

By Mr. WYATT:

H.R. 11230. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO:

H.J. Res. 715. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FOLEY:

H.J. Res. 716. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 717. Joint Resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week"; to the Committee on the Judiciary.

By Mr. VANIK:

H.J. Res. 718. Joint resolution to authorize the President to proclaim the first week of August of each year as "American Youth Week"; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. Con. Res. 250. Concurrent resolution relative to the orderly withdrawal of troops from South Vietnam; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Con. Res. 251. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. PATTEN:

H. Con. Res. 252. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. WILLIAMS:

H. Con. Res. 253. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. PERKINS (for himself, Mr.

THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMANS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr. GAYDOS, Mr. STOKES, Mr. CLAY, and Mr. POWELL):

H. Res. 405. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

#### MEMORIALS

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

163. By the SPEAKER: Memorial of the Legislature of the State of Washington, relative to restoration of funds to implement construction of a pilot plant to determine the engineering and financial feasibility of building two commercial plants to process bituminous coal from the State of Washington; to the Committee on Appropriations.

164. Also, memorial of the Senate of the State of Washington, relative to the closing of the Crispus Job Corps Center, Randle, Wash.; to the Committee on Education and Labor.

165. Also, memorial of the Legislature of the State of Hawaii, relative to automatic increases in annuities for retired civil service employees; to the Committee on Post Office and Civil Service.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COWGER:

H.R. 11231. A bill for the relief of Surjeet Singh Dhanjal; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 11232. A bill for the relief of Michael R. Marino; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 11233. A bill for the relief of Dr. Eligio C. Cruz; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 11234. A bill for the relief of Lino Veramessa; to the Committee on the Judiciary.

#### PETITIONS, ETC.

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

106. By Mr. MIZELL: Petition of the Board of Aldermen, city of Winston-Salem, N.C., opposing any Federal legislation which would deny or limit tax exemption of municipal bonds; to the Committee on Ways and Means.

107. By the SPEAKER: Petition of County Council, county of Hawaii, State of Hawaii, relative to the antiballistic-missile system; to the Committee on Armed Services.

108. Also, petition of Antonio Escalera, Santurce, P.R., relative to redress of grievances; to the Committee on the Judiciary.

109. Also, petition of Edward Vieira, Jacksonville, Fla., relative to a memorial of the Legislature of the State of Florida; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### ACCELERATED PROGRAM FOR REBUILDING RIOT DAMAGED AREAS

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. BAKER. Mr. President, it has come to my attention that a spokesman for the Nation's timber and forest products industry has spoken out in strong support of President Nixon's accelerated program for rebuilding areas of our major cities damaged by riots in recent years.

During the past few years we have all become increasingly aware that the major domestic problems confronting this Nation cannot be solved by Government action alone. The vigorous support of all elements of the private sector are essential to an effective attack on those problems. I am delighted to see this evidence of vigorous involvement on the part of timber-related industries.

I ask unanimous consent that an April 9 release reporting the remarks of Mr. R. R. Edgar be printed in the Extensions of Remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF R. R. EDGAR

WASHINGTON, D.C., April 9.—A spokesman for the Nation's timber and forest products industry today gave strong support to Pres-

ident Nixon's order for Federal assistance in rebuilding riot-damaged areas of 20 major American cities.

Speaking for the Forest Industries Council—FIC—R. R. Edgar said—

"The Forest Industries Council strongly supports the statement by the President of the United States in which he placed a new emphasis on rebuilding the scarred neighborhoods of our major cities. President Nixon has forcefully reminded the Nation of its responsibilities to provide all citizens with decent shelter and environment. The Forest Industries Council, composed of the four major national timber and forest products associations, believes in allocating our energies and resources so that our fellow Americans who are in most need gain our first attention. The council will do whatever is appropriate in this great effort. We are alerting all our member companies at the local and regional levels to heed President Nixon's call of concern."

The FIC is a coordinating committee representing four major national associations—the National Forest Products Association, the American Paper Institute, the American Pulpwood Association, and the American Forest Institute.

