in aid to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance programs; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation for the establishment of demonstration projects in each of the states for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services.

#### AGGRESSIVE APPROACH TO AGGRESSION

**HON. JOHN M. ASHBROOK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ASHBROOK. Mr. Speaker, one possibly simple explanation why the nations of the U.N. have not risen up in protest against the Soviet aggression against Czechoslovakia last August is that the world body cannot come up with a definition for aggression. Believe it or not, the boys at the U.N. have been trying since 1951 to come up with a definition for aggression. Shortly after the North Koreans launched their aggression from the north against South Korea, the diplomats at the United Nations went to work on this monumental task. Speaking of "aggression from the north," this is the exact title of a report put out by the State Department several years ago describing North Vietnam's aggression against South Vietnam. Yet, according to William Fulton in the Chicago Tribune of March 13, 1969, John Lawrence Hargrove of the U.S. delegation declared that he doubted the wisdom and utility of trying to define aggression. Perhaps if Castro's troops were to land on the Florida coast, our people at the U.N. might possibly come up with a definition of aggression.

With apologies for using so profusely this term which has yet to be defined, I ask that the column, "U.N. Still Labors on Definition of Aggression," by columnist William Fulton in the Chicago Tribune of March 13, 1969, be inserted in the RECORD at this point:

REPORT FROM THE UNITED NATIONS: U.N. STILL LABORS ON DEFINITION OF AGGRESSION

(By William Fulton)

NEW YORK, March 12.—What is left unsaid is highly more important than what is said in the wordy debate now going on in a special United Nations committee charged with writing a formal definition of "aggression."

Such a dialog would ordinarily generate considerable heat over the rape of Czechoslovakia or American intervention in Viet Nam, but so far there has not been even a whisper about these sore points.

Western diplomats revealed there was tacit agreement between Washington and Moscow to lay off controversy while the new Nixon administration is settling on policy over Viet Nam talks in Paris, missiles, arms limitation, Middle East, and possible summit meetings.

So amid this unusually tranquil atmosphere in the U. N., the Soviet delegation has introduced a resolution stating that "armed aggression [direct or indirect] is the use by a state of armed force against another state contrary to the purposes, principles and provisions of the charter of the U. N."

RUSS GIVE THEMSELVES AN OUT

This would be a perfect blueprint for the invasion of Czechoslovakia but the Soviet delegation added an escape clause reading: "The use of force by a state to encroach upon the social and political achievements of the peoples of other states is incompatible with the principle of peaceful coexistence of states with different social systems."

This, of course, means that it was perfectly all right for Soviet planes and tanks to move into Prague, Czechoslovakia, because they, according to the latest Communist

nomenclature, were bound in a "socialist commonwealth," or the same social system.

Responding for the United States, John Lawrence Hargrove avoided any reference to the Czech tragedy. His address was pitched on a high international legalistic level. He told the 35-nation committee his government doubted the wisdom and utility of trying to define aggression.

Last fall in the committee debate Sen. John Sherman Cooper [R., Ky.] charged that the doctrine of "socialist commonwealth" to justify the aggression was a "monstrous regression, an open assertion that the sovereign equality of states and the rest of the U. N. charter and international law may be discarded when they run afoul" of Soviet imperialism.

A Russian delegate retorted that the American representative was "stoking up the spirit of the cold war" and that "no one will ever be permitted to wrest even one link from the chain of the socialist commonwealth."

SOVIET STAND UNCHANGED SINCE 1933

A half dozen U. N. committees have been wrestling with the definition since 1951. Before that the old league of Nations toyed with a definition during discussions of the treaty of mutual assistance.

Then, in the second year of the disarmament conference of 54 states in 1933, that wily old fox, Foreign Affairs Commissar Maxim Maximovich Litvinov, rose to state Russia's position. He proposed a definition of aggression buttressed by regional security systems.

Today's Soviet proposal is a direct steal from Litvinov. For a regional security system, read "socialist commonwealth," including a reluctant Czechoslovakia.

HALT ABM DEPLOYMENT

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. KEITH. Mr. Speaker, before the antiballistic missile was a subject of popular debate, the Standard-Times of New Bedford, Mass., was alert to the important public policy questions associated with the development of this weapons system. Assistant to the editor, Everett Allen, devoted much of his time and effort several years ago to a thoughtful analysis of this missile and its implications for defense policy in the years ahead. Last month Mr. Allen wrote another series of articles, reprinted in this journal by Senator KENNEDY on February 19, detailing "The Case Against ABM." A thoughtful and objective study, it detailed the arguments against deployment at this time.

Now, as the President is about to make his decision on the future of the ABM, I believe it worthwhile to bring to the attention of the Members an editorial published as a conclusion to Mr. Allen's articles by the Standard-Times, urging return of this weapon to the research and development stage. We in Congress will ultimately have to make a crucial decision on the funding of the ABM program and it is essential that we have all viewpoints expressed. Therefore I include this editorial at this point in the RECORD:

HALT ABM DEPLOYMENT

Today's Standard-Times article on the anti-ballistic missile is the last in a series

designed to present to the public "The Case Against ABM."

Based on the facts and informed opinions presented in this series. The Standard-Times believes that the United States government, which has suspended ABM deployment pending high-level review, should not continue building the antimissile system at this time for the following reasons:

There is serious question whether such a complicated system will work at all, and it will never be feasible to test the full system against a satisfactory simulation of a real attack.

The U.S. history of failures in far less complicated weapon systems leads many experts to believe that the probability of a catastrophic failure of Sentinel, or any other ABM system, is high.

There is sound reason to believe that the Chinese Communists, against whom the government says this ABM system is being deployed, will find it practical and possible to develop penetration aids that could defeat the system, and equally sound reason to doubt that they would ever attack the U.S.A. in the first place.

Evidence suggests that those who claim damage-denial, or some protection capability for Sentinel are assuming a level of effectiveness for this weapon so extraordinary as to be improbable.

The government's expressed reason for building the system is unconvincing. If we need it to protect the public from a Chinese threat, why then, are we willing, or even able, to stop building it if the Russians indicate they will not build an ABM defense?

Congress, as an increasing number of its members now concede, approved deployment funds without obtaining full information on the ABM, and without allowing sufficient time for debate on the matter. It was an ill-considered decision, hastily taken.

In view of the fact that building an ABM system will cost billions better spent for offensive weapons or our many domestic needs;

That it will very likely stimulate the Russians to overreact by building more weapons that can kill more Americans in the event of war, thereby making us less safe than we were before our ABM;

That the Russians themselves appear to doubt the effectiveness of this weapon, even though they traditionally emphasize defensive arms systems more than we . . .

Let us halt the building of the ABM, and put it back in the research and development stage where it belongs.

NEED FOR SAFER RAILROADS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. McCARTHY. Mr. Speaker, today I am reintroducing my comprehensive railroad safety bill. It is designed to reduce the danger of train accidents to the public and to railway workers. Along with a number of my colleagues, I introduced a similar bill during the last session of Congress. Unfortunately, those bills were not acted on before Congress adjourned. In the interval railroad safety has not improved—it has become worse. Railroad accidents are now averaging 500 a month, compared with a rate of 450 a month in the previous year. During the last 7 years the railroad accident rate has increased by about 75 percent. This rise—in contrast to improving safety records in many other fields—is testimony to the failure of those laws

now governing railroad safety. I urge both bodies of the Congress to place this bill high on the list of priorities for action in this session. Anything less would be a disservice to the public and the railway worker.

There is a clear need for new legislation to cover the causes of train accidents. Investigation by the Brotherhood of Railroad Trainmen shows that in 1965 only 414 out of 5,967 train accidents were the causes of the accidents caused by railroad equipment subject to Federal safety inspection. Only 6.9 percent of the accidents that occurred were subject to possible prevention by Federal inspection. The other 93.1 percent of the accidents were caused by equipment or other factors that were not covered by Federal safety regulations.

Railroad accidents, as statistics, do not attract the attention they deserve. Although many accidents do not result in injury to workers or the public, many do. Total casualties to railroad employees on duty have risen almost consistently each year since 1961. In 1966, 159 railroad workers were killed. In the same year, 18,195 were injured. In 1967, 166 trainmen were killed; 17,529 were injured. And this occurs when, we are told, our railroads are being modernized.

Railroad accidents affect the public directly. In the village of Sloan, a suburb of Buffalo, a train was derailed in the Penn Central Frontier Yards adjoining the village and 10,000 gallons of styrene poured into the local sewer system. Local authorities acted quickly and evacuated some of the homes in Sloan to protect residents from danger. Fortunately, no one was injured in this accident. But other communities have not fared so well. Only recently in Crete, Nebr., a small town of 3,000, eight people were killed when some tank cars of anhydrous ammonia exploded after being derailed. Many more people were injured and Crete was evacuated to prevent further casualties. If this were an unusual occurrence there would be less cause for alarm. But unfortunately it happens frequently.

On January 25, 1969, in Laurel, Miss., a string of railroad tank cars carrying butane gas under pressure exploded, injuring 19 people, flattening 40 homes and rocking the Laurel's 27,000 residents. A similar derailment occurred at Battelle, Ala., on January 12, 1969. And another took place in Springville, Ala., on January 15, 1969. And these are only examples.

In another case 38 freight cars of a Seaboard Coastline train, 25 of them loaded with ammunition, were derailed near Clarkton, N.C. Although no one was injured in this wreck it points up a serious problem, the possibility that lethal chemical agents, such as nerve gas, might be spilled while being transported by railroad car. If gas cylinders had been punctured in a wreck near a town or city, large numbers of the population might be killed. Although this is an issue that deserves treatment by itself, it is related to railroad safety.

John H. Reed, of the National Transportation Safety Board, warned last week that derailments were increasing at a rapid rate, up 85.7 percent from 1961.

This may well be a comment on our failure to insist on safety standards for train roadbeds. I was informed only recently that one railroad was actually using worn-out railway ties for track maintenance—turning them over so that the good side showed. If this is a common practice, it is no wonder that the accident rate is increasing.

The legislation that I am introducing today would give the Secretary of Transportation the broad authority needed to set standards for construction, use, design of tracks, locomotives, rolling stock, and facilities. It would also give him authority to require testing and inspection. This is in contrast to his current lack of jurisdiction over the design, construction, inspection, or maintenance of track, roadway, or bridges.

In my view, it is clear that comprehensive safety regulations for our railroads are needed. They must be established on a systems basis, that is, they must cover all aspects of railroading. This bill will make that regulation possible.

I urge early hearings on this bill by the House Interstate and Foreign Commerce Committee and prompt action by the House. Such action is long overdue.

A BILL TO ESTABLISH THE INTER-AGENCY COMMITTEE ON MEXICAN-AMERICAN AFFAIRS

**HON. RICHARD T. HANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. HANNA. Mr. Speaker, today I introduce a bill to establish a permanent Interagency Committee on Mexican-American Affairs. It would continue and expand the current program of the Cabinet Committee of the same name created by the President in 1967, but which is scheduled to expire in June 1969.

Approximately 10 million Spanish-speaking Americans from Mexico, Central and South America, Puerto Rico, and Spain live in the United States. These citizens, constituting the second largest minority group in the Nation, have common traditions, language, and problems that place them at a severe disadvantage when applying for jobs, attempting to further their education, and trying to adjust to the American way of life. As a group, the Spanish-speaking Americans have been excluded from the mainstream of life in the United States. In the five Southwestern States where the majority of this group is located, Mexican-Americans from ages 14 and over have completed only 8.1 years of formal education, compared with 12 years for Anglo-Americans of the same age group. The dropout rate for these children is more than twice the national average. This lack of formal education is reflected in high unemployment rates. Mexican-Americans in barrios—ghettos—had an unemployment rate of 8 to 13 percent in 1966. The national average for the same year was 4 percent. Family

income is low. Approximately 50 percent of the Spanish-speaking families in our country earn incomes below the \$3,000 poverty level. Housing conditions for Mexican-Americans are much poorer than for the Nation as a whole.

The Interagency Committee for Mexican-American Affairs, created by the President in 1967, has contributed to the upgrading of life for minority group members. The Committee, composed of the Secretaries of Labor; Health, Education, and Welfare; Agriculture; Housing and Urban Development; the Director of the Office of Economic Opportunity, and chaired by the Commissioner of the Equal Employment Opportunity Commission, is responsible for assuring that Federal programs are reaching Mexican-Americans and are providing the assistance they need. The Committee has the additional responsibility of determining what new programs are necessary to handle problems unique to the Mexican-American population.

During the year and a half of its existence, the Interagency Committee has realized major accomplishments in serving as a liaison between Federal administrative departments and the Spanish-speaking community. Its activities focused on four areas: guiding members of the minority group to sources of Federal assistance, and helping the Government respond to the special needs of Mexican-Americans; conducting research and acting as a research clearinghouse for Mexican-American problems; placing Mexican-Americans in jobs; and supplying public information to members of the Spanish-speaking community to alert them to Federal assistance programs.

The achievements of the Interagency Committee are impressive. Through its efforts, 18,000 Mexican-Americans were enrolled in the institutional manpower development and training programs; Federal employment of Mexican-Americans increased by 41 percent in the Southwest from June 1965, to November 1967; the number of Mexican-Americans in the Southwest earning more than \$11,000 annually doubled during this period; research and demonstration programs for preschool and elementary students of multilingual and multicultural backgrounds were conducted by HEW; and Federal funds for education were made available to the Spanish-speaking population. A migrant compensatory education project for three States was established to provide basic and remedial education, occupational training, vocational rehabilitation, health and food services, and economic support to 1,000 migrant youths and their families. Housing improvement projects were initiated. The Santa Clara County, Calif., Housing Authority, in conjunction with the California Better Housing for Mexican-Americans Committee began planning a public housing project for 450 families and 250 elderly Mexican-Americans. The East Los Angeles Improvement Council received \$1,850,000 for the construction of 300 low rent and rent supplement housing units for the elderly, 50 percent of whom are Mexican-Americans.

The tremendous accomplishments of the Interagency Committee emphasize

the need to continue the program on a permanent basis. The bill I have introduced will achieve this goal. The Interagency Committee would not be concerned with funding programs, but would continue to serve as an information clearinghouse. It would integrate and coordinate Federal programs. Possible committee activities would include sponsoring conferences on employment, housing, education, and other problems of Mexican-Americans; researching and analyzing community needs and developing remedial proposals; gathering and disseminating information to Federal departments. The Committee would also be authorized to establish an employment aid service and encourage the participation of private industry. It would take action to assure that members of this minority group are not excluded from meaningful, productive jobs because of inadequate skills or discrimination. The Committee would not duplicate the work of existing Government departments and agencies, but would synthesize and enlarge their efforts to reach the Mexican-American community.

The need for a committee to represent the position of our Nation's second largest minority group is evident. We must extend assistance to our Spanish-speaking citizens before a crisis develops. I hope Congress will act promptly on this matter.

COUNTRYSIDE DEVELOPMENT, IMPORTS BILLS INTRODUCED

**HON. ANCHER NELSEN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. NELSEN. Mr. Speaker, I have joined in sponsoring two bills designed to galvanize Federal reactions to rural farm and business problems. One of my bills would spur faster curbs on price-depressing imports by empowering either House or Senate Agriculture Committee to trigger Tariff Commission investigations. Under this bill, any five Governors could also trigger a Tariff Commission inquiry, which is generally required before unreasonable agricultural imports can be blocked.

The other bill would establish a Countryside Development Commission with a broad mandate to recommend ways to utilize total rural resources and governments to build the good life outside cities. The 24-man Commission, chartered for 2 years, would be appointed by the President from nominees selected by Governors located within farm credit districts.

Mr. Speaker, these bills represent two needed steps for improved rural conditions. The lack of approaches presently available to check devastating agricultural imports needs a remedy. We feel that broadening the base from which formal imports restrictions may be launched is both sound and practical.

In a broader sense, our measure establishing a Countryside Development Commission holds out the prospect of better ways to effectively help the totality that

is rural America. It includes all the land, water and people outside the standard metropolitan statistical areas defined by the Bureau of the Budget. It includes some 60 million people, a majority of U.S. small businessmen, more than 3 million farmers and 16,000 cities, towns, and communities under 15,000 population.

INTERVIEW OF THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE BY CONGRESSMAN JOHN BRADEMAS, OF INDIANA, MARCH 14, 1969

**HON. JOHN BRADEMÁS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BRADEMÁS. Mr. Speaker, I insert at this point in the RECORD the transcript of a television interview that I conducted with the Secretary of Health, Education, and Welfare, the Honorable Robert H. Finch, concerning some of the important programs within his area of responsibility.

The interview will be shown on television stations in Indiana on Friday, March 14, 1969. The transcript follows:

INTERVIEW OF THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE BY CONGRESSMAN JOHN BRADEMÁS, OF INDIANA, MARCH 14, 1969

Mr. BRADEMÁS. One of the most widely praised appointments of President Nixon in his new cabinet is that of Robert Finch, the Lieutenant Governor of California, to serve as President Nixon's new Secretary of Health, Education and Welfare, and I am very pleased here today to have Secretary Finch with me to talk about some of the issues that his vast department will be handling.

Mr. Secretary, could you give us some idea of President Nixon's priorities in the field of education?

Secretary FINCH. Oh, I think he realizes, as do most of your colleagues on your committee, John, that our great thrust now must be in the elementary and secondary levels, but as a kind of mechanism to pick up the slippage between high school and college education, we're going to put a great emphasis on the community college, so-called, and we haven't yet worked out all the problems there because we have financing disparities between the various states, but that will have a high priority.

Mr. BRADEMÁS. You speak of the financing disparities between the states and of some of the President's priorities in education at the Federal level. I, for one, think we are going to have to have more Federal dollars in our school systems.

Secretary FINCH. The large metropolitan districts especially.

Mr. BRADEMÁS. But what about the role of the states? Shouldn't the states do more? What comments do you have from your experiences as a state leader?

Secretary FINCH. Well, you've got some states that have really extended themselves right up to the limit. I would include Maryland in this category, California, and some other states, and I think that whatever criteria we evolve as we write the legislation should give a premium to those states who made that extra effort to help particularly the metropolitan areas.

Mr. BRADEMÁS. I noticed that one of the

recommendations, at least reported in the press, of your education team is that of an urban education act. Do you think that's on the horizon?

Secretary FINCH. Yes. How much it involves a restructuring of legislative authority on the books that we haven't even funded or implemented and how much new legislation is required is one of the things we are grappling with now and one of the things we'll be discussing in your committee.

Mr. BRADEMÁS. Let me ask you another question that touches on schools. Some of us had a clear impression from the campaign of Mr. Nixon last fall that if he were elected, he might go rather slow with respect to the enforcing of the Civil Rights Act in the field of school desegregation. Do you have any comment on policy there?

Secretary FINCH. No. There has been no change as far as the basic concept is concerned. The 1964 Civil Rights Act is on the books. Our problem again is the monitoring of the plans that have been submitted on a national basis and as you know, the primary thrust has been to the South in the clear cut cases where we had dual systems. Now we've got, I think, to massage those guidelines so that they can provide the same kind of impact and achieve the purpose that Congress had in mind in the metropolitan areas again where you have de facto segregation.

Mr. BRADEMÁS. So that means you'll be working in the North as well as in the South? Secretary FINCH. And in the West.