In recent weeks Mr. Edgar and other industry representatives in testimony before House and Senate committees urged an increase in the availability of federally-owned timber and long range programs that would assure adequate continued support for Federal and State forest services.

Mr. Edgar, president of the American Pulpwood Association and vice president of Bowaters U.S. Corp., Calhoun, Tenn., said the FIC is vitally concerned with all proposals that aid the country in meeting its housing goals.

### GRAND MASTER WILLIAM F. BOOTH

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GIAIMO. Mr. Speaker, I am proud to report that William F. Booth, a native son of New Haven, Conn., has been installed as Grand Master of the Grand Lodge of Masons in the State of Connecticut.

Affectionately known as "Billy," Mr. Booth is the brother of legendary Yale football star Albie Booth, but this fact has not dimmed the luster of his own accomplishments. As a fitting tribute to the dedication and sacrifice this man has shown in his 40 years as a Mason, I should like to include his biography, as printed in the May 1969 issue of Connecticut Square and Compasses, in the RECORD at this point.

The article is as follows:

HOW PROUDLY WE HAIL

Every community has a handful of people it treasures—people who have done more than make their own way. There are people who have been unafraid to cut through to the core of a problem and then do something about it. There are people who have cherished their Masonic heritage and have borne it to others as a gift.

It is not necessary to write a book to introduce Most Worshipful Grand Master, William F. Booth, to the people of Connecti-

cut, because there is no remote village in this State in which his name is not a household word. But it is well that Masons, who know him as "Billy", should be made aware of the background and personal achievements which have made him one of the prime possibilities for the election to the highest office in the gift of our member Masons. If one were to seek out and state the attributes which make him the personage he is, it would be necessary to number among his abilities the power to analyze events and to reach sound conclusions from facts, as they present themselves. It is not enough that a leader should be endowed with these qualities if he is to rise high in public estimation and affection. He must also number among his possessions the ability to draw to himself the affection even to persons who have not enjoyed the privilege of his personal acquaintance.

It is to be doubted if, in all our history, there has existed a more diligent worker for Masonry which he honors by membership—nor a more sincere preaching of those high ideals which he believes will preserve the honor and stability of our Institution which he reveres.

The character, personality and intelligence of William F. Booth, have made it not only possible but actual, that he will one day sit in the Oriental Chair of the Most Worshipful Grand Lodge of Masons in the State of Connecticut.

The word "Integrity" is not lightly to be bandied about—nor promiscuously be applied to this person or that person, because even the most exalted do not always bring to the furtherance of their ambitions clean hands. The word can be applied to the Most Worshipful William F. Booth, because the conduct of his life has earned it.

"Billy" as he is affectionately called, received the degrees in Olive Branch Lodge No. 84, A.F. & A.M., and served as its Master for the year in 1944.

The Elm City Grand Master was born in New Haven, May 18, 1904, the son of Albert James Booth, Sr., and Mary Frank Booth. He was born near the home of Winchester Repeating Arms in Newhallville, and was raised in the city of Elms. The Booths were people of "Independent and Comfortable means", and like so many other average Americans, were refined and cultured. His father, Albert James Booth, at the time Bill was born, was foreman at Winchester Repeating Arms, and was esteemed as a man of sound judgment with integrity and great ability.

During the formative period of life the influence of Bill's mother was particularly strong. She stimulated his youthful intellect, taught him high moral principles and left a profound impression upon his spiritual life. His school training was received at the Public Schools in New Haven. He attended Hillhouse High School, and after graduation in 1921, he entered Colgate Prep School and graduated in 1923, then entered Yale University, from which he graduated in 1927, and received his B.S. degree.

His mother, a superior woman, intellectually, directed his early life in the way of her own example and encouraged him to work and study. The financial needs of the family forced the necessity of labor and his school attendance during his boyhood days. Bill was a sturdy, vigorous and active youngster, whose special tastes were for athletic sports. He loved coaching with the Boys' Club and other Youth Groups.

Bill is the oldest of three children; Albert J. Booth, and Frederick Austin Booth, began to take on personal responsibilities at an early age, at the death of his father. He began to earn his own living by peddling milk for the New Haven Dairy Company, to supplement an income for the education of his famous brother—Albie James Booth.