Mr. BRADEMÁS. And in the West. Do I also understand you're likely to be giving more attention to providing some technical assistance to school systems that want to move in that direction?

Secretary FINCH. Yes, as a matter of fact, I think part of the problem is that in many of our compliance cases, we have not had sufficient emphasis on technical assistance. Our agents have gone in, our compliance agents so-called, and pounded the desk and said, "well, we want a plan by 1970," and some of these districts with very limited resources simply can't move that fast. And they need technical help and so we're this summer going to be training another 2,500 people with this kind of expertise.

Mr. BRADEMÁS. Let me turn to another subject that's also very controversial, namely, welfare. Nobody seems to be very happy about the welfare program, and I believe you suggested, Bob, that you would like to see some national welfare standards established. Could you tell us what you feel about that?

Secretary FINCH. Well, I simply feel very strongly that you can't continue to have this enormous disparity between the more affluent states and the less affluent states, chiefly in the South, because obviously you are affecting how people move and why they move and the migration factor, and what we are trying to do now is to prepare legislation which might strike a brokerage or mean factor, say at a \$40 level, which would somehow bring some of the Southern States up without letting them get off the hook all together. At the same time, help the states that have really tried to meet their obligations by diverting funds—this is the kind of revenue sharing approach where they are up to the \$80 level and they could divert those funds to education or to welfare or to whatever other criteria their state legislators want to apply.

Mr. BRADEMÁS. One last brief question, Bob, and that has to do with the study you have proposed be made of the possible impact of television and violence on children and other young people.

Secretary FINCH. Well, our problem is to pick the panelists, the people who are to be on the panel, because this is a very subjective and qualitative kind of decision, and I must say that we are trying to reach out into various disciplines and get a balanced viewpoint

on this and we will come in, I hope, within six months with a committee headed by the Surgeon General with a report on this matter.

Mr. BRADEMÁS. Thank you very much. We've been having a discussion of some of the important issues within the area of his responsibility of one of President Nixon's most important Cabinet Advisors, the New Secretary of Health, Education and Welfare, Robert Finch. Thank you very much.

NEWSDAY BLASTS SENTINEL DEPLOYMENT

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BROWN of California. Mr. Speaker, opposition to the controversial Sentinel ABM system continues to gain in both size and stature. Forces lining up against ABM range from angry suburbanites to the scores of Senators and Representatives from all across the country.

Now, another noted voice is heard. On Monday, March 10, Newsday—which is published by one of President Johnson's closest former advisers, Bill D. Moyers—offered a scathing attack on the prospect of further Sentinel deployment. The editorial, entitled "Calling a Halt," follows:

CALLING A HALT

If those usually well-informed Washington speculators are correct, President Nixon already has decided to resume emplacement of the Sentinel antimissile missile system. Sentinel sites will apparently be moved away from the cities, as a concession to those whose nerves are frayed by the prospect of an H-bomb across the back fence. But emplacement, it is reliably reported, will go forward.

We hope the observers are wrong. The overwhelming weight of evidence is that the Sentinel is one of the great boondoggles of American history, an adventure in saberrattling that would drain billions out of the public treasury while worsening the already dim prospect for arms control and peace.

Some of the nation's most eminent scientists question whether Sentinel will work if it is ever needed. Up to 1967, when Sentinel was approved, science advisers to Presidents Eisenhower, Kennedy and Johnson had opposed antimissile systems, as had three consecutive research and development directors for the Defense Department. Scores of the nation's most thoughtful men believe that building Sentinel will merely increase the possibility that it will have to be used; in other words, that it increases the danger that the U.S. and the Soviet Union will come to a nuclear Armageddon.

LAUNCHED WITH MISGIVINGS

Robert S. McNamara, the former secretary of defense, took a similar position when he announced plans to go ahead with Sentinel in the fall of 1967. McNamara offered a \$5 billion plan for a "thin" system. Seldom, if ever, has a scheme to use up so much tax money been unveiled with such evident misgiving and hesitation.

McNamara explained that it would be "insane and suicidal" for the Chinese to attack the U.S. with missiles, and China in fact had been "cautious to avoid any action that might end in a nuclear clash with the U.S." But, McNamara added, because "one can con-

ceive" of a Chinese miscalculation of enormous magnitude, there were "marginal grounds" for concluding that a "thin" system was a prudent U.S. investment. He warned, too, that expanding the "thin" system would escalate the arms race without increasing national security.

After Sentinel deployment had been started, with the acquisition of 16 sites, the Pentagon and its apologists quit arguing for an anti-Chinese system and began urging an infinitely more expensive anti-Soviet system which could cost \$400 billion. The estimate is from Sen. Stuart Symington, a former Air Force secretary. He got it out of a Brookings Institution report that the Pentagon itself has cited in giving cost figures on other military items.

Few Americans blinked an eye at the cost, but thousands across the country kicked up a fuss about living next door to a hydrogen bomb. They got little satisfaction from the Pentagon; no sensible reason for placing the missiles so close to the cities is available to the layman.

#### NEW ARGUMENTS OFFERED

As the public outcry gained in volume, Sentinel defenders offered a new argument: that a go-ahead for the system would force the Russians into meaningful talks on arms control. The most charitable appraisal of this assumption is that it must stem from a fundamental misunderstanding of human nature. It comes out of the same Pentagon thinking that produced the proposition that bombing North Vietnam would shorten the Vietnam war by weakening the will to resist. It holds no better promise of being proved true.

If Washington's rumor mills are correct, and the President is determined to go ahead with the Sentinel, it will be up to Congress to say no. Either House can spike the project by refusing to fund it. Unless we are to suffer another escalation of the arms race, this is exactly what Congress should do.

### THE AMERICAN TAXPAYER: A MODERN-DAY ATLAS

#### HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BURKE of Florida. Mr. Speaker, the American taxpayer today can be likened to a modern-day Atlas, who must carry a backbreaking taxload on his shoulders.

Certainly some relief to the taxpayer is deserving, and at long last Congress is focusing attention on the great need for tax reform. I am pleased to join with a good number of my colleagues in the House of Representatives in cosponsoring legislation which I am hopeful is a step in the right direction. The bill I am cosponsoring would raise the present \$600 tax exemption for each dependent to \$1,200.

In view of the skyrocketing cost of living caused by inflation that continues to rob the taxpayer, the present law which only allows \$600 for each dependent is completely unrealistic. The need for this exemption increase is not only apparent, it is essential.

Although the concept of an exemption was not intended to represent the actual sum involved in supporting a member of the family, nevertheless, its purpose must bear some realistic approach if it is

to serve its purpose. This increase will be some help in easing the economic burden and afford some measure of relief.

Let us face it, how much more can the American taxpayer be expected to carry? He has the weight of the world already on his shoulders, but certainly he should have at least one straw removed before the taxload truly breaks his back.

### MORE ON U.S. PAY INCREASES

#### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, the Washington Evening Star contains a most interesting article by Miss Sylvia Porter which is worthy of the attention of all Members of the House and all persons who read this RECORD.

Mr. Speaker, having received permission, I insert it at this point in the RECORD.

The article follows:

#### YOUR MONEY'S WORTH: MORE ON U.S. PAY INCREASES

(By Sylvia Porter)

In the spring of 1967, when a presidential study panel paved the way for higher salaries for federal officials, the salary of a top civil service career worker (GS 18) was \$25,890 to \$31,760. The pay of heads of federal bureaus was \$26,000 and the pay of an assistant secretary was \$27,000. The pay of an undersecretary was \$28,500 and of an agency head \$30,000.

We were heading into an anomalous situation in which civil service workers would either be paid more than their superiors or in which they would be barred from getting raises under the 1962 Salary Reform Act.

This, the committee agreed, would be "intolerable"—and having decided that, all we had to decide was the size of the raises to suggest for the federal executives.

The committee did not doubt the prestige and power inherent in these "visible" posts nor did we question the "desire felt by many Americans to render public service."

We noted that we did not know the names of most of the men and women just below the top whose contribution to the government was crucial. The odds were against these people being wealthy and the likelihood was that for most, adequate compensation was essential. To quote from the report which was not officially released:

"The positions are of topmost importance—of such importance that the nation cannot afford to have them filled by people with less than outstanding ability."

And as we debated at that time the proper salary levels, we had studies before us showing the gaps between the federal pay scale and commerce and industry.

Lesser posts in state and local governments were paying \$35,000 and up; salaries of \$35,000 and up to \$90,000 were not uncommon in tax-exempt foundations. As for private industry, we found: The secretary of the Treasury was receiving less than half as much as the heads of some banks; the secretary of Defense was getting less than the heads of defense contracting firms. And so it went . . .

Thus, we came to the pay raises for the few hundred men in executive posts—and from there, we had to go to adjustments in legislative and judiciary salaries to bring the compensation of these men and women up

to date, to help them meet the costs of living and to minimize their need for seeking other means to augment their incomes.

Whether the precise figures were correct or not, the direction in which we moved was right. And by recommending the establishment of machinery which will adjust these pay scales at least every four years in the future, we made sure this sort of thing will not occur again.

These are the words with which the panel closed the report and asked President Johnson to discharge us:

"The quality of our Government is a direct function of the abilities and characteristics of its top executives. To be pennywise in the salary treatment of these executives is neither good business nor good government."

### WHO WOULD BOYCOTT THE STAFF OF LIFE—THE TABLE-GRAPE BOYCOTTERS

#### HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. TALCOTT. Mr. Speaker, what if there was a dispute in the wheatfields of Kansas or Nebraska exactly like the table-grape controversy in California. The California grape picker earns more money per hour than the wheatfield laborer, but that is of little matter.

Would the shaggy students and fuzzy-thinking clergy demonstrate and picket the grocery stores to force the proprietors to discontinue the sale of bread?

The answer is clear. If they can be successful in boycotting grapes, they could and would boycott bread, even though it were the staff of someone else's life.

Mr. Speaker, this thought was clearly shown by a neutral in the California table-grape controversy—the National Association of Food Chains. One of their recent advertisements on this subject ought to be mandatory reading for every foodstore customer in the United States.

Second, boycotts are illegal and immoral for the reason so plainly suggested by the following advertisement. Under unanimous consent I include a copy of the advertisement:

TABLE GRAPES ARE NOT EXACTLY THE STAFF OF LIFE, BUT IF THEY WERE, SOME CITIES WOULD HAVE NO BREAD

(Some thoughts and comments on grape boycotts.)

Most people could live perfectly satisfactory lives if grapes disappeared from supermarket shelves; they are not exactly the staff of life. But most people also want the right to decide for themselves what to buy and feed their families.

Today there are those who would make the supermarket industry decide a labor/management dispute between some grape growers and a group of farm workers.

As a result, demands—often by well-meaning people but frequently accompanied by threats of violence—have been made all across the country that supermarket managers become the judge and jury in the dispute.

How? By demanding that supermarkets refuse to carry California table grapes until the dispute is settled to the satisfaction of one group of workers.

A midwestern city is an example of what can happen. Until recently the boycott

against grapes had gotten only lukewarm public support, but then a local politician stepped in and the play got a little rough. He started to apply pressure—implications that food chains would face tough sledding in the state capital if they didn't give in—and his demands were met. Over the weekend, grapes disappeared from the stores of this city's seven largest food chains.

In a way, the people of that city were lucky, though. The target could have been bread, or milk, or beef. And maybe some day it will be.

We don't think it's in the public interest to have supermarket operators settling social and economic issues to which they are not parties. If you agree, we hope you'll tell your readers so.

**HERMAN V. VON HOLT OF HAWAII  
ENDS DISTINGUISHED BANKING  
CAREER**

**HON. SPARK M. MATSUNAGA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. MATSUNAGA. Mr. Speaker, I wish to pay tribute to a distinguished citizen of the 50th State, Mr. Herman V. von Holt, whose retirement on the last day of February brought to an end a brilliant banking career.

Mr. Von Holt, who was chairman of the board of the First Hawaiian Bank when he retired, first became associated in 1926 with First National Bank, as it was then called. In addition to his role of leadership in the business community during an era of our State's most dynamic growth, he also found time to devote his considerable energies to community service. Mr. Von Holt served most ably as chairman of the city and county recreational commission and as a member of the city and county parks board. His deep interest in athletics is reflected by his work in the mid-1930s' as a member and then chairman of the Territorial Boxing Commission.

For more than two decades Mr. Von Holt was treasurer and vestryman of St. Andrew's Cathedral Parish, and since 1931 he has been secretary and chairman of the investment committee of the Protestant Episcopal church of Hawaii.

Herman V. von Holt was educated in the classic Hawaiian pattern for success. He attended Punahou School and graduated from an Ivy League college in 1916. It was at Yale that he achieved All-American fame as a member of the water polo team, of which he was captain during his senior year.

Following his graduation from Yale, Mr. V. von Holt joined the Audit Co., of Hawaii, only to have his budding business career interrupted by service in the Army as a second lieutenant during World War I.

Steeped in the banking tradition, Mr. Von Holt soon followed in the footsteps of his father, who served as vice president of the First National Bank.

I know that my colleagues would wish to join me in extending aloha and best wishes to Mr. Von Holt upon his retirement. I sure that they will find of interest the article entitled "Von Holt Ends

Era as Banker," from the February 28, 1969, edition of the Honolulu Advertiser. I therefore submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

**VON HOLT ENDS ERA AS BANKER**

Herman V. von Holt will bring to an end more than four decades as a director of the First Hawaiian Bank today.

He has been chairman of the board for the past two years, culminating a career with the bank that began in 1926.

Von Holt's retirement will become official when the annual shareholders' meeting is held today.

**FAMILY HISTORY**

Cecil Brown, Von Holt's great uncle, was senator and minister of finance in the days of the monarchy. Brown became associated with First National Bank, later merged into Bishop & Co. in 1878, and was named president in 1900.

Von Holt's father served as a vice president of First National.

Herman von Holt was born in 1894, attended Punahou School, and was graduated from Yale in 1916.

He starred on the Yale water polo team, was named All-American each year, and was captain of the team as a senior.

He also played on the Yale baseball and football teams, wrestled and rowed in the Yale crew.

**ENTERED BUSINESS**

After graduation in 1916 Von Holt spent a year with the Audit Co. of Hawaii, and returned to the company for some three years after serving as an Army second lieutenant during World War I.

In 1922, Von Holt became executive secretary for the James Campbell Estate, a position he held until 1951.

He also is a trustee of the S. M. Damon Estate.

Von Holt was chairman of the City and County Recreation Commission in the 1930s, and later was a member of the City and County Parks Board.

He was a member of the Territory Boxing Commission in the years 1929-1936, and was chairman 1932-36. He also served on the Honolulu Realty Board.

For more than 20 years he was treasurer and vestryman of St. Andrew's Cathedral Parish, and since 1931 has been secretary and chairman of the investment committee of the Protestant Episcopal Church of Hawaii.

**THE AMERICAN LEGION'S FIRST  
50 YEARS**

**HON. HAROLD R. COLLIER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. COLLIER. Mr. Speaker, the American Legion is this year observing its golden anniversary. It was on March 15, 1919, only a few months after the end of World War I, that this great organization of veterans came into being.

The American Legion and I grew up together. I was born a little over 3 years before it was established, so I am well acquainted with its enviable record of service to God and country.

As the Legion approaches its 50th anniversary, it can look back on a long and useful life in which wars have been mere interruptions. Like Cincinnatus of old, the Legionnaire returns to the plow—or machine, desk, store, or other post of duty—as soon as the fighting stops.

When he resumes his place in society, he does not cease to serve his country. No one realizes more than the ex-serviceman that there is more involved in serving one's country than fighting wars. That the veterans of our wars have continued to do their bit in peacetime can be proved by a recital of the American Legion's manifold activities during the years since the armistice silenced the guns on the western front.

Among these activities have been promotion of the study of the Constitution and the Bill of Rights and the sponsorship of Boys' State and Boys' Nation; sponsorship of over 3,000 Boy Scout troops and organization of baseball leagues in which over 400,000 boys are players; building of community houses, swimming pools, playgrounds, and parks; furnishing ambulances and special equipment for the treatment of such diseases as infantile paralysis; promoting education in public safety; combating unemployment and helping to keep schools in operation during times of economic depression; as well as assisting those veterans who are forced to spend weary years in hospitals and making easier the lot of the widows and orphans of those who have responded to the final rollcall.

While you are all familiar with these constructive accomplishments, I cannot refrain from reciting them, representing as they do a wholesome contrast to the irresponsible performances of many who cloak their anarchistic activities with the Bill of Rights. While the American Legion and other veterans' organizations, churches, civic groups, and similar associations of men and women and boys and girls try to preserve our Nation, to solve its problems, and to make it an even better land in which to live, other groups are doing all they can to destroy our Nation, create new difficulties, and bring about chaos. Split personalities preach anarchy while simultaneously screaming for bigger and bigger Government hand-outs.

Mr. Speaker, I am confident that the American Legion will be around long after the forces of revolution and anarchy have exhausted themselves in their futile efforts to destroy our Nation. May their second half century be as constructive and as worthy of emulation as the first 50 years have been.

**PLAIN TALK FROM LTV**

**HON. HASTINGS KEITH**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. KEITH. Mr. Speaker, today's papers had much to say about the matter of conglomerates and the stories were for the most part pretty rough on this fact of economic life.

While I am for the most part concerned with the long-range social and economic implications of conglomerates, I recognize that there are two sides to this question.

Yesterday, I appeared before the Ways and Means Committee, which held hearings on the question of conglomerates and expressed my concern with this phenomenon.

And yesterday, also, the Wall Street Journal had a two page ad outlining one conglomerate's point of view as it pertains to this situation. It occurs to me that we in Congress might further our understanding of this whole question by taking note of its contents. Accordingly I place their statement in the RECORD:

AN OPEN LETTER TO OUR SHAREHOLDERS—  
PLAIN TALK FROM LTV

To Our Shareholders:

Two weeks ago in response to an announcement by Congressman Emanuel Celler, Chairman of the House Judiciary Committee, that the Antitrust Subcommittee would investigate "conglomerate mergers," your company stated publicly, "In view of the recent barrage of uninformed and irresponsible statements directed at diversified companies which have caused distress and harm to LTV's thousands of stockholders, to our 128,000 employees and to the communities in which our nine publicly held companies are based, Ling-Temco-Vought, Inc., welcomes the proposed investigation of conglomerate mergers by a House of Representatives Subcommittee as a forward step that should clear the air, clarify whatever issues may be involved, and replace vague, generalized mis-statements with facts. We think that an authoritative and responsible legislative group should undertake to shed light on so-called conglomerate mergers."

Subsequently, and prior to any authoritative investigation or hearing, the incredible barrage of uninformed and irresponsible statements by men in high office accelerated. As the management of LTV we have a basic responsibility to speak out now about this because it has affected your investments. Furthermore, the investments of hundreds of thousands of other individuals, who are shareholders of other so-called conglomerates, were similarly affected.

In effect, there is an anti-conglomerate campaign under way that indiscriminately condemns everyone connected in any way with the companies identified as conglomerates, hurting shareholders, employees, managements, and the communities in which these companies operate. It appears to be largely a publicity campaign based on innuendo and guilt-by-association psychology. Apparently, the conglomerates are deemed to be guilty of unspecified violations in advance of any sort of objective, responsible hearing.

Whatever the sponsorship, motivation, and ultimate goals of this campaign may be, the result to date has been a damaging erosion of shareholder values.

While recognizing that we have no bureaucratic immunity and that speaking out may make us the target for additional harassment, our sense of responsibility and our instinct for fair play nonetheless compel us to present LTV's position in this matter.

We cannot and do not claim to be the spokesman for the companies currently identified as conglomerates, but we can speak for LTV, a diversified multi-industry company that is prominently identified as a conglomerate.

In our view, the conglomerate movement of the past few years has made many positive, pro-competitive contributions to the American economy, and it is incredible that this bolstering of the American enterprise system can be so little appreciated that a campaign could be launched to hurt so many individuals.

The last week of February, 1969, was a period of disaster for hundreds of thousands

of investors, primarily because a few men in responsible positions made public statements which were disseminated widely.

Climaxing many months of intensive anti-conglomerate publicity, the events of that week included: The appearance before a House of Representatives Subcommittee of Judge Hamer H. Budge, new chairman of the Securities and Exchange Commission. His testimony created such headlines as "Tax Laws May Be Spurring Take-Overs, New SEC Chief Tells House Subcommittee" (*The Wall Street Journal*). Judge Budge earlier was reported to be highly critical of conglomerates, but he made no specific charges and named no specific companies. Press reports said he called up specters of the Depression and the holding companies of the '20s, which are totally unrelated to today's multi-market companies.

Robert W. Haack, President of the New York Stock Exchange, was quoted by a reporter as saying that "The Big Board is considering the possibility of delisting two conglomerates." That damaging statement devalued the securities of every company generally identified as a conglomerate. The last day of February, 1969, was indeed a Black Friday for shareholders of these companies who suffered a reduction of hundreds of millions of dollars in the value of their investments.

Before the end of that Friday, Richard W. McLaren, the new head of the Justice Department's antitrust division, told the press he was going to bring antitrust suits against some unnamed conglomerates for unspecified reasons. According to *The New York Times*, "He gave no hint concerning which particular mergers might be under scrutiny, nor did he indicate whether the department would go after mergers already consummated or merely attempt to prevent some future action." Thus, the cloak of uncertainty and suspicion was cast over all of the so-called conglomerates.

Earlier in February, Congressman Wilbur Mills, Chairman of the House Ways and Means Committee, introduced a bill that was said to be designed to deprive conglomerates of tax benefits in using debt to finance acquisitions.

We assume that Chairman Mills, in his usual thorough manner, will look into the economics of the conglomerate movement. Again, we cannot be certain exactly what he and his committee will find in the cases of the other conglomerates, but we believe he will be interested to learn that LTV's financial analysts have determined that our acquisition transactions in the past four years—involving cash, equity securities, and debentures—have generated an estimated \$350 million in additional taxable income that otherwise would not have been generated. We believe his investigation will find that many conglomerate mergers create additional and continuing annual taxable income in the form of increased dividends and interest payments. In addition, some of these mergers have resulted in the repatriation of millions of Eurodollars, which has had a beneficial effect on the balance-of-payments.

It is past time, in our view, that an objective investigation into this whole situation be undertaken.

We also recognize that some proposed legislation designed to control the conglomerates, advanced without benefit of prior study, could have implications and effects more far-reaching than currently anticipated. Some appear to be sweeping, oversimplified remedies to problems that may not exist. Nonetheless we believe that hearings will provide the only objective forums at which the implications and effects can be examined rationally.

We are eager to present the facts so far as LTV is concerned. We have cooperated, and will continue to cooperate, with every respon-

sible Government representative who has contacted us in regard to these hearings.

We would welcome an expression of your views through letters to your Congressman and your Senators and to the opinion leaders of your community. If you need additional copies of our statement, we will be happy to send them to you.

Your attention is directed to the other data appearing on these pages with respect to putting the conglomerate syndrome into perspective and presenting LTV's record and response vis-a-vis the generalized criticisms often expressed of conglomerates.

JAMES J. LING,  
Chairman of the Board and Chief Executive Officer.

CLYDE SKEEN,  
President.

MARCH 10, 1969.

#### PUTTING THE CONGLOMERATE SYNDROME INTO PERSPECTIVE

The conglomerates are not a new industry. All highly diversified companies—including such blue chip *Fortune* 500 names as Westinghouse, RCA, Ford, General Electric, and General Motors, each with proven records of excellent management—are not known as conglomerates, although they are multi-market, multi-industry enterprises that have long done an outstanding job of serving the public interest and their shareholders.

Two ideas expressed in the current criticism of conglomerates are not compatible, i.e., the claim that conglomerates pose the danger of concentrations of economic and political power vs. the notion that conglomerates have weak financial structures and poor management whose disintegration will cause economic chaos.

LTV is not a raider. LTV is not a liquidator. LTV has devoted a lot of time and energy to studying and developing techniques for managing highly diversified enterprises.

These facts are among those LTV considers most significant in discussions of the current business phenomenon known as "the conglomerates." It is a difficult subject to discuss because, despite a considerable volume of examination and exposition, there is little agreement on how to define or describe a conglomerate. LTV cannot claim to be the spokesman for all of the companies presently considered in a general sense to be conglomerates, but LTV can speak for itself as a diversified multi-industry company that is prominently identified as a conglomerate. LTV has prepared the following "Scorecard" to amass the principal conglomerate criticisms, as vague and generalized as they may be. Alongside each criticism we have set forth candidly and sincerely LTV's record and response as seen by its management.

Individuality is a paramount trait of each of the companies generally referred to as conglomerates. There are no consistent standards by which the conglomerates can be individually measured, analyzed and/or compared to each other. The characteristics that are most often considered to be common to the conglomerates are really intangibles: diversification by markets or industries, rapid growth, and acquisitiveness.

Diversification, as pointed out at the outset of this discussion, is certainly not limited to conglomerates. Diversification, to provide stability and protection against the cyclical interruptions of growth that almost all industries or markets encounter, has been a desired goal of business from the beginning.

Some time ago, the management of LTV decided that the most viable approach to building shareholder values would be to seek as much diversification as possible as rapidly as possible, within the framework of sound business practice. In 1964, when 90% of LTV's business was committed to the military and space agencies and when most ex-

perts were predicting a dramatic cutback in this type of business, the Government encouraged LTV and other highly defense-oriented companies to seek diversification.

Rapid growth certainly is not limited to the conglomerates; many dynamic companies with restricted market areas grow rapidly. As a matter of percentages, smaller companies generally grow faster than large companies. Certainly, many of the companies that are identified as conglomerates have not grown as rapidly as some restricted-market companies or smaller companies.

Acquisitiveness is not solely a characteristic of conglomerates either, for every type of company in every type of industry participated in establishing 1968's record of 4,462 mergers and acquisitions.

(Most of 1968's mergers and acquisitions were reported to be "conglomerate," but that does not mean that one of the so-called conglomerates was engaged in the transaction. Any merger or acquisition which cannot be defined technically as "horizontal" or "vertical" must be defined in technical terms as "conglomerate." A "conglomerate" acquisition or merger does not automatically make the surviving company one of the so-called conglomerates. All "conglomerate" acquisitions or mergers, in the technical sense, are not initiated by the so-called conglomerate companies.)

The companies that are generally known as conglomerates are, in fact, highly individualistic. Not one of them, to the best knowledge of the management of LTV, has ever said that it wants to be known as a conglomerate. That is because the faddish use of the label as a superficial substitute for a more meaningful definition implies that there are a group of companies that share a list of common characteristics. There is no characteristic that actually is common to all of the conglomerates. Their structures, organizations, operations, capabilities, managements, financial relationships, reputations and personalities vary just about as widely as is possible. So do their attitudes, opinions, concepts, philosophies, strategies, tactics, and goals—at least as much as these characteristics vary among all corporations. The conglomerates demonstrate even greater differences in size and scope, in geography, in history.

The wide differences among conglomerates make the criticisms, all of which have been generalized and unspecific, especially unacceptable. The criticism that conglomerates threaten to become the dominant factor in the American economy, for example, must negate the criticism that conglomerates do not have good management and will fall by the wayside when the first severe economic testing comes along. In logic, one could be true, but not the other; in fact, both have to be major exaggerations, if not completely false.

The management of a conglomerate must produce results just as the management of any other company must produce results. Much recent criticism has been based on conglomerate use of debentures and warrants; in the instances in which such securities are used, the penalty for bad management is exactly the same as in any other instance of bad management; the rewards for good management also should be the same. No amount of legislation can guarantee good management.

If conglomerates are any kind of threat to the economy, it would be possible to define the threat in standard antitrust language. No such definition has been offered. There is only one true symptom of monopoly: the lack or lessening of competition. LTV can testify that there is plenty of competition in each of the industries in which it is engaged. Unfair competition can be expressed in many different ways, but to the best of the knowledge of LTV's management, there has been no specific claim of unfair competition in-

volving the conglomerates which cannot be remedied within the framework of existing antitrust legislation.

Actually, the conglomerates admittedly may disturb the status quo. However, LTV's acquisition policy has been to seek out quality companies which are well managed in their fields, to make fair offers which will not be opposed by existing management—men of integrity and honor—and to continue doing business in this field in much the same way that the acquired company used to achieve success. On the other hand, there have been a number of instances of economic concentration for years, with a handful of companies dominating an industry. The most positive evidence of the pro-competitive nature of the conglomerates is the highly active fear of the ineffective management of some of these companies that they will be the next takeover target of one of the conglomerates.

If, as they say, the worth of a man (or a company) may be measured by his enemies, then that is another measure of the great value the conglomerates have to the American economy.

THE SCORECARD

Generalized criticisms often expressed of conglomerates

1. Existing laws are inadequate to control conglomerates. Special new legislation is needed to prevent the conglomerates from "taking over the world."

LTV's Record and Response

LTV knows of no specific case of any alleged abuse by any conglomerate that could not be corrected by existing legislation—as several government spokesmen, including Richard W. McLaren, new chief of the antitrust section of the Justice Department, have pointed out.

2. Operating results and financial performance are disguised. Companies acquired by conglomerates generally disappear from a financial reporting standpoint; their operating results are consolidated under a corporate umbrella, losses are concealed, and there is no way to measure performance.

LTV's Record and Response

LTV has been referred to by *Fortune* magazine as the most visible large company in the United States. LTV's operations are conducted through publicly owned subsidiary companies. With each subsidiary's securities listed on a major stock exchange, each is subject to SEC, stock exchange and other regulations. Each publishes annual and quarterly reports, proxy statements and all other required information.

3. These companies that have grown so rapidly are just "houses of cards." In event of severe recession or depression such companies would collapse, with the weaker operating units pulling the strong down with them.

The LTV subsidiary companies have no financial or operating interdependence. Each company has its own separate and independent credit lines and investment community support. The operating results of one LTV subsidiary do not affect the results of any other subsidiary. The operating results of one subsidiary affect the consolidated results of the parent-operating company only incrementally.

4. Conglomerates are too complicated to manage. "It's difficult enough to manage one company in one industry; how can conglomerates manage a number of disparate companies in diverse markets?"

LTV's Record and Response

LTV combines subsidiary executive teams, led by highly motivated, modern entrepreneurs (each of whom has an equity stake in his company and is publicly accountable and responsible for his company's performance, progress, and growth and is a specialist in his own line of business) with entre-

preneurial corporate expertise to provide each company stronger, more sophisticated management.

5. Conglomerates use unusual accounting practices to make profits appear higher than they actually are.

LTV's Record and Response

LTV is essentially made up of publicly held operating subsidiaries. The results of operations of each of these stand alone and are certified as to the fairness of presentation in accordance with generally accepted accounting principles by one of the leading national independent accounting firms. LTV's consolidated earnings as reported are, therefore, the result of 15 individual audits, with a further opinion as to the fairness of presentation of the overall results by one of these independent certified public accounting firms.

6. Conglomerates use questionable accounting methods. For example, they make particular use of "pooling of interests," an accounting technique that is misleading and has been criticized by some analysts.

LTV's Record and Response

"Pooling" has been a generally accepted accounting principle of the American Institute of Certified Public Accountants since September, 1950. In fact, it is mandatory where the circumstances call for it. In any event, LTV's major acquisitions have largely been accomplished on a "purchase" basis and "pooling" has been used only as required.

7. Motivation for a conglomerate's growth appears to be nothing more than a desire to achieve bigness.

LTV's Record and Response

In 1964 when more than 90% of LTV's business was done with the military and space agencies, LTV and other major defense-oriented companies were urged by the Government to diversify. LTV's management had already decided that the Company would never be dependent upon any one product, any one market, or any one technology to sustain its growth and progress. Thus, it deliberately seeks diversification to build in protection and stability against periodic economic upheavals and cyclical trends. This diversification, we believe, also benefits the communities in which LTV operates.

8. Conglomerates can grow only by acquisition.

LTV's Record and Response

LTV stresses internal growth. A majority of the LTV companies have sustained internal growth records in excess of their competitor companies over a period of years. LTV subsidiary companies invest heavily in research and development and in new facilities. LTV emphasizes innovation in the creation of new enterprises. All of this demonstrates LTV's emphasis on internal growth.

9. Conglomerates are predatory and are disruptive in their acquisitions. Some are nothing more than "raiders" who discharge management and many employees of acquired companies and shut down certain operations.

LTV's Record and Response

LTV seeks and retains good management in the companies it acquires. Total employment has increased. LTV has never shut down a plant of an acquired company. In fact, LTV subsidiary companies, with parent-operating company support, have invested more than \$250 million in new plants and equipment in the past three years.

10. Tender offers are unfair and unethical.

LTV's Record and Response

Due to the fairness of the offers that LTV has made (demonstrated by the fact that in response to LTV's offers holders of the common stock tendered more than 80% of the outstanding shares of the former Wilson & Co. and more than 90% of the outstanding shares of both Greatamerica and Jones &

Laughlin Steel), the managements of the companies that LTV has acquired have put shareholder considerations first and chosen not to oppose the acquisitions. Furthermore, LTV has an outstanding record of retaining management following acquisitions.

11. Conglomerates take special advantage of current tax laws in making acquisitions.

#### LTV's Record and Response

As a result of the premiums LTV has always paid in its acquisitions, substantial additional taxable income has been generated. For example, it is estimated that, in the offers for Wilson, Greatamerica and Jones & Laughlin, at least \$350 million in taxable income has been created. Finally, LTV also made a substantial positive contribution to the balance-of-payments by repatriating more than \$130 million in Eurodollars to finance acquisitions.

12. Conglomerates are guilty of wide-scale reciprocity. Through their diverse operations, conglomerates engage in inter-company and other transactions that are unfair competition and improperly influence prices.

#### LTV's Record and Response

LTV's total 1968 inter-company sales were less than 1% of total consolidated sales. The LTV subsidiary companies, being publicly held, must deal with each other in the same "arm's length" procedures that all publicly owned companies use in similar transactions.

13. The earnings of certain operations can be used to make another operation dominant in its market. The resources of a conglomerate can be focused on making one operation dominant in its market at the expense of other competitors.

#### LTV's Record and Response

Both LTV's organizational structure of publicly owned subsidiaries and management policies eliminate any possibility of building one subsidiary at the expense of the others. The entrepreneurial management of each LTV subsidiary company would strongly resist such a course.

14. Conglomerate movement leads to a concentration of economic power and possible unfair advantages over competition.

#### LTV's Record and Response

Economic power measured in terms of net worth or total assets employed is far less for any of the so-called major conglomerates than for many of the largest U.S. corporations in Fortune Magazine's annual list of June 15, 1968. Considering all U.S. corporations—industrial, financial, utilities, etc.—a company the average size of four of the largest so-called conglomerates, ITT, Litton, Gulf & Western and LTV, would rank 108th in assets and 118th in net worth. Even the averages of the two largest companies considered to be conglomerates rank 58th and 41st in terms of assets and net worth. The four largest industrial corporations in the country have eight times the combined assets and 13 times the net worth of the four largest companies considered to be conglomerates.

If there is any "unfair" advantage accruing to an LTV subsidiary company, with assistance by the parent-operating company, it is superior over-all management—and that is the heart of the free enterprise system and should not be penalized or unfairly legislated against.

15. Conglomerates lack social conscience and evade social responsibility.

#### LTV's Record and Response

LTV's primary responsibility is to return a profit for its shareholders, but we believe and act on the principle that the profit motive is not in conflict—and is, in fact, entirely harmonious—with a social conscience. LTV is a recognized leader in employing hard core groups, minorities, and the handicapped. LTV companies and their executive leaders are encouraged to be active in their com-

munities and in support of worthy civic, social, charitable, and educational endeavors.

Companies acquired by LTV have generally performed better since their acquisition, thereby paying more taxes, providing more jobs, and thus making larger contributions to their respective communities.

### NATION'S WELFARE SYSTEM REVIEWED

## HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. WHALEN. Mr. Speaker, last month there appeared in the St. Louis Post-Dispatch a series of articles reviewing this Nation's welfare system by one of the newspaper's Washington correspondents, David B. Bowes.

I was particularly impressed with the depth of Mr. Bowes' analysis of the problems which presently confront the system and his discussions of the numerous alternatives and reforms which have been espoused in recent years.

Mr. Speaker, I insert the entire series of articles in the RECORD. It is my hope that Mr. Bowes' efforts, coupled with the draft of a negative income tax bill, which I and my distinguished colleague, the gentleman from Michigan (Mr. CONYERS), placed in the RECORD earlier this week, will stimulate this body to take the lead in seeking solutions now to the welfare problems.

The series of articles follows:

[From the St. Louis (Mo.) Post-Dispatch, Feb. 23, 1969]

#### DISILLUSIONMENT SURROUNDS NATION'S WELFARE SYSTEM

(By David B. Bowes)

"These are the unhappy persons who in the great lottery of life have drawn a blank." (Thomas Robert Malthus.)

WASHINGTON, February 22.—From eighteenth century England the brooding Malthus described what the lottery had in store today for Mrs. Mabel Thomas, who exists near the United States Capitol.

Mrs. Thomas, born into a large, black family in the Deep South 33 years ago, awoke again this morning to cope with life so shattered and confusing as to seem practically irredeemable.

As one of 8,500,000 Americans on relief, Mrs. Thomas figures in an increasingly momentous debate over the scope of welfare and, in the opinion of nearly everyone, its failure to help recipients return to the nation's mainstream.

As one of 5,600,000 citizens receiving aid for the benefit of dependent children, Mabel Thomas—"They never call you missus at the welfare office," she said—is at the center of the growing welfare storm.

So many people, from so many walks of life, are disillusioned or bitter about the system that one hardly knows where to begin. Consider Mrs. Thomas: One of America's daughters. Sovereign citizen.

"Everybody give us a hard way to go," said Mrs. Thomas.

Acknowledging frankly her own indiscretions, she is convinced that public officials are working on behalf of "everybody" to keep her and her illegitimate children poor.

Mrs. Thomas was "educated" in segregated and inferior schools in South Carolina and the District of Columbia. She has been sepa-

rated since 1960 from her husband and the three children she bore him.

Since then she has had a girl, now 6 years old, and twin boys, 3, "out of wedlock." Their fathers are heavy drinkers and often in jail, Mrs. Thomas said. She is glad that they never come around her slum neighborhood.

"I wanted to give the babies my own last name so that they wouldn't grow up confused," she said, "but the judge give me a hard way to go."