Albert James Booth (Albie) famous Yale football star and now deceased, grew up in

Newhallville with actor Victor Borgnine, also Massachusetts Governor Foster Furcolo and the Rev. Robert Keating. Albie weighed 125 pounds—at Hillhouse High School, and later was star athlete at Milford Prep School. He was a football, baseball and basketball captain at Milford, and later a football and basketball captain at Yale. Although he was a National hero for scoring all 21 points as Yale defeated Army 21-13, at the Bowl in 1929. Few would turn their backs on the temptation to be admired. Albie did that. He made his choice. He must be respected for it. "A legend and idol" and an inspiration were some of the words used by civic and sports leaders of yesterday. Seldom does fame knock at the doorstep of one such as the Albie of college days. He took his defeats as well as the victories with a wonderful spirit. He was a dangerous and explosive back. Albie Booth, Yale's immortal Mighty Atom, was "always" a great competitor.

Love is not an easy feeling to put into words. Nor is loyalty to family, or trust or joy. His youngest brother, Frederick, was left under his guidance. While under Billy's wings, he attended the Milford's Prep School for three years. Thereafter enrolled at Yale University for further education. Week-ends he helped with his brother's route by peddling milk.

Frederick Austin Booth is a member of Olive Branch Lodge No. 84, New Haven, and is active in the Fraternity. He received his Masonic wages for Meritorious work in the Scottish Rite and other Bodies. He is a Past Thrice Potent Master of E. G. Storer Lodge of Perfection; present Senior Warden, New Haven Chapter Rose Croix. Elected and serving as High Priest of Pyramid Shrine, A.A.O.N.M.S. at the Bridgeport Mosque.

Paralleling an exemplary and successful career in Public Relations with an astoundingly and strikingly effective career, Bill has filled his days and years with unceasingly devoted service to his family. His career and attainments are best summarized by his own words: "It has been said that the world can be divided into three classes of people. There are the few who make things happen, the many who watch things happen, and the overwhelming majority who don't know what is happening."

In community and civic affairs, our new Grand Master is a member of many Clubs and Service organizations. Among them: New Haven Boy's Club Alumni Association, Yale Alumni Association of New York, Wallingford Country Club, and Norwalk Club. In business, he is President of the Gaeta Travel Bureau, Inc., of Norwalk, Conn.

In May 1933 he married a podiatrist, Doctor Marion A. Norton. The couple have no children. Wife still practicing podiatry in New Haven. Home influence has been a strong factor spiritually. Brother Bill was reared a Lutheran. No man has a finer code of honor and no man has tried harder to guide his life by his faith. In the words of his own: "I am grateful for each day . . . and my wife—and I will take them and enjoy them one by one, with a second glimpse for a challenging tomorrow."

A clergyman once commented that Brother Bill, also seemed to have acquired traits of the Methodists and Episcopalians as well. To this he responded extemporaneously: "I believe in the Fatherhood of God, the brotherhood of man, in the teachings of the great light of Masonry, which rests upon every Masonic altar. The roof of my church is the stardecked heaven, which covers the world. I consider all men my brethren . . . I am a firm believer in what I have been pleased to call the Eleventh Commandment, given by the Redeemer of the world Himself, and that is 'Love thy neighbor as thyself!'"

Most Worshipful William F. Booth's Masonic accomplishments are as follows: Raised in Olive Branch Lodge No. 84, in New Haven on April 19, 1928; Served as Master in 1944; Received in Franklin Chapter No. 2, R.A.M.,

on January 5, 1943; Served as High Priest in 1949-1950; Received and greeted in Harmony Council No. 8, Royal and Select Masters on May 11, 1943; Served as Thrice Illustrious Master in 1947-1948; Knighted in New Haven Commandery No. 2 on June 2, 1944; Served as Eminent Commander in 1959-1960; Elected in E. G. Storer Lodge of Perfection, A.A.S.R., January 29, 1945; Served as Thrice Potent Master in 1957; Elected in Elm City Council, Princes of Jerusalem, March 5, 1945; Served as Sovereign Prince in 1959; Elected in New Haven Chapter of Rose Croix on March 25, 1945; Now serving as Most Wise Master; Elected as a Sublime Prince in Lafayette Consistory in May 1945.

Honors conferred: Received the Arthur M. Brown Meritorious Service Award from the Council of Deliberation, A.A. Scottish Rite, N.M.J., in June 1960, Coronated an Honorary Member of the Supreme Council 33° Masons September of 1965; Appointed as District Deputy in 1961 and again in 1962; Appointed Grand Junior Deacon in 1963; Received the Purple Cross of Honor from the Sovereign York Rite College of North America in 1963.

Only two Masons in the State of Connecticut, have received the honor of being Coronated a 33° Mason and Crowned with the Purple Cross of Honor. Both honors are for distinguished service in the Scottish Rite Bodies and in the York Rite Bodies.

Affiliated bodies—Masonic: Member of Hejaz Grotto, M.O.V.P.E.R. of New Haven, Conn.; Created a Noble in Pyramid Temple, A.A.O.N.M.S., in June 1944; Served as Potentate in 1954; Recorder of Pyramid Temple since 1955; Member of Royal Order of Jes-ters; Royal Order of Scotland; Order of Amaranth; Past Patron, Ethel Chapter No. 28, O.E.S.; Conn. Priory No. 28, Knight of the York Cross of Honor; Conn. York Rite College No. 17, and presently Secretary; Holy Royal Order of High Priests; Past Commander of New Haven Commandery; Past President, Olive Branch Lodge No. 84, Past Masters Association; Member of Cabiri, National Association of Past Potentates; Member of Board of Managers of Masonic Temple Association of New Haven.

Biography would appear to be a useful approach describing the interplay between individual and society, between character and environment in creating an image of personality clearly. Few things are as instructive as experience, and we are here permitted to watch men of our own generation adjust to or rebel against, but in every case make a valuable contribution to the world that has shaped our destiny.

It is fairly simple to write the biography of Most Worshipful Grand Master William F. Booth, or trace the life of this important figure who made his mark in the wider community—especially active, in Masonry. Now, in the prime of his life, he holds the highest office within—the gift of the Masonic circle, in the State of Connecticut. When his present term expires, he will take his place among the foremost of Connecticut Masons.

It is hoped, this biography widely read as it richly deserves to be, and that the study of the events of his life will add full measure to the admiration, esteem and affection in which we Masons hold for Most Worshipful Grand Master for Connecticut, William F. Booth.

"A GREAT YOUNG AMERICAN," BY  
GEN. BRUCE C. CLARKE, U.S.  
ARMY, RETIRED

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. THURMOND. Mr. President, it is a pleasure for me to invite the attention

of Senators to a success story of "A Great Young American," written by Gen. Bruce C. Clarke, U.S. Army, retired. This inspiring story of a young North Korean who no longer could tolerate communism is particularly appropriate in the face of so much antipatriotism, anti-Americanism, and antiservice to their country today by militant youth.

Mr. President, General Clarke writes about his personal knowledge of a boy known as Chiisi who later became 2d Lt. Link S. White, U.S. Army. Link defected from North Korea during the war. He was adopted by an Army family. After officer candidate school, he served his country in Vietnam. He will graduate from college next year.

Mr. President, here is a young man who appreciates his new country and life, liberty, and the pursuit of happiness. He knows what life is under communism and he was glad to fight for his country against it. He is making his place in a free society as a good citizen. He voluntarily contributed his service to his country.

Mr. President, Link's story puts to shame those in our society today who would destroy our institutions and refuse to serve our country against Communist domination of the world. This love of freedom and service to country should serve as a notice and a challenge to those who make a mockery of the flag, military service, and the cause of freedom.

Mr. President, I ask unanimous consent that the story of 2d Lt. Link S. White be printed in the Extensions of Remarks.

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

#### A GREAT YOUNG AMERICAN

(By Gen. Bruce C. Clarke, U.S. Army, retired)

When the United Nations Armies recoiled from the Yalu River in the Korean War they brought back with them many thousands of North Koreans who did not again want to live under Communism.