Fearing robbers and violent junkies looking for money to buy narcotics, Mrs. Thomas said that she dreaded each knock at the door of the dreary two-bedroom apartment she rents for \$61 a month.

The "blue book" rules for welfare recipients point out that the United States Supreme Court—in effect, another neighbor of Mrs. Thomas—has outlawed searches for the "man in the house" whose presence would lead to cancellation of welfare checks.

Mrs. Thomas, who receives \$179 a month for herself and her children, insists that an investigator by any other name is still an investigator. She believes also that the Electoral College somehow conspired to deny Hubert H. Humphrey the presidency and that "Nixon is against us."

Informed that President Richard M. Nixon's Administration is concerned about the wide disparities in state levels of Aid to Families With Dependent Children, Mrs. Thomas replies that she always knew he would take away some money.

She pays \$52 a month for food stamps worth \$84 at stores within walking distance that were not burned out in the riots last April. Welfare does not begin to cover the needs of her children passing through their formative preschool years.

A hospital provides orthopedic shoes for the foot conditions that they were born with. But Mrs. Thomas seldom has care for visits to the crowded clinic. She refers vaguely to kinfolk somewhere near. Apparently they cannot help.

"I don't want to be on welfare all my life," she said, looking you in the eye for the first time.

She has undergone surgery for breast cancer, however, and cannot do "heavy work" even if adequate day care were available for the children.

The old television set, which many affluent suburbanites believe that she should not own, is Mrs. Thomas' only window to the world. Year after year it shows her the material comforts of those who "give us a hard way to go."

The cost of supporting Mrs. Thomas and others who drew blanks in the lottery of contemporary American life is gigantic. Aggregate welfare costs at federal, state and local levels have risen from 52 to 112 billion dollars in the last eight years.

Divided into categories of old age assistance, aid to the blind, aid to the disabled and AFDC, the recipients often do not match such neat definitions. Whatever their race, these factory rejects of industrialized society bear the mark of every unsolved economic, social and moral problem.

New York City is large enough to be a special case. But it does dramatize the growth of a system whose chief aim, in theory at least, used to be to put itself out of business.

One out of every 11 persons in the New York metropolitan area is on relief. Last August alone, city officials accepted 50,000 persons for the welfare rolls—half of them children. Surveys indicate the numbers are increasing even faster in four suburban counties surrounding New York City.

Often overlooked in the shadow of looming urban statistics are growing numbers of rural welfare poor—many of them rural only until the prospect of higher payments in the cities lures them away from familiar countryside.

To some extent, the growth of the welfare population reflects the political indebted-

ness of city administrations to black votes. What few middleclass Americans realize, however, is how many benefits assured by law are never delivered because of insufficient funding.

Welfare rights groups are publicizing these gaps and protesting about them. Court challenges against eligibility and residence rules, spurred by antipoverty legal services, are pending in several states.

Should these suits be won by the militant poor, some observers predict, it would cost state governments as much as \$200,000,000 more than they are now paying. Other challenges focus on the illegal backlogging of applicants in several cities, including St. Louis.

The welfare system, stripped of its rhetoric of hope, has been condemned by such diverse groups as the President's Advisory Commission on Civil Disorders, a liberal Republican body called the Ripon Society, numerous government panels, conservative business magazines, politicians of both parties and professionals who dispense welfare.

Not all critics would subscribe to each of the following points offered by James M. Lyday, economist with the Office of Economic Opportunity, but most of them do:

Welfare encourages idleness by reducing benefits, dollar for dollar, among recipients who do manage to obtain some work. Lyday notes this is "the same as taxing their income at 100 per cent and we don't even tax millionaires that high."

There are no national standards to determine who is and who is not eligible for welfare. Nor are there standards to fix the support responsibilities of relatives, or the length of residence necessary before migrants and new arrivals can draw public assistance.

Welfare payments are highest in the North, where the Southern poor are congregating. The average family of four under AFDC receives \$400 a year in Mississippi. In New York and New Jersey the average is \$2700.

The administrative emphasis is on running the lives of recipients.

In the name of preventing the misdirection of a single tax dollar, social workers spend up to 90 per cent of their time "snooping" on their alienated clients. The few unemployed men in New York who get on the rolls are eligible for 45 razor blades a year. Professional caseworkers count them.

Despite the public's insistence on helping only the "deserving" poor, low-income families struggling to get by on the earnings of an unskilled, underemployed male are usually not eligible. Up to three fourths of the poor are excluded from welfare.

Nearly 50 per cent of the welfare mothers questioned in a federal survey said that they could not afford to give their children milk at times. Furniture, bedding, eyeglasses and school clothes were other items they said that they needed.

Lyday and others contend that the largest welfare category, AFDC, tends to destroy rather than stabilize families. Harold Watts, director of the University of Wisconsin's Institute for Research on Poverty, deplors the fact that a father can best serve his family by deserting it.

Adds Mrs. Ellen Winston from her experience as United States commissioner of welfare, "Actually, we know that most of these mothers in AFDC families do a good job. Otherwise, they would not be able to eke out a daily living. . . . If we would extend and improve our public assistance payments so that there was simply enough money, we would reduce greatly the number of families which need some other type of special public help."

Meanwhile, Congress, while now allowing welfare clients to keep a small part of each dollar they might earn, continues to stress restrictions. If put into effect, pending limits on AFDC could deny federal help to perhaps 100,000 children in New York alone.

Lisle C. Carter, Jr., former assistant secretary of Health, Education, and Welfare, put the problem in stark perspective last year when he told a congressional panel:

"Data have been projected by HEW that show increases (in the need for AFDC) and show the likelihood of excess children over those that can be supported federally. One gets to using language that sounds Orwellian or Swiftian in talking about this."

Firm in the belief that welfare has been a massive failure, many economists and social workers privately welcome any effort to make the system as expensive as possible. They want the nation to think about several alternatives that, despite controversy, are moving inexorably to center stage.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 24, 1969]

#### NEGATIVE INCOME TAX AS WELFARE SUBSTITUTE (By David B. Bowes)

WASHINGTON, February 24.—Milton Friedman, the conservative who wants to make poor people less poor by giving them cash, is the Johnny Appleseed of economics.

"The more I think about it," said Friedman, a stubby professor with a smile like sunshine, "the more I'm convinced the role of intellectuals is to leave alternatives lying about to be noticed when a crisis comes."

There is usually some bickering about who planted a seed that grows to bloom into an important discovery. Like poliomyelitis vaccine, the steam engine and the Peace Corps, the proposal known as negative income tax was not sown from a single gunnysack.

However, there seems to be agreement among liberal and conservative proponents of the concept. If one omits Edward Bellamy, a utopian author who died in 1898, Friedman has the strongest claim on this plan to replace what he calls the ragbag of categorical aid.

The negative income tax is one of two principal substitutes being considered for the largely discredited welfare system. It is a form of income supplement. The other contender is the social dividend method—the so-called "children's allowance" or "family allowance," for example. More than 50 countries have it.

Removal of any distinction between the able-bodied poor and those who cannot work because of dependency or disability is at the heart of these departures from traditional welfare, said Christopher Green in a report to the Brookings Institution:

"This difference is reinforced by the proposed use of income and family size as the only criteria for determining the amount of the payment from the government.

"The social dividend method aims at closing the whole poverty gap by guaranteeing a basic income floor for all citizens, not just the poor. The more modest negative rates method attempts only to narrow the poverty gap, and is restricted to families or persons with incomes below specified break-even levels. . . ."

Basic objectives of any plan, in the opinion of thoughtful critics of welfare, should be coverage of all the poor, adjustments to family size as well as income, promotion of work incentives, and freedom from stigma and unnecessary investigations.

To get back to Friedman, this former adviser to Barry M. Goldwater is having a circus watching his "liberal friends" cultivate the negative income tax he planted in the 1940s.

He discussed the phenomenon—and warned against variations that would supplement rather than replace welfare—in a conversation in the Tudor Gothic precincts of the University of Chicago Faculty Club.

"Will the negative income tax be adopted as a package? Oh, I doubt it," said the cheerful professor, scribbling on his place mat for a Post-Dispatch reporter.

"But Congress now allows recipients to keep a small portion of earnings. That's part of it!

"National standards for minimum payments and eligibility seem to be coming along. That's part of it!

"Abolish categories of aid? That would be another part!

"So the substance of negative income tax is creeping in. Welfare is de facto guaranteed annual income. Now we must increase independence and reduce bureaucracy."

Under current income tax laws, a family of four has exemptions plus standard deductions equal to \$3000. If earnings match this figure, the family has a "break-even income" and pays no tax.

If family income is \$4000 it pays taxes. Most Americans do that at this time of year. Under negative taxation, if family income is only \$2000, the family would be entitled to receive a fraction of its unused exemptions and deductions in the form of cash from the government.

The key to encouraging work incentive is to keep a sufficient difference between break-even income and minimum guaranteed income, Friedman believes.

He would set the national minimum at \$1500, relatively low but higher than welfare payments in many states. New York, California and others with high costs could enact negative state and local income taxes to cover their larger burden of welfare poor.

Such a comprehensive plan might cost more, initially, but Friedman predicts that the guaranteed minimum and graduated subsidy would induce free men to become payers of positive taxes. He estimates annual cost at 9 billion dollars.

"It would be far better to give the indigent money and let them spend it according to their own values," he says, to the consternation of many conservatives. "They do now, and not all the red tape in Washington will keep them from finding ways of doing so."

Friedman, who seems to thrive in the role of loner, disagrees with 1200 economists on 143 campuses who indorsed last year a national system of guaranteed income. They recommended a minimum of \$3400—the so-called poverty line. Can the nation afford that? Would incentives operate? He says no.

Among the more prominent advocates on the liberal side who have proposed variations on the basic concept of negative taxation are James Tobin, professor of economics at Yale, and Paul A. Samuelson, head of the economics department at the Massachusetts Institute of Technology.

Parting company with economists altogether are the sociologists, social workers, some liberal politicians and—before a desk in the White House inhibited his public comments—Daniel P. Moynihan. They favor the children's allowance.

Mitchell I. Ginsberg, former New York City commissioner of welfare, acknowledged that a children's allowance would go to some persons not drawing welfare at present.

"I consider that an advantage," said Ginsberg, "because it is unquestionably true that there are many families eligible for welfare or just above the welfare level who feel left out of things. . . ."

He pointed out in testimony here that it would ease the financial strain on young families and would be simpler to administer because it would go to all. It would eliminate the "disincentive" problem and the means test as well, he said.

"Anybody with any experience with the means test knows that it has never been administered in any way except a way that is mean."

The United States is the only western nation that has never paid this supplement to all dependent children. Canada has provided such a flexible allowance for more than 20 years. Among the plan's advantages are flexibility to match family sizes, simple and direct administration, and a focus on children as recipients whether they are rich or poor.

Some critics contend that such a payment would be an incentive to have large families. Proponents point to the expense of preparing the young, in any stable family situation, for the rigors of a changing job market.

The Kerner Commission on Civil Disorders called for national standards of "income supplementation" because "our present system . . . is designed to save money instead of people, and tragically ends up doing neither.

Abolition of the "obsolete, punitive, ineffective and bankrupt" welfare system is an aim of the National Urban League. The league favors a minimum income system costing up to 30 billion dollars a year. Existing aid costs 5.5 billions.

The liberal Republican Ripon Society sees a negative income tax as "the fairest and most efficient way to accelerate the natural processes through which the American economy eliminates poverty . . ."

One measure of how significant the whole debate has become is a President's Commission on Income Maintenance Programs. Former President Lyndon B. Johnson created it, giving his blue ribbon panel until next January to recommend something.

More significant still was a symposium on the topic at the United States Chamber of Commerce. This bastion of conservatism sponsored full discussion of methods from the Elizabethan poor laws that have been preserved as holy writ.

Perhaps only the dispensers of welfare know how holy these public laws remain.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 25, 1969]

#### WELFARE HAMPERED BY RULES

(By David B. Bowes)

WASHINGTON, February 25.—"What the Department of Welfare can do is what the community allows it to do," says Esther Lazarus, in retrospect.

Miss Lazarus, soon to retire after 30 years in social work and welfare management, is director of social services in Baltimore. When St. Louisans visit her city they experience an instant sense of having been there before.

Miss Lazarus and other administrators interviewed by the Post-Dispatch view growing pressure for changes in public aid with mixed emotions. Change is essential, all agree, but they think their system was denied a chance to succeed, and they resent it.

As public employees, they believe strongly that unwarranted or fraudulent use of tax funds must be prevented. As middle-class professionals, they believe that a double standard in America has branded welfare chiseling a crime and income tax chiseling a game.

Sometimes welfare workers decline to administer laws to the letter. Watching rural-dominated state legislatures consistently appropriate less money than is needed, they see that action as a mandate to interpret welfare policy according to their own ideas.

James R. Dumpson, dean of Fordham University's School of Social Service, has described how welfare viewed as charity becomes a judgment by the caseworker. Thus illegitimate children suffer the legacy of inherited poverty because their mothers' moral standards do not match the caseworker's personal code.

Yet concerned social workers are torn between "showing the way" out of poverty by imposing middle class standards, and acknowledging that no other recipients of federal assistance are under surveillance like the poor.

None of the 1700 employees of the Baltimore Department of Social Services (half of them deal with public assistance) get paychecks printed a separate color. Until last year that city's welfare recipients did.

Elsewhere, social workers expressed no professional pride in patrolling for fathers and

other men in the houses of welfare recipients in the days before the Supreme Court ruling that banned those searches.

"We weren't catching any between 10 p.m. and midnight," one salaried investigator confided to a reporter, "so we started checking about 2 o'clock in the morning and caught a few of them."

The pattern of urban migration has left its mark on the weathered and dirty countenance of cities, like scars and life lines on a human hand. The neighborhood of Baltimore's Welfare Department chronicles the coming and the going.

Across Greenmount Avenue, in a crowded hillside cemetery, sleep the white immigrants who made Baltimore what it used to be. They are guarded by marble angels and likely assured of perpetual care by descendants in the suburbs.

Crisp. Montague. Cabell. Fuller. Hintze. McDougall. Hunter. Biedenkopf. Poultney.

In the dreary lobby of the department sit the relative newcomers to the area. A sea of black faces confronts the visitors. Two children hand you supermarket flyers. Women turn again to stare at the wall. Men stand in twos and threes and the sound is of silence.

"I want to get rid of public assistance," says Miss Lazarus, in her spacious office on an upper floor, "but society refuses to supplement the earnings of the underemployed. That—not AFDC—is what breaks up families."

A Maryland law requiring one year of residence before drawing welfare was suspended by court injunction. Even before that, she said, there was not enough money to go around.

Shelter is basic, but payment levels are by definition unrealistic.

Baltimore recipients get \$35 a month for shelter for a family of four. Surveys indicate that more than half of them pay larger amounts, some up to \$90 a month, for slum dwellings.

Welfare schedules allow such families \$16 a month for gas and electricity. But the shelter allotment is so small that heating bills for windy quarters can run \$60 a month when the hazardous space heaters go full blast.

"They get \$5 a month for social activity," Miss Lazarus went on, "but there is always an uproar when they have television. It used to be radio."

Miss Lazarus cited the cost of administration as a financial drain under categorical aid—the distribution of funds under a variety of categories. It can run to half the total cost, she said. The state and federal governments joust back and forth to see which will pay it.

"The trouble with categorical aid," she said, "is that you must prove a need to be on it." Then you must fit an exact category or the city and state can't get federal reimbursement.

"There are terrific pressures to get a needy but otherwise not eligible person into a category somehow, as soon as possible."

Miss Lazarus and others believe "a simple statement of need" would be a constructive step. It might not save money, but she mentions a reason seldom considered:

"There are no programs to help poor white families without interviewing and the stigma of coming down here. Many whites who need help won't sit in our waiting room with blacks." And the blacks resent the interviewing and other procedures just as much as the whites.

The outgoing administration of Lyndon B. Johnson ordered states to test, in selected areas, a plan to put relief applicants on welfare rolls without detailed investigations.

That order, in which the new Secretary of Health, Education, and Welfare, Robert H. Finch, concurred, was diluted from the original proposal made by Finch's predecessor, Wilbur J. Cohen. It could be implemented

everywhere next year, with spot checks for fraud.

What remains to be seen is how simple a statement of need is forthcoming. It was learned that in several cities the "simple statement" threatens to run more than 10 pages. Only a graduated income supplement for every poor person can cut the paperwork, some critics say.

Nobody expects to pay a woman \$5 a day any more to cook or clean house. But what about the complaint that able-bodied persons won't even work for \$10 a day when welfare is available?

Replies Miss Lazarus:

"If you pay \$10 a day you have a right to expect more than if you paid only \$5. But housekeeping in a modern home with appliances has become a skilled occupation.

"Aside from thinking housework demeaning, most of these women just do not have the training. I can say unequivocally that women would much rather work than be on welfare, but as of now that does not include housework."

Morris Hursh, speaking as Commissioner of Public Welfare for Minnesota, defended the welfare system before a congressional committee last year. But he said it would be as good as an income supplement only if it met "the objectives for which it was established."

Hursh, who wants the Federal Government to pay assistance grants in full and abolish residence requirements, contended that administration often is "grudging, restrictive and punitive."

Of social counseling, another factor in the debate, Hursh said:

"A poor family should not be compelled to have its lives run by a social worker just because it needs financial aid. At the same time, there should be some agency to which they can turn for social service when they need it."

Hursh saw this availability of help as the "legitimate role of the public welfare agency." Significant numbers of social workers now subscribe to that view.

Daniel Thursz, dean of the School of Social Workers, University of Maryland, testified that "we were wrong" in supporting the 1962 public welfare amendments that called for rehabilitative services for AFDC families.

In brief, social workers now see much of what the community has let them do as a way to keep costs down while hoping they were mending lives with rations of sympathy.

Many have understandable pride in professional services delivered. Yet as one told a reporter, "You can give all the service in the world, but then you hand them the same old \$35 and nothing has really changed."

So the 50,000-member National Association of Social Workers believes, as spokesman Thursz put it, "the guaranteed income is a necessity in an era of cybernation." Thursz would have every citizen learn the "new realities" of the joint impact of automation and computers.

The client group itself has changed. "They're more demanding now," says Miss Lazarus, "and I think that's right."

[From the St. Louis (Mo.) Post-Dispatch, Feb. 26, 1969]

#### ORGANIZING THE POOR TO GET FULL BENEFITS

(By David B. Bowes)

WASHINGTON, February 26.—Hell hath no fury like a welfare lady who has seen the manuals she isn't supposed to see and knows the state is cutting corners at her expense.

From the black ghettos and Spanish-speaking barrios of the land, embattled welfare recipients—spearheaded by George A. Wiley and these angry women—are moving to upend the system by demanding every cent promised under public assistance laws.

Wiley, a Cornell PhD who taught university-level chemistry and rose to the second echelon in CORE, is in the argot of the late

'60s, both black and beautiful. Tall and soft-spoken, he and his shrill shock troops offer quite a change of pace.

As executive director of the National Welfare Rights Organization, Wiley has built this movement from one store-front in New York City to a casual but militant alliance of 250 groups of poor people in 100 cities from coast to coast.

Last weekend NWRO made its first foray into the Deep South with a conference at Jackson, Miss. From a mimeograph endlessly turning at headquarters here came word of war declared on "Southern welfare policies that have led to widespread hunger and malnutrition."