One of them was a ten year old boy who for two years had been the sole support of his family. His name was Chiisi (Cheesy). Let's follow Chiisi for the next eighteen years.

Chiisi obtained work in the X U.S. Corps General's Mess as a handy mess boy. He worked also in the N.C.O. Mess. His pay was food and a place to sleep and such tips as the officers and NCO's gave him—this money he very carefully saved.

I became the X Corps Commander, located in central Korea at Kwandari, in December 1953. I met and took a liking to Chiisi. I had a couple of boys at home who were about Chiisi's age.

Later I left this assignment and Chiisi.

Subsequently I learned that a Sergeant White had brought Chiisi home with him, adopted him, sent him to school and then to Muhlenberg College in Allentown, Pennsylvania.

Sergeant White subsequently died. Chiisi was broken up. Under his adopted name: Link S. White, he enlisted in the United States Army. He was selected for officer candidate school and graduated with a commission as 2nd Lt., U.S.A. Res. and was sent to Vietnam in 1967.

In February 1968 I was visiting the troops in Vietnam at the request of General Westmoreland. While visiting in the Delta, a smart young 1st Lieutenant came up to me, saluted, and said "Do you remember Chiisi?" I cannot adequately describe my reaction at our reunion after fourteen years.

Chiisi finished his Army tour with credit

and returned to Muhlenberg College, where today (May 1969) he is a Junior. He will graduate in the Class of 1970.

This is the story of a young boy from behind the Bamboo Curtain who by work, determination, and devotion sought and found a better way of life than under Communism. He has served his new country well, both in peace and in war. He is a proud American citizen. He is appreciative of what America has to offer and will continue as a good citizen in his new homeland. We need more of such in our country today.

#### MANHATTAN BOROUGH PRESIDENT ADDRESSES MCGOVERN COMMISSION

#### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BINGHAM. Mr. Speaker, on May 3 the distinguished borough president of Manhattan, the Honorable Percy E. Sutton, made a penetrating and provocative statement before the Democratic Party's Commission on Party Structure and Delegate Selection chaired by Senator GEORGE MCGOVERN. In the thought that President Sutton's statement should be read and pondered, not only by all thoughtful Democrats, but by all who care about the vitality of our political system, I am including it in the RECORD herewith by unanimous consent.

STATEMENT BY MANHATTAN BOROUGH PRESIDENT, PERCY E. SUTTON BEFORE MCGOVERN COMMISSION, MAY 3, 1969

I am happy to have the opportunity to discuss with you today the ways in which I believe the Democratic Party should restructure its organization and reorient its policies and goals.

The nation is in a state of deep crisis, perhaps more serious than any it has faced since the Civil War. We are in a revolution—a revolution of rising expectations and rising hopes. And unless our social and economic structure here in America undergoes rapid, far-reaching change, the very survival of our society is challenged. And, unless the Democratic Party's structure undergoes equally rapid, far-reaching changes a prime political instrument for ensuring the survival of our society faces convulsion and death.

Unhappily many view the Democratic Party as it now functions as a basically conservative party, which is too often unresponsive to the forces seeking change—the poor in the urban ghettos and rural areas; the Blacks, Puerto Ricans, the Mexican Americans, the Indians and the other oppressed minority groups; the life styles of the young on our college campuses and in our high schools. Nor has the Democratic Party properly addressed itself to the problems of the new urban-suburban middle class and the militant and new type labor unions.

Earlier in this century, the Democratic Party was the principal architect of social progress in America. Our Party was a coalition of interests which emerged in response to the terrible pressures of the Depression. Our party was a party forged in battle, a party that achieved great victories for each member of the coalition.

The coalition included principally liberals, intellectuals, labor, farmers, minority groups and the urban poor. I need not specify the forms of governmental aid and public assistance received by each member of the coalition; it ran the gamut from the Wagner Act to price supports to public works programs to Social Security. Suffice it to say that all elements of the Democratic Coalition were

successful in opposing the forces standing in the path of social progress—the elements of the Republican coalition: big business, the wealthy upper and suburban and rural middle classes.

But now the years have passed and many of the Democratic Party's hard battles of the thirties have been won and the beneficiaries of the battle now seem no longer alert to the problems or committed to the wars yet unwon—they are now virtually supporters of the status quo and they either ignore or oppose the movements for basic social change—movements which are growing in numbers and strength.

If we as a party are to survive we must take on the new battles that are dividing our nation—the battle to make the tax system truly progressive; the battle to end, not merely curb, unemployment; the battle to house and feed every American adequately; the battle to give every citizen proper medical care; the battle to create an educational system that will enliven, not deaden, the minds of our schoolchildren; the battle against urban congestion and pollution; the battle to end our national commitment to spending more and more money preparing for and carrying out a military-dominated foreign policy.

In essence, if the Democratic Party is to survive the Democratic Party shall have to give up its complacency. The Democratic Party shall have to move meaningfully to end the racism written in its ranks. The Democratic Party shall have to reach outside its white sanctuary to its Black, Mexican, Puerto Rican and Indian constituency who now feel no meaningful power within the national party structure.

The "establishment" structure within the Democratic Party must be broken up and its power equitably distributed among all races and all people, so that the impoverished and the ethnic minorities and all the elements now left out of the Democratic Party coalition might enter the party structure and there within the Party wield political, economic and social power proportionate to their growing numbers and overwhelming needs.

The Democratic Party is not exempt from an urgent need for decentralization of power and equitable sharing of power among all its groups. Indeed, the Democratic Party to prosper must be in the forefront of those institutions adjusting to meet the new goals and new interest groups of the 1970's.

The new coalition of the poor, the oppressed minority groups, the young, the liberals, and the new day-new type labor unions must be embraced by the Democratic Party within a new form of Democratic Party structure, one which will supplant the present political club structure.

The New Democratic Coalition in New York, which is holding its first statewide meeting in Albany tomorrow (Sunday), has proposed a new Party framework whereby the alienated and oppressed will become part of the Democratic party decision-making structure. The Party will give full membership, voting rights and participatory powers in the Democratic Party organization to all groups fighting for the goals that the Party should stand for. Thus progressive labor unions, school community control groups, anti-poverty groups, peace groups, civic improvement groups—all these would have a say in who the primary candidates are instead of merely voting in the primaries; they would have a say in who convention delegate candidates are, instead of merely voting for them. In short, they would be full participants in the organizational structure of the Democratic Party.

The kind of change I am suggesting in the structure of the Democratic Party is clearly not in the interests of the political bosses who are afraid of losing their power, prestige and patronage to the new insurgents. Those forces in the Party perpetuating the status

quo will surely fight hard against organizational changes, but the more progressive of us must fight tooth and nail to push our reforms through—for the sake of the Party and the nation.

Another reform I strongly urge is that the Party make it a matter of the very highest priority to seek out and register hundreds of thousands of semi-literate, poor, Black and Spanish-speaking citizens. Last year, those in control of the Democratic National Committee tried to pigeonhole over \$1 million in funds for political education and voter registration. These elements saw, quite rightly, that their own power was jeopardized by enrolling new voters, especially the poor and all of those who have up to now been excluded from the political system.

Also last year, the New York Democratic Party State Committee saw fit not to include a single Black man or Puerto Rican among 28 delegates-at-large with full voting powers at the Democratic National Convention. They finally were forced to back down from their outrageous position only through the hard efforts of Bronx Borough President Herman Badillo, myself and others.

This type of elitism and political colonialism must cease.

Another specific issue which troubles me, as an elected Black official, is the relative powerlessness of Black and Puerto Rican officials within the party structure and within the national political power structure. They are largely confined to their own constituencies and rarely given the chance, let alone support, to run for city-wide or state-wide or nation-wide offices in which their own particular ethnic group will not constitute the majority of constituents. The Democratic Party has not yet accepted the basic assumption of politics—that an elected official pledges to serve his entire electorate. I am the Borough President for 1,700,000 New Yorkers. When I speak I do so as a Black man, of course, but more importantly as the elected official of all New Yorkers, black and white.