The style of Wiley and the crusading women should be considered in perspective. Like the big newspapers of an earlier era, they cast their message in hyperbole, the better to reach uneducated persons who need truth to set themselves free.

Otherwise sympathetic whites may wonder at pronouncements that NWRO will celebrate National Get It week or the "public enemy" notices that feature a mug shot of Chairman Wilbur D. Mills of the House Ways and Means Committee, stating he is "wanted for conspiracy to starve children, destroy families, force women into slavery and exploit poor people."

It takes audacity and imagination, as Madison Avenue knows, to penetrate the ghettos, where even the Census Bureau is not sure how many persons are drifting through life.

And it takes television.

So the welfare mothers and children have been getting on newsfilm that comes over the tube into slum dwellings. In addition to sorties from Resurrection City, they have tried en masse to sell their blood. (They fall because of poor diet and iron deficiency.)

"We generally pack a little lunch," said Mrs. Beulah Sanders, who ran for New York State Senator on the Mother Power ticket. "If the (welfare) administrator doesn't give satisfaction, we settle down to spend the night."

The result of this strategy is that people who have always been eligible for welfare are signing up. Many already on the rolls are demanding benefits that the welfare office never mentioned because it could not pay for: telephones, Boy Scout uniforms as well as school clothes, the American way of life.

Wiley, wearing a turtleneck and the NWRO medallion, chatted when sitting at his desk in the bay window of a once-fashionable brownstone.

"Welfare will continue to be a battleground of nationwide tension and conflict," Wiley predicted, "if adequate grants and a just distribution are not provided."

Wiley's most immediate aim is to head off Gov. Nelson A. Rockefeller's proposed cut-backs in the burgeoning welfare budget of New York. For the long run, he thinks the Federal Government should assure each family of four \$4400 a year.

Rockefeller has proposed to the Urban Affairs Council that the Federal Government use 25 per cent of the growth of federal revenues to get uniform welfare standards, leading to eventual takeover of the system.

The Nixon Administration's reaction was that standards should be uniform, but health and education need the same emphasis as welfare. State and local governments should share responsibility for the welfare burden, Rockefeller was reportedly told.

Wiley objects to "selective enforcement" of laws to the detriment of poor people who cannot afford lawyers. Antipoverty grants for legal services are making some inroads. NWRO organizers, aided by frustrated case-workers, now cite chapter and verse from the closely held welfare manuals.

The welfare recipients come on like gang-busters. Wiley has a softer sell. He tailors his message to fit the target and has therefore

"accepted the President's challenge to 'lower our voices' and work together to solve the problems which face us."

NWRO's executive board and its national co-ordinating committee, on which Mrs. Mary Coyle of St. Louis serves, has expressed interest in income supplement alternatives. However, they oppose any national minimum sufficient in Alabama but too small in the North.

In meetings and in statements, Wiley has asked the Nixon Administration to work for repeal of the 1967 Social Security amendments.

The law drafted by Mills allowed a 33 per cent earning incentive, but in other provisions put an arbitrary ceiling on AFDC rolls and authorized states to decide which mothers should go to work or lose AFDC payments.

That legislation, in which Congress dropped the massive problem of day care centers into the laps of the states, sparked Mother power more than anything else.

Wiley's emphasis on national standards is widely supported by studies of how poor people, on and off welfare, get along state by state.

In the Brookings Institution's "agenda for the nation," James L. Sundquist pointed out that only 22 states have taken advantage of the 1961 federal legislation that made families of unemployed parents eligible for AFDC.

Citing disclosure of malnutrition in southern states, Sundquist challenged the traditional argument for local administration of public assistance. He said that the committee of neighbors might be the best informed, but it might also be the least sympathetic.

"The most direct way to assure that national welfare policies are carried into effect," he said, "would be for the Federal Government simply to assume full financial and administrative authority, as (former) HEW Secretary Wilbur Cohen and (then) Maryland Gov. Spiro T. Agnew, among others, have suggested."

"This would be a form of block federal grant to the states and localities, because they would be relieved of some 3 billions in annual expenditures for public assistance."

"Meanwhile, NWRO is telling its membership about the "permanent welfare system" it says is enjoyed by oil men with depletion allowances; Senator James O. Eastland (Dem.), Mississippi, who got \$157,930 in 1967 for not planting cotton, and suburbanites with federally supported freeways.

At a recent meeting of the District of Columbia storefront chapter of NWRO, 20 welfare recipients and a reporter learned these additional items:

Washington requires all states to:

Accept an AFDC application from anyone, write within 30 days to tell how much they can pay or why not, make payments within 30 days to every eligible family, and give anyone who asks for it a fair hearing.

Under so-called fair hearing procedures, someone from the state welfare agency who was not concerned in the original decision must restudy the case. If cancellation of benefits is at issue, payments continue until the hearing.

Mrs. Etta Horn, an NWRO vice president, and Leonard C. Ball, local co-ordinator, reported that they were working to get 58 such appeals heard at one time so to please get your neighbors ready. "We'll picket and anything else you ladies would like to do," promised Ball.

A subsidiary of NWRO called National Self-Help is to participate in a \$434,930 Department of Labor effort to provide welfare clients with data about work incentive programs.

But if the honeymoon ever ends, Wiley knows how to raise his voice. On his bookshelf, nestled between the spiral bindings of poverty studies, are two red bullhorns.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 27, 1969]

GUARANTEED INCOME FOR POOR DIFFICULT TO SELL TO PUBLIC

(By David B. Bowes)

WASHINGTON, February 27.—Some of Richard M. Nixon's closest advisers, sensing that the Democrats could not abandon their welfare policies, urged him to campaign for guaranteed annual income.

The candidate listened carefully, pondered the strategy and timing, then backed off.

Now that he lives in the White House, Mr. Nixon is again being asked to consider an alternative to welfare payments by categories of need. Next to ending the war, some advisers contend, no single step could lower more voices and help to ease so many problems.

But only if the war is scaled down can America afford to pay what most students of welfare insist is needed to break the cycle of poverty. Available evidence suggests that President Nixon will indirectly encourage Congress to debate this sensitive topic. Knowing the public is between commitments—against welfare but not yet in favor of anything else—he will let the Capitol dome attract the political lightning.

Mr. Nixon's men will concentrate, meanwhile, on getting acceptance for uniform national welfare standards. There is trouble enough in that. It means antagonizing the low-paying southern states. Yet unless the migration into northern cities is slowed, it is argued here, only limited success is assured for job training and related programs.

The trick is not so much to reverse last June's Gallup Poll, in which 78 per cent supported guaranteed jobs and only 36 per cent approved some form of guaranteed income. It is to prove that minimum income is becoming a prerequisite to stable employment.

At issue also is the new President's credibility. As the Republican Co-ordinating Committee put it in a preplatform tract:

"Today's poverty can and must be remedied . . . but to remedy today's poverty requires using the techniques of science more than those of Madison Avenue. The sham rhetoric of the poverty war and such sloganeering as 'End Poverty by 1967,' is to be deplored."

Among the key Administration officials cautiously circling the wreckage of the welfare system are Robert H. Finch, Secretary of Health, Education and Welfare, and Daniel P. Moynihan, assistant to the President for urban affairs.

Finch, regarded as an effective administrator and astute politician, speaks of the "brokerage aspect" of his job. He stresses that "mandated programs" approved by Congress are the stuff of HEW's mission. The former lieutenant governor of California apparently differs with Moynihan on the funding responsibilities of the states.

Finch would "broker the differences" while each level of government enjoys the "agony and ecstasy" of grappling with the welfare problems. Moynihan, for his part, drops such teasers as "Cold Cash: It's a surprisingly good cure for a lot of social ills."

Moynihan, a liberal scholar who is politically knowledgeable, peers into the past and the future for ideas. What influence these ideas will have on Mr. Nixon's policies remains to be seen. Moynihan's stock is very high with some party professionals; others wonder what he is up to.

At ease with contradiction in a contradictory world, Moynihan and his utterances on welfare offer no distinct clues on his private recommendations to the President. He has long advocated federal family allowances (for minimum incomes and social unity) instead of categorical aid. Now he argues "The great enemy of progress is the single solution."

Moynihan told a welfare conference in 1967 that Aid to Dependent Children was the

critical category, that reorganization of the system was unlikely and that any proposed improvement would cost more for a while.

"The problem of the poor is that they are excluded from the larger society because they do not have the income to sustain an 'average' life," he said. "There will be no end of this until the incomes of the poor are brought up to average levels."

Moynihan has conceded on several occasions that the concept of family allotments is not yet marketable to middle class voters. It is seen by many as a handout incentive for blacks to have more children, he said.

As serious as the welfare problem is becoming, the atmosphere at HEW betrays not the slightest hint of locomotion for its own sake. The leaves of the lush philodendrons in Finch's anteroom have been individually polished. New policies are being formed in similarly methodical fashion.

Finch himself sets the pace. Rejecting any trend toward what he calls "the Department of the Dole," he is fond of observing that popular government "goes forward on the largely unstated agreement to abide by decisions made by popular vote."

Divining that decision—as to welfare—will be one of his tasks as he moves to improve the system within the constraints of the budget. He said in a recent television appearance that he doubted a guaranteed income was the right way to proceed.

He is not one who believes that the Federal Government should pay for the whole system in the vague hope that maybe the states and local districts will divert funds to constructive, related pursuits.

Finch envisages a federal floor under welfare. Disparities between payments in agricultural and industrial states must be reduced, he says, to stop the flow of the untrained poor to crowded cities. He concurred in a step by his predecessor to test "statements of need" as substitutes for detailed investigations of eligibility.

Budget reviews are under way. Task forces are scrutinizing available money. One study group estimated that a federal floor to narrow the disparity between payments by states to clients would cost at least 1.4 billion dollars a year.

Joining Administration figures from HEW and the White House in an "overview" group to assess task force results is Richard Nathan, now of the Bureau of the Budget. Nathan was a Brookings Institution economist who did staff work for the Kerner Commission. That panel called for reforms and income supplements.

Despite the belief of at least one key official that welfare has been "studied to death," the studies continue. And the uncharted realm of income experimentation will be explored before new directions are indorsed.

Moynihan, in his hard-cover critique of the Johnson Administration's antipoverty efforts, stressed the need for separating fact-finding from political tub-thumping.

No research so potentially momentous could be conducted more quietly than the project to test the impact of a negative income tax on the lives of about 1000 male-headed families in New Jersey.

Even the Office of Economic Opportunity—never noted for modesty or patience—has lowered its voice.

"In truth," says an OEO description of the venture, "very little is known about how people will alter their behavior in response to changes in their income and tax burden . . ."

"The controversy cannot be decided by disputation. Only through such experiments can these arguments be resolved. OEO is trying to assist that process."

OEO is keeping itself at arm's length. The agency's initial contract went to Harold Watts, Robert J. Lampman and other respected academicians at the University of Wisconsin's Institute for Research on Poverty. The project is being monitored and

analyzed by Mathematica, Inc., a think tank in Princeton, N.J.

When in full swing, the project will give selected families cash supplements that decline as other income rises. Recipients are guaranteed a minimum income, but will always be better off if they work. A control group of unaided families has been designated for contrast.

Test families may leave their cities and the state itself. They keep getting the bi-monthly payments. Migration in search of work should be at least as free as migration in search of welfare. Neither the families nor their names are available to news media.

The project was designed to continue three years. Funds were not sufficient to start a similar test among the rural poor, but one is planned. Fatherless families on ADC already get welfare. Some economists hope HEW will devise ways to measure their response to real work incentives.

The AFL-CIO went on record this week against either the negative income tax or the family allowance. Organized labor wants policies of full employment, which clash with Mr. Nixon's strategy for reducing inflationary pressure.

Such positions pro or con by special interest groups are what count on Capitol Hill.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 28, 1969]

#### MONEY VERSUS MORALITY: GROWING INTEREST IN NEGATIVE INCOME TAX

(By David B. Bowes)

WASHINGTON, February 28.—Congress, weighing morality in one hand and money in the other, is being drawn against its better judgment into the welfare controversy.

"Public assistance introduces problems of race, sex, religion and family relationships," says Gilbert Y. Steiner. "It is hard to think of four other areas most American politicians would rather avoid."

Steiner, a political scientist with the Brookings Institution, made the point in a book describing the "social insecurity" of the poor under 30 years of "automated" welfare. Just enough money was thrown at the problem, at regular intervals, he said, to avoid debate.

Steiner stands by that assessment today. "I think it is still true," he told a reporter. "But now race, sex, religion and family are hang-ups because Congress does not know how to debate the demands for change."

The transformation of welfare from a system of special categories, administered by professionals, to a politically potent issue increased public knowledge and concern. So did sharp increases in the cost of the Aid to Families with Dependent Children segment. Then along came the more conservative political leaders, telling white suburbs what many wanted to hear.

This brought liberals of both parties to the barricades, some to defend the system and others to urge improvements. The academic community began to explain negative income taxes, family allowances and similar output from campus thinkers.

Congressional reaction was twofold.

There were efforts late in 1967 to legislate the sort of uplift and progress that some earlier laws calling for more social counseling had failed to produce. Most of the new restrictions are still pending. They are targets of considerable indignation.

In addition, there was evidence of growing interest in at least considering a whole new tack. Representative Charles W. Whalen, Jr. (Rep.), Ohio, proposed gradual implementation of a negative income tax. He said it would be a supplement "no more dangerous than the graduated federal income tax which has been in effect since 1913."

Whalen, a former economics professor, is drafting an updated version of his bill. It is a joint effort with Representative John J. Con-

yers Jr., a Democrat from Detroit. Whalen rates the prospects for passage as very slim for now, if for no other reason than the costs of the Vietnam War. The budget remains tight.

The most modest other proposals would cost about 4 billion dollars more than the welfare system. They would exclude more than half the nation's low-income and no-income citizens. Social dividend plans such as the family allowance could cost 30 billions more, although payments to middle class families would be at least partly retrieved through the graduated income tax.

Roughly estimated, the cost of the most inclusive plans being proposed to the Nixon Administration about matches the annual cost of United States involvement in Southeast Asia.

Senator Joseph M. Montoya (Dem.), New Mexico, and several colleagues have introduced a bill that would direct the Secretary of Health, Education and Welfare to conduct experiments with earnings incentives.

Montoya said it would be a "guarantee of annual income" to persons willing to work. They would draw welfare payments and keep all earnings for a total annual income of \$3800 for a family of four. States would not be allowed to lower their aid.

Former Representative Thomas B. Curtis (Rep.), Missouri, probably expressed the sentiments of many members of Congress when, last June, he opposed any proposal that broke "the link between income and work." Curtis called for abolition of aid categories, but he stressed social counseling and job training as foundations of "guaranteed opportunity."

"Each (income maintenance proposal) would enshrine in law the concept that society owes every citizen a living regardless of his willingness or ability to work," Curtis said.

"The lazy and shiftless would benefit as much as the deserving. In my view, the guaranteed income approach would create deep divisions in society; it would tend to perpetuate poverty and might even worsen it by its impact on economic growth."

Curtis said that "to really eliminate poverty we must be concerned with much more than providing income." Work incentives aside, that put Curtis 180 degrees out of phase with most economists.

The Post-Dispatch was told that Curtis' opposition to a negative tax plan had been instrumental in canceling an attempt by GOP leaders in Congress to attack Democratic welfare policies with a specific program a year ago.

Wisconsin's Melvin R. Laird, then chairman of the House Republican Conference, privately expressed interest in negative taxation and Daniel P. Moynihan's ideas several times in recent years.

Laird, a close adviser to Richard M. Nixon, hoped the candidate would adopt guaranteed income as a campaign issue. Laird planned to submit related legislation with the full approval of House minority leader Gerald R. Ford.

As far back as autumn of 1967, this newspaper quoted top Republicans in Congress as saying, "The party plans to concentrate on better-known issues for now, but GOP presidential candidate would be free to inject the negative income tax into a campaign."

With efforts for a strong presidential race gearing up, Curtis was approached for his support, it was learned. He was the ranking Republican member of the Ways and Means Committee and thus influential on such matters both in party ranks and with conservative Democrats.

When Curtis refused to support the venture, House Republican leadership dropped it for lack of a united front. Laird's bill never went into the hopper. Laird and Moynihan—

political opposites—both landed key positions in the Nixon Administration.

"If only Laird were still in the House," mourned one proponent of guaranteed income. As Secretary of Defense, Laird apparently has moved far afield from welfare policy.

Other observers question how significant Curtis's decision was in terms of Mr. Nixon's 1968 strategy. Mr. Nixon is believed to have trimmed his sails to please a conservative-minded electorate. Then, too, he needed campaign funds from contributors who might take a dim view of cash for the poor.

Congress's most exhaustive look at income maintenance to date was arranged last year by the Joint Economic Subcommittee on Fiscal Policy.

Representative Martha W. Griffiths (Dem.), Michigan, is chairman of the panel and a critic of existing welfare policies.

The complexity of the issue was dramatized on the fourth of nine days of hearings. Mrs. Griffiths, contending that a federal project to test incentives should include welfare mothers, asked why 18-year-olds with illegitimate children should not work.

James N. Morgan, an economist with the University of Michigan's Survey Research Center, replied that society "has never had the courage to suggest that if children are not being properly reared they ought to be separated from their parents."

The exchange, condensed somewhat, continues:

"Mrs. GRIFFITHS. I agree, but orphanages were tried at one time and people did not like the idea. It seems the next way out is saying that woman herself must go to work . . .

"MORGAN. But you have to do something for the children.

"Mrs. GRIFFITHS. But you are calling the children into being by a child allowance.

"MORGAN. I think there is some doubt about this.

"Mrs. GRIFFITHS. This is one of the biggest criticisms that comes to me out of the public schools of Michigan. When a child graduates from an innercity school, the boy has no way of making a living, but there is certainly a way for a girl to get an assured income . . .

"MORGAN. But you still have to do something with her children.

"Mrs. GRIFFITHS. There is a sort of middle-class theory that women do not work. I assure you that women work.

"MORGAN. I do not question that women work. . . . You have already said we have no institutional devices for taking care of them. Day care is extremely expensive. It has never been shown to be all that much better training than the mother's. The mother has then been used as a cheap source of taking care of her own children. I happen to think this may be a big mistake, that maybe we should rethink the whole issue of how we are going to take care of these children. Once we settle that, then you can raise the issue of what we are going to do about the mother. . . .

"Mrs. GRIFFITHS. But it seems to me one of the things you can do is not put it on a child basis, but give it (welfare assistance) to anybody below a certain age, man or woman.

"MORGAN. No matter what you call it, the result is the same, if you insist on taking care of these children, unless you are going to pay somebody else.

"Mrs. GRIFFITHS. Perhaps if you give her the income without the children, you do not call the additional children into being.

"MORGAN. You cannot give a woman with no children the same guaranteed income you give a woman with four children.

"Mrs. GRIFFITHS. What you are now saying (is) you do not get anything unless you have a child. We are really subsidizing bastardy. . . . Actually, this is true.

"MORGAN. I am an economist, but I really do not believe economic motivation works this simply. . . .

"Mrs. GRIFFITHS. I am a politician and the criticism that you get on the whole scheme is that this is what we are doing.

"MORGAN. Why don't you legalize abortion in the first place?

"Mrs. GRIFFITHS. No, you do not have to do it that way. The negative income tax system to me is much more appealing than a child allowance system."

#### REAPPRAISAL OF WELFARE SYSTEM UNDERLINED BY MORAL TEACHINGS

(By David B. Bowes)

WASHINGTON, March 1.—"He who does not work shall not eat," said Capt. John Smith to the Jamestown settlers.

More than two centuries later William Lawrence, the Episcopal bishop of Massachusetts, informed his flock, Godliness is in league with riches."

And a poet named Angela Morgan extolled:

"Work!

Thank God for the swing of it,  
For the clamoring, hammering ring of it;  
Passion of labor dally hurled  
On the mighty anvils of the world . . .  
Thank God for a world where none may shirk.  
Thank God for the splendor of work."

Now that arable frontier land has vanished, and industrial cities are crammed with unskilled poor, and housewives with Yellow Pages let their fingers do the walking, such comments sound embarrassing or repugnant or at least dated to modern reformers.

These reformers think those ideas stand out like tintypes in the age of the instant snapshot. But the religious, ethical and moral teachings that inspired such injunctions run deep in the American character today.

Nowhere is this more evident than in the nation's reappraisal of the welfare failure and what to do next. When the debaters have concluded, says the Rev. Philip Wogaman of Wesley Theological Seminary here, the house divides according to each person's decision as to whether it is moral to give people an income they have not "worked" for.

The Rev. Dr. Wogaman is associate professor of Christian Social Ethics at the Methodist seminary and author of a book called "Guaranteed Annual Income: The Moral Issues."

In an interview, the Rev. Dr. Wogaman discussed the so-called Protestant work ethic in the larger context of Hebrew-Christian tradition.

"This tradition," he said, "has had such an enormous influence in the shaping of our civilization that even avowed atheists and 'post-Christians' tend to assume its humanistic values."

The Rev. Dr. Wogaman thinks that all Americans—perplexed about controversial alternatives to welfare—should better understand why they believe that prosperous people deserve nothing, if nothing is generally what they earn.

A German sociologist, Max Weber, originated the phrase "Protestant ethic" a half-century ago when studying the relationship between church and teachings and the development of European and American capitalism.

Weber, identifying attitudes common to sacred and secular life in the sixteenth century Switzerland of John Calvin, stressed a positive view of work and condemnation of idleness, and the belief that man should glorify God rather than seek wealth for its own sake.

Although Calvin did not define "productive" in the economic sense alone, that translation prevailed when the industrial

and commercial revolutions came to Europe, said the Rev. Dr. Wogaman.

In Calvin's day, the pursuit of material gain was not divorced from other aspects of an individual's life. Calvin himself, a religious reformer, was identified with textile ventures and the start of the watchmaking industry.

"Capitalism could assume a community context in the small and sheltered city of Geneva," the Rev. Dr. Wogaman observed.

Considerable ambiguity crept in, however, when this combination of sweat, thrift and the Almighty moved outside the confining valleys of the Swiss Alps. The Rev. Dr. Wogaman points out that by Benjamin Franklin's time the touchstone phrases of capitalism were already largely secularized:

"To waste a shilling becomes a moral offense, and to pass an hour in idleness is gross dissipation."

In America, the Rev. Dr. Wogaman continued, the ambiguity became more striking. Church affiliation has soared from a surprisingly low 10 percent in Colonial days. Yet the money-making side of life seldom dovetails with religion any more, in the opinion of many social commentators.

Organized religion, having found that fewer capitalists are coming to seek moral guidance, is turning in some areas to "worker-priests" whose amorphous parishes are the business offices and shopping centers of the nation.

An important additional factor, the Rev. Dr. Wogaman said, is the strong feeling of "mutual assistance" that pervades American life. Rugged individualism in earlier days was tempered with a community spirit that was reflected in barn raisings and the various ways in which pioneers ranks to face adversity.

The proliferation of charitable organizations today is one manifestation of this trait, some observers have said. But in the Rev. Dr. Wogaman's view, the nation always has hedged to private forms of giving. Thus, the goals remain subjective, he said, and there is the possibility of manipulation.

"The warm glow of Christian charity can lead to feelings of superiority," he observed. "It is but a short step from this to the view that the poor may, after all, deserve their poverty."

Against this historical backdrop, the Rev. Dr. Wogaman sees many Americans as having an "honest disagreement" on alternatives to welfare, taking a second look at which poor are "deserving" and having a deep concern about how to pay for whatever they decide to do.

Noting that the Protestant ethic may have evolved as a distortion of both ethics and Protestantism, he considers it a half-truth.

"The true half is the importance of work in human fulfillment," he said. "The false half is the subordination of man to work and, worse yet, the attempt to establish whether or not people are deserving of what God has already given them."

Quoting Biblical chapter and verse, the Rev. Dr. Wogaman acknowledges a moral case against guaranteed income. He likewise develops an argument of Christian support for it.

His conclusion is that, morally speaking, the basic material conditions of human life must be considered the social right of every man. This was the declared position of the National Council of Churches and the National Conference of Catholic Charities in congressional hearings last year.

Are the jobless and unskilled poor considered more deserving than they used to be? The Rev. Dr. Wogaman believes that they are. In lectures and debates around the country he has found citizens "more receptive to at least learning about guaranteed income than many political experts may realize."

The debate here may warm up sooner than expected. A 10-year antipoverty program costing 3 billion dollars has been prepared by economist Leon Keyserling for the District of Columbia city government. Keyserling calls for a guaranteed annual income for persons unable to work and "genuine" full employment for those who can.

As to cost, the Rev. Dr. Wogaman predicts that the nation eventually will decide to pay for the most efficient system possible. The few polls that have been published suggest that the poor—black and white alike—approve of guaranteed minimum income. Whites tend to become opposed to it as their own income rises.

Much confusion exists on the cost of welfare itself, not to mention alternatives. Like beauty, welfare is in the eye of the beholder. A maze of government programs, some more efficient than others, have been justified as part of a national web of public funding to the old, young, ill, disadvantaged and groups that have strong lobbies.

Milton Friedman, a conservative economist, has estimated that—excluding entirely veterans benefits and educational expenditures—federal, state and local governments are spending more than 50 billion dollars a year. Other estimates, which include the above omitted categories, run as high as 112 billion dollars.

The Rev. Dr. Wogaman doubts whether churches will be in the forefront of welfare reform. He suspects that, as in the case of civil rights, they will "destroy the conscience of the opposition."

Although most opposition to negative taxation and the like comes from conservative ranks, at least one vocal critic best can be described as a leader of the Work Is Dead school of socioeconomic theory.

"Some form of national payments system is coming—that's no longer at issue," said Robert Theobald.

Theobald, who was born in England and now works the audacious fringes of economic authorship as a United States citizen, wants to break the "pathological desire to toil" of Americans.

Theobald believes that cybernation (automated machinery bossed by computers) destroys old jobs much faster than it creates new ones. He believes that any guarantee of employment "leads us back to slavery," whereas negative taxation perpetuates "dead-end incentives to work."

How to afford plans: more limited than his own? Theobald's reply:

"We were told in the early 1960s that we could not afford the guaranteed income. Then the Vietnam war came along and we could afford 30 billion for this purpose. The money is there for things we decide to do."

Questions are raised about the danger of negative taxation fostering political irresponsibility and that minimum income could be continually hiked to attract votes. That is happening now says advocates of change. Without the labyrinth of aid categories they believe that welfare would be cheaper and easier to monitor.

The family allowance proposal remains a target for something less than thoughtful criticism.

As Daniel P. Moynihan, now White House adviser on urban affairs, remarked in 1967:

"Persons who would never dream of having another baby, in order to get hold of an additional \$8 or \$12 a month, instantly conclude that out of depravity, cupidity, ignorance or whatever, the poor would automatically do so."

Thus, the Urban Coalition and Urban America, Inc., felt compelled to state this week, in an annual no-progress report, that welfare remains "the major growth industry" of slums. The report was at variance with earlier word that alabaster cities gleam, undimmed by human tears.

## THE 50TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN LEGION

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ANNUNZIO. Mr. Speaker, Saturday, March 15, marks the 50th anniversary of the founding of the American Legion.

"For God and Country" has been the motto of the American Legion for 50 years and during this span of time the patriotic men and women of the Legion have labored for the cause of free government, for the protection of the rights of American citizens, and for the spiritual strength of America.

As the Congressman for the Seventh Illinois District, I am proud that the great State of Illinois has contributed four outstanding men who have led the American Legion as national commanders. They are: Howard P. Savage from 1926 to 1927, Edward A. Hayes from 1933 to 1934, John Stelle from 1945 to 1946, and my good friend, John S. Gleason, Jr., from 1957 to 1958.

Mr. Gleason, known fondly by his friends as "Jack," has ably served not only as national commander of the American Legion, but as Administrator of Veterans' Affairs during the administrations of the late President John F. Kennedy, and former President Lyndon B. Johnson. His many contributions to the veterans of America shall always be remembered by our veterans and by the American people who are grateful for his service and his dedication to our country.

During half a century of service the Legion has demonstrated time and again its faith in freedom, its belief in our country, and its adherence to the democratic ideals of our Founding Fathers and our constitutional principles of government.

The American Legion is the largest of our veterans organizations with almost 3 million members. Its members have always worked hard to achieve the worthy objectives of veterans benefits, rehabilitation programs, and educational programs for youth such as Boys State and Nation, Girls State and Nation, and the National High School Oratorical Contest. Young Americans who have participated in these programs have learned that every individual in our free society has duties and responsibilities, as well as rights and privileges.

I am happy to congratulate the American Legion on the occasion of its 50th anniversary and to wish the Legionnaires Godspeed in their worthy endeavors. I know that under the leadership of the newly elected national commander, William C. Doyle, the American Legion will continue its steadfast and patriotic service to our Nation.

Mr. Speaker, on the occasion of the Legion's 50th anniversary, I would like to include in the RECORD an article from the March issue of the American Legion magazine about the Paris caucus in 1919

which turned out to be the first meeting of the American Legion. The article follows:

THE PARIS CAUCUS: MARCH 15, 16, AND 17, 1919

Exactly 50 years ago this March 15, what turned out to be the first meeting of The American Legion was held in the American Club, 4 Rue Gabriel, Paris, France.

Present were a number of WWI officers and enlisted men then on active duty overseas, four months and four days after the Armistice of Nov. 11, 1918.

Nobody today knows how many people were present. One vote was recorded on that Saturday, March 15, 1919, as "279 to 72 with many not voting," so there were "many" more than 351 in the hall then. The names of 463 are preserved, but others came and went without registering. It is known that many who were not registered among the 463 were there, for they served on committees. For instance, the late J. Monroe Johnson, of South Carolina, served on several committees but wasn't registered. He was for many years later a prominent national official, one of Harry Truman's political stalwarts in the Democratic party, and a tower of strength in the Legion (where he always removed his political cap and donated abounding good humor, priceless wisdom and impartial influence).

Lt. Col. Theodore Roosevelt, Jr.,<sup>1</sup> son of the 26th President of the United States, had joined with 19 other officers to call the Paris meeting for the purpose of forming a veterans' organization. They connived (chiefly by getting dubious orders written) to bring into Paris officers and enlisted men from as many different military units then in France as they could.

The U.S. high command didn't authorize the meeting. In fact it had to look the other way, because one of the ground rules of that first Legion meeting was most unmilitary. As men from brigadier general to private walked into the hall they shed their rank and debated as equals. (Few if any of the officers were Regulars. Like the enlisted men present the officers were already viewing themselves as civilians—soon-to-be.)

The enlisted men weren't the only ones to enjoy the "no rank here" rule and to abuse it with occasional snide remarks about officers. Even a major would now and then say something on the floor about colonels that he wouldn't repeat outside. Thus, in the second meeting, two days later, the 36th Division's Major Maurice K. Gordon (now a Madisonville, Kentucky, lawyer in his 90's), moved to adopt the name "American Legion." His chief reason was that it was the fifth and last choice of a committee named by "the brass" to recommend a name. Major Gordon's logic was so delightful that the name "American Legion" carried unanimously. When pleasingly plump Sgt. Alexander Woolcott, of later literary fame, objected to the name "American Legion" someone else called him a "fat medico" and he subsided.

But if the delegates had such fun and sport with one another, they were deadly serious about forming a veterans organization that would (1) continue in peace the comradeship that war had thrown them into, and (2) continue in peace the sense of service and dedication to America that in war had led them to offer their lives for their country.

They were determined *not* to create another Grand Army of the Republic or United Confederate Veterans, both of which got into partisan politics after the Civil War.

In this aim, Teddy Roosevelt, Jr. (a leading young Republican) and Bennett Champ Clark (a leading young Democrat from Mis-

<sup>1</sup> He died of a heart attack as a Brigadier General on the Normandy beachhead one war later.

souri, later to serve long in the Senate and spearhead the WW2 GI Bill) joined hands together in a non-partisan gesture as early leaders of the embryo Legion.

The March 15 meeting in Paris took much time to do little business. The secretary, the late Major Eric Fisher Wood, of Pennsylvania, took the chair because Roosevelt had already been returned to the States by the Army.

Wood (whose son, Eric, Jr. was to become one of the legendary heroes of the Battle of the Bulge in WW2, fighting on alone to his death when his regiment was overwhelmed and surrendered) explained for what purpose the members of the caucus had been called through the efforts of Roosevelt and his 19 officer friends. That took a long time, as few there yet knew what was up.

Then Bennett Clark took the chair, Wood reverted to secretary, and Captain Ogden Mills moved that committees be named to draw up and submit plans for (1) permanent organization, (2) a constitution, (3) a name, and (4) a later convention in the States in 1919. Mills, scion of a wealthy New York family and later U.S. Secretary of the Treasury, also helped finance the Legion in its difficult formative months in 1919.

With the naming of committees, the March 15 meeting adjourned shortly before 6 p.m. It had been a long day.

On Sunday, March 16, the committees deliberated and prepared their reports, and there was no general meeting.

The second, and final, general meeting of the Paris Caucus assembled in the Cirque de Paris, an amusement hall that had been taken over by the Y.M.C.A., at 9:25 a.m., Monday, March 17, 1919. The only known existing photo of the Paris Caucus, which is shown here, is of that March 17 meeting. Bennett Clark called the meeting to order, but as he had to leave on military business the chair was taken by Lt. Col. Thomas W. Miller, then of Delaware and the 79th Division. Of all of those with leading roles at Paris, only Miller is still an active national Legion official 50 years later. He is the National Executive Committeeman for Nevada. In 1968 he became the sixth of the Legion's early founders to be voted the honorary title of Past National Commander, never having been National Commander.

A five-man delegation was sent to wait on President Woodrow Wilson and invite him to the caucus. Wilson was then in Paris for the peace conference. The five-man committee included three brigadier generals, a sergeant and a private. The last two—who worked on the Army newspaper *Stars and Stripes* in Paris—were Private Harold W. Ross and Sergeant John T. Winterich. Both were later editors of the American Legion's magazine, and Ross left it to found, publish and edit the New Yorker magazine until his death. They returned from their mission empty-handed. Wilson would not see them, and writer Laurence Stallings later complained of something aloof in Wilson's character which led him never to visit any of the battlefields or establish any personal rapport with the WWI Doughboys.

Down through the years, many Legion founders have lodged one complaint about Eric Wood (who was also named an honorary Past National Commander before his death). As secretary, they said, he didn't record half of the salty stuff that was said on the floor on March 17. Perhaps Wood is to be commended for exercising a little judicious censorship in his minutes. There was intense suspicion that the 20 officers under Roosevelt who'd called the meeting had something up their sleeves. From what has come down in history by word of mouth, these suspicions were often expressed in plain language.

Even the Chief of Chaplains of the AEF, Bishop Charles Brent, came to the Cirque de Paris brooding with suspicion. He was already

forming a veterans organization called Comrades in Service. But when, on March 17, the caucus approved a preamble not unlike the present Legion preamble, Bishop Brent seconded the motion, said he'd been afraid that an organization without purpose was being formed, and on the spot threw Comrades in Service into the Legion.

Though far from perfect, the reports of the four committees that had worked on Sunday are remarkable for how much they conceived in one day's work that was right, and endured.

The present structure of the Legion, with state, territorial and overseas Departments, all enjoying a large degree of self-rule, was fairly spelled out by the 13-man Committee on Constitution. It included Tom Miller, Ross, Winterich and others who for years continued to give the Legion a large degree of leadership. Among the 13 were Lemuel Bolles (later National Adjutant), Milton Foreman of Chicago (also later made an honorary Past National Commander) and Frank A. White, later Treasurer of the United States.

Foreman, a wealthy lawyer (born during the Civil War and a Spanish war veteran), was the "father" of the Illinois Legion. He personally saw to it that no Illinois delegate lacked funds to attend the first national convention in Minneapolis the following November. Without personal contributions to the Legion in 1919 by such men of means as Roosevelt, Foreman, Franklin D'Olier, Mills and others, the Legion might have died, or become an ex-officer's organization. The enlisted men were turned out of the Army with little money in their pockets and often jobless. They hardly had the means to see the Legion through its expensive first year.

The Committee on Constitution in Paris wrote a preamble in one day's work which, though it differed from the final preamble, contained four of the fundamental statements that still endure (see p. 20).

No clear history exists that explains in detail how the Legion became semimilitary in its trappings and titles. The view of Legionnaires from the start was that the Legion is a civilian organization. Military sounding titles and uniforms were not conceived in Paris. The Committee on Constitution proposed that the officers be a president, vice-presidents, a secretary, a treasurer and a board of directors. The substitution of commanders, vice-commanders, adjutants, finance officers and judge advocates came later. The next caucus, in St. Louis in May, drafted a much more detailed proposed constitution, but strangely made no suggestion for national officers at all.

Sometime between May and November, the idea of military sounding titles came into being. The familiar commanders, vice-commanders, etc., were written into the official constitution at the first national convention in November without debate or anything on the written record to explain the switch from "president" to "commander." One permanent effect of that change has been that many outsiders have ever since supposed the Legion to be quasi-military—a sort of *bund* to its enemies, and a loyal, reserve militia to its friends. The military titles and uniforms obscure the fact that there are only blanks in the ceremonial rifles, and that the Legion's main concern is with selfless and responsible American citizenship and service.

The delegates at Paris completely, and wisely, reversed the majority report of the Committee on Convention, headed by Col. J. H. Graham. The majority report called for selecting representatives to a later convention in the States on the basis of military units. It offered a complex plan whereby delegates should be chosen from battalions, divisions, corps, armies and supply units, etc.

The same Major Gordon who sold the name "American Legion" because it was the last choice of the leadership, resisted the majority Convention report by writing a minority report. He urged that another meeting be held in the States to bring off a convention, and that representation be based on the "place of residence," not military units. This tallied closely with the report of the Committee on Permanent Organization, chaired by the same William J. (Wild Bill) Donovan who headed our "cloak-and-dagger" O.S.S. in WW2. Donovan's committee urged that at Paris an Executive Committee be named to go back home and organize locally, then have another caucus with a broader base. It agreed with Gordon's warning not to try to settle too many matters until a more representative meeting could be held. This sat very well with the more suspicious members of the Paris Caucus. The upshot was that in Paris both the Convention and Permanent Organization reports were scrapped. A special committee was given a few hours of recess to bring in a new report. Its report was adopted. The heart of it was that an Executive Committee be named, made up of men from every state. Its members should get local organization going all over the country to supplement work Roosevelt was already doing in the States. Then, in six weeks, a much larger meeting should be held in the States to iron out the problems of calling an official convention, and to make more considered suggestions for permanent organization.

Six weeks still seems pretty ambitious as a target date to have been set in Paris, but the St. Louis caucus was actually held only seven weeks later. By then there were Legion units formed or forming all over the country.

If anything is more remarkable than the speed with which the Legion leaped from a groping idea in Paris to a nationwide body in being, it is the enormous amount of ground covered in three days in Paris by a large, unwieldy and sometimes contentious group. The organizational skill of the Legion's founders, as put into practice, may have no parallel in American history. Eight months after Paris, at the time of the first national convention, the Legion had roots all over the country with nearly 700,000 paid up members.

#### PORNOGRAPHY: ARE THE BARRIERS FALLING?

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ZABLOCKI. Mr. Speaker, the value of freedom of speech and expression cannot be questioned. It is an inherent characteristic of a democratic society. As many before me have said, a free society cannot function without it.

On the other hand, we must realize that freedom brings with it responsibility. The two are inseparable. Freedom of speech means that it must be responsible speech, and we must be held accountable by society for our speech.

Perhaps this is the crux of the question. Man is a social being; he lives in relation to others. If man lived unto himself in a vacuum who but he is to say what action or expression is wrong? In society, however, we must realize that our actions have effect upon others, and this must determine what is right and

what is wrong. To say otherwise is to say that there is no wrong.

Freedom of speech then is not so sacred that we can say that it is more important to preserve it than to preserve society. To say that it is more important to protect the artist's right of expression than to protect society from the effects of his expression is absurd. The two must be taken and weighed against one another, and a reasonable middle ground achieved.

The recent trend, both in court decisions and subsequently in the media, has been toward the extreme of upholding the right of the individual above that of society. Recent films, and most recently, the Swedish film "I Am Curious—Yellow," have gone further and further in the portrayal of sex on the screen.

We, the legislative representatives of this society, must ask ourselves where it is all to end. Our Supreme Court Justices must ask themselves how far they have gone in allowing society's rights to be negated by the right of the individual.

We, and they, must ask ourselves this question, and we must answer it soon.

A balance must be reached. It must be remembered that responsibility to the community is at the heart of every one of the rights preserved by the Constitution.

It is indeed difficult to balance freedom with responsibility, but that balance is what keeps us from total anarchy or the totalitarian state.

An article on this problem, "The Barriers Fall: As Censorship Relaxes, Debate Grows on Impact of New Permissiveness," appeared in the March 10 edition of the Wall Street Journal. Mr. Alan Adelson, the author, does an excellent job of presenting the two sides of the pornography debate.

In his article, Mr. Adelson plants himself in the middle of the debate and listens to both sides. He demonstrates the growing momentum of permissiveness in the media, and he points out the forces behind this momentum.

He does not answer the question of how to reach that balance or where exactly it should be sought. That was not his purpose. I recommend this article to the attention of my colleagues because it will hopefully bring them to a deeper understanding of the problem and thus better enable them to decide for themselves where the proper balance is.

The article follows:

**THE BARRIERS FALL: AS CENSORSHIP RELAXES, DEBATE GROWS ON IMPACT OF NEW PERMISSIVENESS—EFFECT OF EROTICA ON HUMAN BEHAVIOR STUDIED—EXPERT SEES SHOCK VALUE Waning—WILL PURITANISM COME BACK?**

(By Alan Adelson)

NEW YORK.—The Swedish film "I Am Curious—Yellow" was banned altogether in Norway and, for a while, Belgium. It was censored in France and Germany and will be cut for showing in England.

Only in Denmark, Sweden—and the U.S., beginning today—is it being shown uncut.

The 120 minutes of screening time depict the hero and heroine in abundant nudity, various scenes of intercourse (including one in the crook of a tree) and more exotic sexual play. It has a dream sequence in which the heroine castrates her lover. There also is a good bit of ponderous political debate.

The U.S. Customs Office sought to prevent the film's entry into this country, and a jury found it obscene in a New York Federal Court. A Court of Appeals reluctantly concluded that it couldn't be banned, however, relying on guidelines of Supreme Court decisions.

The Appeals Court voted two to one to release the film uncut, saying, "The sexual content of the film is presented with greater explicitness than has been seen in any other film produced for general viewing." Judge Henry J. Friendly was explicit too in saying that he was reluctantly concurring "with no little distaste."

#### FOR AND AGAINST

Some viewers may be pleased, others perplexed or angered, but the showing of "I Am Curious—Yellow" seems to qualify as a significant event. Those who tilt against all forms of censorship see it as marking the emergence of the U.S. as a leader in free speech and expression. To quite another group, the film is the final confirmation of a disaster they have long seen brewing. The growing permissiveness of American society, they maintain, has finally reached total depravity.

For or against, it is difficult to argue with one observation: The barriers are coming down. In the off-Broadway play entitled "Dionysus in '69," five nude men and four naked girls celebrate a Greek rite by slithering over one another and romping through the audience. Last week a New York City producer announced plans for a play to include on-stage intercourse. Philip Roth's steamy novel "Portnoy's Complaint" has climbed rapidly to the top of best-seller lists (the author says the book is a deliberate effort to elevate obscenity "to the level of a subject" for serious art).

And as the barriers fall, the debate over what the relaxation means, how far it should go and why it is happening is intensifying. Father John Culkin, an ardent student of Marshall McLuhan and director of the Center for Communication at New York's respected Fordham University, sees the anticensorship explosion as rooted in American Puritanism.

#### SHAKEDOWN CRUISE

"We're reaping a reaction to the very repressive atmosphere we've maintained in our families, churches and schools," Father Culkin says. "Calvin and those creeps left us very uptight. We weren't allowed to have bodies. And what we're going through now is a shakedown cruise exploring a new morality."

The cause of such rapid change, says Father Culkin, echoing Mr. McLuhan, is the growth of the electronic media. Years ago, he says, it took half a century for styles and mores to change significantly, because information spread so slowly. Now the latest vogue from the miniskirt to accounts of the off-beat lives of the "swingers" is flashed across the nation by television.

But if the media seems to reflect a new sexuality, Americans actually aren't changing their mores radically, according to Paul Gebhard, director of the Institute for Sex Research (formerly the Kinsey Institute). However, Mr. Gebhard says his interviewees have found a striking readiness to tolerate discussion and airing of the so-called revolution.

"Where there has been a revolution is in censorship," he says. "The trend toward liberalization of what's allowed in the media has been going on since World War I." Mr. Gebhard points out that court decisions have accelerated the trend in the past decade. The underground market in erotic books has nearly disappeared, he says.

The legal transformation of dirty books into "literature" was lamented ironically in an article by Jerome H. Doolittle in Esquire magazine. Mr. Doolittle watched his once-cherished collection of taboo books smuggled

from France appear in book stores volume by volume. "Fanny Hill" and the Henry Miller and William Burroughs books went fairly well.

#### VANISHING TREASURES

"My only remaining comfort was the thought that I was still the only kid on the block to own such hard-core items as 'The Roman Orgy,' 'The Pleasure Thieves' and 'House of Joy,'" Mr. Doolittle wrote. But then came "The Olympia Reader," a massive collection of stories that contained his own favorites of many other erotic tales.

Mr. Doolittle was encountering what one student of censorship and the court calls "the grapes of Roth." The Supreme Court in 1957 upheld the obscenity conviction of Samuel Roth, a New York book dealer. In doing so, the court laid down what have come to be the boundaries within which publishers and film makers can operate.

The Roth case, and later decisions that made slight clarifications, established that obscenity could be proved only if "... the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest" and the work is found to be "utterly without redeeming social importance."

The Appeals judges cleared "I Am Curious—Yellow" because it included serious social and political themes. The vagueness of just what constitutes "redeeming social importance" has produced many successful legal defenses of books and films which somewhere concern themselves with matters other than sex.

"As long as children are excluded from access, we can win with almost anything now," says Richard Gallin, the New York attorney who negotiated "I Am Curious—Yellow" past the Customs Office. Ephraim London, an attorney who has won six such cases in appeals to the Supreme Court, says only a movie "with out-and-out intercourse and no pretense of having any social value" is in peril before the courts now.

Barney Rosset, president of Grove Press, which is distributing "I Am Curious—Yellow" in the U.S., believes sex has its own redeeming social importance. "After all, if it weren't for sex, we'd depopulate the entire human race," he says. Mr. Rosset, in fact, argues, "There's no such thing as pornography. Things can be erotic, and they can be good or bad (in quality), but I just don't believe in censorship."

The argument over what is pornographic, or "prurient," has been raging for decades. For D. H. Lawrence, author of "Lady Chatterley's Lover," pornography was not vivid sexual description but "the attempt to insult sex, to do dirt on it." That he said, was "unpardonable" and cause for censorship.

Mr. Rosset finds prurient interest in the TV commercial where a Scandinavian girl, pitching for Noxema, purrs, "Take it off, take it all off." Declares Mr. Rosset, "She's saying, 'Hurry up and shave with this stuff so we can go to bed.' And no one says they can't keep running that ad all the time." He groups such appeals with the dirty postcards and traveling salesman's jokes that D. H. Lawrence found offensive. However, Mr. Rosset wouldn't censor the commercial—or anything else.

#### CONVINCING POINT

Lawyer London recalls his first censorship case. A state prosecutor wanted to proscribe the film "The Bicycle Thief" because it depicted a little boy urinating. "I made it very clear that the whole state would be thrown into scandal if they insisted that the sight of this lad urinating aroused their prurient interests," he says. "That was all it took."

"No girl was ever ruined by a book," said Jimmy Walker, the free-wheeling mayor of New York City during the Roaring Twenties. But the advocates of censorship don't agree.

Father Morton Hill, a New York priest who went on a hunger strike several years ago in connection with his campaign to clean up magazine stands, says erotic literature "incites to violence, drug usage, promiscuity and perversion."

Rabbi Julius G. Neumann, chairman of the organization called Morality in Media (which is still fighting the showing of "I Am Curious—Yellow"), says the new era of permissiveness is breaking every barrier of decency. "It's eating away at the moral fiber of America," Rabbi Neumann says.

Actually, there has been little research into the effect of erotic material on its consumers. The Institute for Sex Research challenges the assumption that the circulation of pornography inevitably leads to an increase in sex crimes. On the contrary, interviewers found that persons classified as potential sex offenders are less responsive to erotica than a normal "control" group. The prospective rapists, voyeurists and exhibitionists didn't have the patience to plod through make-believe sexual experiences.

WOMEN AND MEN

In a 1953 study on comparative sexual behavior in men and women, Kinsey researchers found that men were more stimulated than women by "hard-core" pornography. But women were at least as responsive as men to the more artistic type of sexual material now current in films and books.

Only 32% of women studied were stimulated by "raw" pictures of sexual acts, compared with 77% of the men. But 48% of the women responded to erotic scenes in films, compared with 36% of the men, and 60% of the females found erotic passages in novels stimulating, against 59% of the men.

Mr. Gebhard, the director of the Institute for Sex Research, speculates that current liberalizing trends might be making both men and women more equal now in response to erotica. And he says that the "bombardment with sexual stimulus" that now is commonplace may be conditioning consumers to take erotica for granted. "I think a young man now is no more aroused by a pretty girl in a miniskirt than my grandfather was by the sight of a well-turned ankle," he says.

Dr. William Masters, co-author of "Human Sexual Response," says he hasn't found any great influence of pornography on people's lives. Ned Polsky, a sociologist at the Stony Brook campus of the State University of New York, goes so far as to maintain that pornography has a positive role as a "safety valve," allowing the indulgence of antisocial sex desires without damage to the family structure.

THE YOUTH WAVE

Several theoreticians find a relationship between falling censorship barriers and the widening "generation gap." John Gagnon, also a Stony Brook sociologist, says that some young people use sex as an instrument of rebellion against a wide variety of social institutions. He finds particularly relevant a scene in "I Am Curious—Yellow" in which the young couple make love on a balustrade in front of the royal palace in Stockholm.

Fordham's Father Culklin says young people are exposed to all the problems of the world through their exposure to increasingly candid films, television shows and publications. Thus, he says, they find that such sins as unmarried sex, stealing and lying "just don't account for all our problems—they say, 'Well, what about war? And then they write their own moral codes."

To be sure, not all bans have been dropped. Last week Boston authorities halted showings of the movie "The Killing of Sister George." A similar raid was made on a New York City theater showing "Muthers." A district attorney charged that this film depicted "masterbation, lesbianism, incest, sodomy and perversion."

Some observers suspect that Puritanism may reassert itself. Margaret Mead, the anthropologist, insists that Puritanism never really vanished. "All this business about clothes on and clothes off is really the same thing," she says. "It's only the older folks, the Puritans, who get excited about this sort of thing and get kicks out of it."

THE UNITED STATES AND THE PHILIPPINES

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the Congress and the American people the fine statement presented as the final report of the meetings of the American Assembly in Pittsburgh on November 7, 8, and 9, 1968, on the topic "The United States and the Philippines."

I congratulate these good citizens on their civic and patriotic interest in our U.S. foreign policy.

The report follows:

REPORT OF THE AMERICAN ASSEMBLY IN PITTSBURGH, NOVEMBER 7, 8, 9, 1968: THE UNITED STATES AND THE PHILIPPINES

At the close of their discussions, the participants in the American Assembly in Pittsburgh on the United States and the Philippines reviewed as a group the following statement. Although there was general agreement on the final report, it is not the practice of The American Assembly for participants to affix their signatures, and it should not be assumed that every participant necessarily subscribes to every conclusion or recommendation.

Wm. Walter Phelps, Jr., President, World Affairs Council of Pittsburgh:

"On November 7, 8, 9, 1968, 63 residents of Pittsburgh and surrounding areas met under the auspices of the American Assembly, Columbia University and the World Affairs Council of Pittsburgh at the University of Pittsburgh for an American Assembly Program in Pittsburgh on the United States and the Philippines.

"Co-Chairmen of the Pittsburgh Assembly were Dean Donald C. Stone, Graduate School of Public and International Affairs, University of Pittsburgh and Dr. John C. Warner, President Emeritus, Carnegie-Mellon University. Arrangements were the responsibility of Dr. Robert H. Ballie, Director of Commonwealth Relations, University of Pittsburgh. The Assembly was opened by a talk by President Clifford C. Nelson of the American Assembly of New York. Principal addresses were delivered by Dr. John C. Warner, President Emeritus, Carnegie-Mellon University; The Honorable G. McMurtie-Godley, Deputy Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs; Dr. William E. Stevenson, President, Aspen Institute for Humanistic Studies and His Excellency Salvador P. Lopez, the Philippine Ambassador to the United States. Discussion leaders were Mr. Joseph Meledin, Employee Communications Manager, Fisher Scientific Company, Mr. Thomas A. Huff, YMCA Director, Carnegie-Mellon University and Mr. Harry W. Peterson, Project Manager-Philippines, Koppers Company, Inc. The Rapporteurs were Mrs. Donald C. Stone; Mrs. Richard E. James and Mrs. Milnor Roberts. Mr. Ralph N. Greenberg, Project Coordinator, United States Steel Corporation, served as Chairman of the

Drafting Committee and Editor of the Final Report. Ambassador Max W. Bishop, Executive Director of the World Affairs Council of Pittsburgh was Chairman of the Plenary Session.

"As non-partisan educational institutions neither The American Assembly, the University of Pittsburgh and the World Affairs Council of Pittsburgh do not take a stand on the views expressed nor do they necessarily subscribe to the recommendations resulting from the Assembly."

INTRODUCTION

Based upon mutuality of interest (principally military and economic), for more than four decades prior to Philippine Independence in 1946, the United States and the Philippines maintained a close and "special" relationship, albeit colonial. This relationship has continued in the years subsequent to Independence; but has been accompanied by a lessening degree of comfort for the Filipinos who now find themselves beset by conflicting motivations. The Filipino's recognition of his country's need for continuation of United States economic and military assistance is offset by an understandable national pride and desire to exercise and demonstrate the full range of attributes of national independence. To the latter feeling is added the rancor caused by many irritations to Filipino sensibilities deriving from the American presence at United States military bases, and the frustration of an as yet unfulfilled search for a national identity for his vibrant young country, ethnically and geographically Asian, but with political and cultural ties to the West.

The normal independent actions of the Republic of the Philippines have been regarded recently by its Asian neighbors as being merely extensions of United States foreign policy. It is not surprising that the young Republic, having had a similar background and experience in the transition from colonial society to independent nation, and in subsequent political growth, should find itself aligned with the United States in matters of foreign policy and approach to world problems. Nor should it be surprising that the course of the Philippines may, at times, diverge significantly from that of the United States.

The Laurel-Langley Agreement, concluded between the United States and the Philippines in 1954 and under which "special" trade and economic concessions are granted, is due to expire in 1974. A debilitating or perhaps even a devastating effect on the expanding Philippine economy well might ensue if this agreement, which has been instrumental in fostering that expansion, is neither extended nor adequately replaced.

Recognizing that relatively little time remains to determine courses of action convenient both to the Philippines and the United States, and further recognizing that early determination of these courses will lessen the cruciality of the atmosphere in which future decisions will be made, this American Assembly in Pittsburgh addresses itself to these and related questions and states the following:

FOREIGN POLICY PROBLEMS

The Philippines and the United States have much in common and today are mutually interested in seeing stability maintained in Southeast Asia in general. Both countries are particularly interested in the successful political and economic growth of the Philippines. Differences in viewpoints between the two countries are recognized to exist; but these are felt to be reconcilable through objective evaluation of the role which each partner must play in future relationships, and through sympathetic understanding of the needs and goals of each by the other.

In order that the Republic of the Philippines establish its own national identity, the

United States should encourage its effort, offering advice and assistance only when so requested by the Philippines. We hope that, consistent with that identity, the Philippines will preserve and strengthen good and useful portions of its Western heritage, such as its democratic political system, its fervent interest in a far-reaching educational system, and the cultural, social, and economic gains which have been made during the years of close and friendly ties with the United States.

Regionalism in Southeast Asia is a logical development in which the Republic of the Philippines might take a leading role as an independent nation, and its participation should be encouraged. If assistance of the United States were requested, we should be prepared to use our resources on an equitable basis, for the benefit of the peoples of all countries concerned, in the areas of economic development, education, mutual defense, and cultural enrichment. The United States must recognize that the Philippines' independence of Western influence might have to be even more clearly demonstrated before the Philippines assumes such a leadership role.

Philippine support of United States' foreign policies in relation to other nations, and especially in regard to Communist countries, is gratifying to the United States. However, we recognize, without question, the sovereign rights of all independent nations to determine and implement their own foreign policies in all matters.

#### MUTUAL SECURITY

We do not foresee immediate external dangers threatening the security of the Philippines, and we feel that the current policies *vis a vis* both countries are sound ones. If Filipino armed forces are strengthened, we can proportionately decrease our presence in the Philippines. We are concerned, however, that an internal security threat exists, and recognize that the Filipino army must continue to be prepared to cope with this threat.

While the viability of the Southeast Asian Treaty Organization's pact has not been fully tested and determined, we believe that the pact should be strengthened and supported by all member nations, and that present membership should be evaluated and possibly extended. Added to the mutual security aspect, we see in SEATO a unifying force offering opportunities for the Asian member nations to accomplish cultural, agricultural, and economic inter-changes, and to develop mutual respect for each other.

We believe it vital that the United States continuously re-examine its military establishments in the Philippines to assure that they remain in line with the defense requirements of the situation, and to the end that these establishments be neither larger nor more numerous than absolutely necessary to the role of the United States in the common defense of the SEATO nations. Considerations should be given to expanding Filipino civil jurisdiction over military personnel on their soil.

#### ECONOMIC COLLABORATION AND DEVELOPMENT

While we recognize the Laurel-Langley Agreement's essentiality to the Philippines' economic stability, any subsequent agreements must recognize that capital will be drawn where it is welcomed, and where the returns are commensurate with the risks involved. The air of uncertainty surrounding a requirement for 60/40 per cent Philippine-to-foreign ownership proportion, and concern over the lack of guarantees against economic uncertainties deriving from possible governmental action will probably prove to be disadvantageous to the Philippine economy.

We feel that it is in the mutual interest of both the United States and the Philippines to work toward a non-preferential trade relationship in the long run, and suggest that

a gradual phase-out period is the wisest course.

Inflexible laws or attitudes in regard to foreign capital will not result in strengthening and stabilizing the Philippine economy, nor will they make it competitive in the world market.

We believe that external assistance for some time will be necessary for the economic and social development of the Philippines. We recommend that the United States continue to provide assistance through the United States Agency for International Development, through multi-lateral agencies, such as the International Bank for Reconstruction and Development, the World Health Organization and the Asian Development Bank, and through voluntary organizations. We urge that, whatever the instruments, maximum use be made of United States private agencies and enterprise working in direct relationship with agencies and groups in the Philippines to encourage self-help.

#### INFORMATIONAL AND CULTURAL

The Peace Corps has been productive in many areas including health and sanitation and the teaching fields, particularly at the college and high school levels. We would encourage continuation and expansion of the program to include the development of cooperatives and trade schools, and other activities involving the people-to-people approach.

We suggest increased activity by private agencies such as Planned Parenthood International in population control programs, and the opening of clinics for the distribution of population control information. We would hope that the Philippines Government would in this regard request assistance of the United States Government, whose policy is to provide such assistance only when requested. We urge continued medical research into cheaper and more effective methods of population control.

Current channels of communication between the two peoples are not now adequate and must be improved, particularly in the fields of cultural exchanges, and news reporting to the United States.

#### CONCLUSION

We are sympathetic to Philippine aims and aspirations in pursuing their goals of national independence and an increased Asian identity. The warm ties of affection of many years' standing are an undeniable bridge over which our two nations may continue to meet in trust and cooperation to our mutual benefit.

As two sovereign, independent nations, we must each guard what we believe to be our own national interests which may, from time to time, seem to be in conflict.

We believe that dialogues at appropriate levels may have a beneficial effect on resolving differences which arise, but it is through our well-reasoned and effective action that we will demonstrate the spirit of empathy and generosity that has marked and will continue to mark the friendly and respectful relations between the Philippines and the United States.

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SDS ASSAULT ON LABOR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. RARICK. Mr. Speaker, reports now indicate a concerted effort is underway to unite the professional students from the campus riots with the organized labor movement in a continued timetable to terrorize and disrupt our society.

The escalation of bloodshed, riots, sabotage, and anarchy by design continues—soon even our national leaders will not be able to ignore or mitigate the war at home in our cities and on our campuses.

How bad does it need become before we act?

I ask that a report by Victor Riesel and an article by Robert Dudnick from the Marxist Guardian for March 8, 1969, follow:

[From Human Events, Mar. 8, 1969]

STUDENT REBELS SET TO DISRUPT NATION'S BIG INDUSTRIAL PLANTS

Youth power apparently is finding the world of the campus too confining. The youthful lions of the SDS, the Black Panthers, and an assorted alliance of self-styled revolutionists are moving their direct action over into the less esoteric world of work—onto the picket lines, into the giant plants of the industrial belts, and even into big union headquarters.

From Long Beach and Los Angeles, Calif., to the "rag jungle" of New York's skyscraper garment area, extremists have taken time out from upending their university grounds to stir upheavals on picket lines. And where they've found no picket lines, they've invented them.

Shots have been fired. Police have been attacked. Blazes have been started in Detroit auto factories. At least one Chrysler plant labor relations representative has been stabbed.

In January, SDS activists from local campuses fanned Oil, Chemical and Atomic Workers picket lines. Plant personnel were hit. Fuel trucks were shot at, cops were jumped. The SDS slogan, obviously worked up from pads belonging to the Maoist Progressive Labor faction, said, in effect, the hell with the picket lines captains, we are starting a student alliance with the working class.

Not all SDS is united on this activist working class ideological coalition. But there are enough extremists to whip up and man the new movement within the movement.

In the Detroit area, which I just toured, the student support springs mainly from Wayne State University. There the militants are really up tight and turned on. Their publication, the "South End," recently was characterized by the university president as "disturbingly reminiscent of Hitler Germany." Some of the extremists talk of the truth and accurate reporting as fairy tale stuff of the Establishment.

Local 961, which has jurisdiction over the plant. Local union leaders, not wishing any disturbance, let the movement people sit in.

Two weeks after the wildcat strike on February 10, ELRUM's operators picketed Solidarity House, the big union's national headquarters in Detroit. Again, Black Panthers were reported on the picket lines.

Finally they were admitted and conferred with Shelton Tappes, one of the UAW Fair Labor Practices Department staff. Some of the talk was rough and unprintable, even by today's uptight standards.

Actually, there's no dealing with the RUM

crowd. It won't have it. Though over 60 per cent of one plant is manned by black workers, RUM asks for more and then curtly demands full managerial control.

One of the city's most respected leaders simply gave up any attempt at mediating the Panther-protected bands' alleged grievances.

"It's futile," he told a caller. "Those young people of DRUM say democracy doesn't work and they'll physically destroy the existing establishment. Obviously that unprogrammed so-called revolutionary action is moving from the colleges into the industrial field.

"We've had fires and stabbings in the plant, where thousands of workers are being trained. We do our best to upgrade, to train foremen and move as swiftly as we can in a modern industry. But nothing helps. It's those university fellows over at Wayne State here—and you'll see it flare around the nation."

Grimly he suggested that soon SDS will be known as Shut Down the Shops. It could well be. Those chaps always seek new horizons. And who can deny that picketing was their best course at college?

[From Guardian, Mar. 8, 1969]

BLACK STORM RAGES IN AUTO PLANT

(By Robert Dudnick, Guardian staff correspondent)

"The change we speak of is nothing more than taking the ownership of the means of production out of the hands of a few who don't work and putting it into the hands of the workers who do all the back-breaking work that makes the nigger-hater in this country rich." Dodge Revolutionary Movement.

DETROIT.—A specter haunts Detroit that tomorrow will haunt the nation. It is the specter of black revolution in basic industry—the unity of national struggle and class struggle. A week of investigation here indicates that the Detroit black workers movement is the most important revolutionary action in the country.

All the elements are here. The vanguard is here. The workers are here. The guts of monopoly capitalism's production are here. And the conditions are worsening in Detroit's auto plants.

The League of Revolutionary Black Workers operate from an office at 9049 Oakland in one of the city's black ghettos. It is made up of three black worker organizations—the Dodge Revolutionary Union Movement (DRUM), the Ford Revolutionary Union Movement (FRUM) and the Eldon Ave. Revolutionary Movement (ELRUM), at Chrysler Corp's only gear and axle plant. Joining it soon will be JARUM, the Jefferson Ave. Revolutionary Union Movement, at another Chrysler plant.

Since DRUM started at Dodge Main in Hamtramck, a suburb surrounded by Detroit, the movement has caught fire to the extent that the league plans to organize black workers wherever they are—not only in Detroit and not only in auto.

But the black insurgency would have a tremendous effect even if it were limited to this city's auto plants. If they can be shut down, steel, rubber and glass will totter, too. And there is enough black muscle here to shut them down tight.

Those in the driver's seat of the multibillion dollar auto industry are worried. The United Auto Workers union, run by Walter Reuther from the sleek Solidarity House here, is also worried. Both have tried to buy off the workers.

"We have also been informed by a reliable source that the company (Ford) has instructed some union officials (of UAW Local 600) to kill one of our people as an example and they have promised that the Dearborn police will not even arrest them," Mike Hamlin of the league's central committee said.

Two factors appear to have led to the

black labor insurgency. One is the general black liberation movement, which has increased its pace and deepened its analysis since the old civil rights movement. The other is DRUM, FRUM and ELRUM's ability to link that struggle to immediate conditions facing black auto workers.

PRAYER MEETINGS

At Ford's Rouge complex in suburban Dearborn, a town even worse than Dodge's Hamtramck, there is particular concern about the engine plant, where some of the hardest work is done. Before FRUM, conditions were so bad that some workers who are part-time preachers were holding prayer meetings during breaks with company consent. One assembly line is supposed to have a maximum production of 136 units an hour. But it often runs at as much as 172 units an hour. Even the lower figure is considered dangerous to health and safety.

The UAW, born of violence and militancy in the 1930s, finally organized Ford in 1942, the last major auto producer to sign a union contract. Since then, it has done nothing for the black worker. In the Ford engine plant, for example, few grievances are filed for black workers. The contract says union shop stewards are supposed to work the line four hours a shift and attend to union business the other four hours. But in return for not filing grievances, the company allows them "to spend the entire eight hours doing nothing," a FRUM spokesman said.

Meanwhile, conditions at Dodge Main had led to five wildcat strikes before some young blacks helped lead a walkout on May 2, 1968. Although Detroit's black revolutionaries had always had a working-class outlook, they had not had much success until that month.

Vanguard elements were grouped around the Inner City Voice, which started publication in September 1967 after the city's black rebellion as the successor to the Black Vanguard, which ceased in 1964. The tiny Voice group had a long history in the black struggle and was able to mobilize its base around the paper.

THE ORIGINAL NINE

Nine assembly line workers came to the Voice group in 1968 and began working with a staff member who was fired from an auto plant for participating in a wildcat. They developed a revolutionary analysis and began publishing the DRUM newsletter.

At first the newsletter was written entirely by the workers, exposing conditions in the plant. But because, as one of the Voice staff members put it, "you can't build movements on exposes," the Voice group began "integrating ourselves with the workers" and writing political articles for the newsletter. Blacks from the streets and the Voice group distributed the newsletter at the plant, leading the company to charge that the Northern-style cotton choppers were being stirred up by "outside agitators."

"By the eighth week of the newsletter," Hamlin recalled, "the plant was in an uproar." Black workers were scaming for a strike and DRUM membership was growing. "The company began to walk softly and the union was in chaos," he said.

The leadership agreed with the demand to strike and Dodge Main was hit on July 8, 1968. The nine workers and the Voice staff mobilized militant community elements and manned picket lines, with the in-plant leadership talking to workers 100 yards from the picketers. Had they been any closer at that stage, they would have been fired.

The picketers stopped only black workers—about 70% of the workforce—and the wildcat was a "tremendous success," closing the plant Friday and Monday (weekends are not worked). This was possible because nearly all black workers stayed out.

"We were learning," Hamlin said. "We struck because the workers demanded a strike," but did not continue past the two

days because DRUM did not have the organization to run a protracted strike. The strike was seen as a test of what DRUM could do.

A surge of membership hit DRUM after the walkout—from Dodge Main and other plants as well. The organization went into a "very serious" effort to tighten structure while increasing organizing activities.

Meanwhile, DRUM began to move on the UAW another way—in Local 3 elections. Although DRUM considers itself an independent black workers organization, not an old-fashioned caucus, it tries to keep its tactics simple to fit the situation. DRUM entered union politics to demonstrate its power and raise consciousness.

DRUM candidate Ron March led in the preliminary election for trustee, winning 653 votes to 521 for Joe Elliot, a white man backed by the Local 3 leadership. But even this was in doubt—DRUM charges many votes were stolen from March.

Cars with March posters were ticketed and delayed on election day by Hamtramck police. Cops swept through bars near the union hall, beating black workers. White workers and cars bearing other posters were not harassed.

About 50 black workers went to the Local 3 union hall to talk it over. The police, led by UAW official "Cannonball" Selski, invaded the hall and maced the workers. They also used ax handles.

March lost the Oct. 3, 1968, runoff by what Local 3 claimed was about 700 votes. Local 3 has 10,000 members, of which 60% are black. But the local managed to mobilize more than 1300 white retirees, who are allowed to vote in UAW elections even though they no longer work.

From the beginning, DRUM had included workers at the allied Huber Ave. Foundry because they also belong to Local 3. Workers from other plants also attended DRUM meetings. "We took plants as workers came to us," Hamlin said, and workers at several area plants are beginning to organize against the auto industry's Big Three.

FRUM started when Ford workers who had been attending DRUM meetings came out with their own newsletter. The situation there was more difficult, however, because Dearborn is a company town. Ford even owns the highway into the plant. The factory is hardly as accessible as Dodge Main. "The few copies that were able to be distributed promoted an immediate and vicious reaction by the plant and the union," a central committee member said. Aside from the kill-and-go-free deal, one FRUM organizer was challenged to a duel and some UAW shop stewards have taken to waving guns in work areas.

ELRUM, the next unit, was started by one man. "We began with this one fellow," Hamlin said, "and we started publishing a newsletter at the plant. The response was the same; as a matter of fact, the response was even greater than at Dodge."

Some problems developed in ELRUM—the workers did not at first have the theoretical background of the DRUM leadership and their tactics showed it. Furthermore, ELRUM grew too fast for the structure to keep pace. But conditions were bad enough so that ELRUM had to take a revolutionary line.

Things came to a head about two months ago, when, during the eighth week of the ELRUM newsletter, 300 black workers descended on UAW Local 961 and demanded to be heard. The local's president tried to fob them off, but the workers presented a list of demands anyway.

The local adjourned its regular executive board meeting and the bureaucrats, with the 300 workers, went into a general meeting which lasted long enough for those on the afternoon shift to miss starting time.

When they returned to work the next day, 86 of the 300 were disciplined immediately and more were hit later. The discipline ranged from five days to a month off. The

workers struck, using the same tactics that had been employed at Dodge. "The plant was stopped cold, meaning that if we had shut it down for a couple of days, Chrysler would have had to start shutting down plants all across the country," Hamlin said. Chrysler has no other gear and axle plant. "It was just one day to let Chrysler feel the impact of the workers' strength."

"Chrysler moved immediately. They discharged 26 workers. Now, mind you, none of the workers at Eldon manned any pickets," Hamlin said—the support cadre did that. Among those fired were four workers with at least 20 years of seniority each.

Workers, joined by black and white radicals, resumed picketing at Solidarity House. Chrysler headquarters in Highland Park also has been picketed.

Additionally, a national boycott of all Chrysler products is being mapped so that by 1970 anyone who drives a new Chrysler Corp. car through any black ghetto "will be placing himself in grave danger." Hamlin predicts that 90% of Detroit's black people will support the boycott.

#### SURPLUS VALUE

Most intensive organizing has been at Dodge and the company has threatened to move the plant—built in 1924—from Hamtramck. "Wherever they build these plants," Hamlin said, "the nature of the work is such that black people will be required to do that work because the white people will not do the hard-ass work." Besides, he added, it is more profitable to use cheap labor than to automate because there is more surplus value extracted from live labor than from a machine at this point.

The league is an umbrella group for DRUM, FRUM, ELRUM and JARUM. It does not dictate policy to any of them (or to its high school affiliate, Black Student Voice), but provides a broad framework in which they can operate.

The league's central committee handles technical assistance and resembles a working general staff. Within each revolutionary union movement, however, there is a structure which covers everything from the department to the overall plant. Constituent organizations are represented by the central committee, the members of which are responsible for specific areas—editorial, treasury, intelligence and security, internal education and so on.

The leadership plays down personalities, learning from the experience of some other black organizations. Central committee members teach each other whatever particular skills they may have to develop leadership depth.

What makes it all go, however, is the base. "DRUM has no intention of abandoning the man on the line," central committee member John Watson said, "because the man on the line is DRUM: the man on the line is the basic unit of DRUM."

#### ABM FOLLY

### HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DORN. Mr. Speaker, a thin ABM system around the United States would be utter folly, comparable to building a barbed wire fence around our country to keep out enemy forces.

Mr. Speaker, if we are going to spend billions on ABM, why not put ABM in areas to intercept missiles when they are launched rather than when they begin to fall—on us? If these things really work, why not put them on barges and

ships around potential enemies rather than around ourselves?

Mr. Speaker, the following is from an address I made before the House of Representatives on March 9, 1967:

ADDRESS BY WILLIAM JENNINGS BRYAN DORN ON ABM SYSTEM

Mr. Speaker, such a purely defensive missile system would create a defense complex in the minds of our people, which is the first step toward defeat and destruction.

Centuries ago England made her decision to use her science and technology for offense. She built a navy that controlled the seven seas of the world for generations and even centuries. A small island with several million people—through the British Navy—influenced for good the destiny of the entire world. British art, culture, standards of living, Christianity, and representative government were spread throughout the world. If England had refused to use her science and technology, but had instead built a wall around her borders and manned it with artillery, England would not have survived and the United States as a great Nation would not be here today.

My colleagues, I cannot recall any truly great nation or great civilization in the history of the world who built an impregnable defense. France placed her hope and her destiny in a Maginot line which was crushed in a matter of hours by the offensive might of Germany—parachute troops, panzer divisions, and dive bombers. Herman Goering, commander of the German Air Force, proudly proclaimed and boasted that no bomb would ever fall on Germany. They had an anti-aircraft defense that could not be pierced. Germany was virtually destroyed by American and British airpower raining death from the skies.

The military history of our own Nation points to near tragedy. We courtmartialed Billy Mitchell because he warned the American people about airpower. When Hitler started to build panzer divisions and fleets of bombers, many of our leaders did not believe a bomb could sink a battleship. Our men were still being trained in horse cavalry, and tanks could be seen few places other than in museums. If Japan, at the time of Pearl Harbor, had had the same industrial potential as the United States, we would have lost that war in 10 minutes. We must not make that mistake again.

Greece and Rome developed offensive instrumentalities of war as the best method of defense. Alexander conquered the world with the Greek Phalanx. The Roman Legion protected for hundreds of years Rome, the eternal city, and the Italian peninsula by offensive tactics and operations in foreign lands.

The great wall of China has been pierced many times by invaders and conquerors.

Mr. Speaker, I sincerely believe that not only the best way but the least expensive way to protect all of the American cities—not just a few cities—would be to develop spacecraft and further refine our capabilities to destroy, on a moment's notice, any potential enemy anywhere in the world. A deterrent force is our only real security. It is too late when the bombs and missiles begin to fall.

An attack base on the moon or in space will provide more security for all of us than a missile system on the ground around 25 or 50 cities. Stations or bases in space that can control the weather and currents of the sea might well deter a madman dictator and provide peace for the entire world. Spacecraft capable of raining atomic warheads from 50,000 miles in space could be an instrumentality of peace for all mankind. Manned bombers and fighters, highly trained pilots, control of the seas, and a highly trained, skilled, mobile, and modern army, and Marine Corps ready to be rushed anywhere in the world where they might be needed—these are the elements of a sound defense.