Black and Spanish-speaking officials must be given the same consideration for political office as officials of Irish or Italian or Jewish or any other ethnic origin.

Black office-holders labor under another severe handicap. Only by strong personal commitment and personal projection are they listened to with the same attentiveness given to the white public or party official.

Indeed, the problems of the Blacks and Puerto Ricans are so enormous that only a massive, vigorous commitment by our Party and our government will begin to put a dent in these problems. If Black Party members and Black office-holders are ignored and not given support for the urgent programs they advocate, then Black office-holders will be driven out of office as ineffectual politicians and others with no commitment to the Party and to democracy will take their place. And I think you ought to know that the bomb-thrower of tomorrow is not going to be the shirtless one; or the slum resident; but he will be the disenfranchised son of the middle class Black, the young fellow who went to Yale or Harvard and wore Brooks Brothers clothes but later discovered that despite all his training and his willingness to work "within the system", the system was not willing to work with him.

I have been talking about the broad question of participation in the Democratic Party on the basic, organizational grass-roots level. I do not intend to go into specifics about my ideas on the abolition of the electoral college and the direct primary election of presidential candidates. Many of those testifying today will, I am sure, advance these ideas in greater detail.

The main message I have wished to bring to you is this, America is in urgent need of broad social change, a change which is demanded now by a new coalition of dissatis-

fied, alienated groups in our nation. Regrettably, the Democratic Party is now dominated by an old coalition which is opposed to this change. I pray that our Party will have the vigor, the intelligence and the political wisdom now, while there is time, to restructure itself, to share with these new groups the voice they deserve in the running of the Democratic Party. Only then will the groups of this "new coalition" be able to turn the policies of this nation around and not be forced to resort to massive violent disorder as a method of social change.

#### THE ABM

### HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. GOLDWATER. Mr. President, on the evening of May 12 of this year, Dr. John Foster, Jr., who is Director of Defense Research and Engineering, spoke before the Aviation Space Writers Association in Dayton, Ohio. In his address he made some very pertinent and wise observations relative to some of the opposition which has surfaced against the ABM. He particularly pointed out some inconsistencies in the report written for one of our colleagues by a number of professors, scientists, and lawyers. Because I feel so strongly about the importance of this issue, I want Members of Congress to have the benefit of both sides of this argument, so I ask unanimous consent that the address be printed in the Extensions of Remarks.

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

ADDRESS BY DR. JOHN S. FOSTER, JR., DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING

This evening I would like to discuss the Safeguard Ballistic Missile Defense System. My purpose is to describe briefly why we need it; the issue before Congress and what is turns on; and then to attempt to set the record straight on some of the technical questions that have tended to dominate public debate. I'm certain you have not failed to note the great number of writers that are now experts in your business.

First the "whys" of Safeguard. During the last four years we have observed a rapid growth in the Soviet Union's strategic forces. This growth has resulted in an improvement and expansion of their already massive anti-aircraft defenses, the deployment of a small ABM system, the start of more than 1000 ICBM launchers, and the rapid deployment of more advanced nuclear submarines,—both attack and ballistic missile launching. The expansion is continuing.

As we have watched this expansion during the last few years, most of us assumed that the Soviet Union was attempting, logically, to gain strategic parity with the U.S. We, ourselves, have not significantly expanded our forces during this period.

However, more recently the character and number of Soviet offensive weapons have tended in directions which cause us now to doubt most seriously our previous less disturbing assumptions. A continuation of these trends could constitute a threat to our strategic forces,—to our land-based ICBM's and to our strategic bombers. The phased deployment of Safeguard is intended to give us a minimum necessary "hedge" to protect against these contingencies.

Phase I of this deployment is limited to the location of Safeguard components at

two Minuteman wings. Deployment of these two sites provides an opportunity to "shake-down" such a system—to find and remove those technical and operational bugs which are not likely to show up in research and development efforts. We will be prepared to move to Phase II should the threat continue to increase. We could move in the direction of giving greater coverage to the ICBM force, or to protect our alert B-52's against an SLBM attack, or to protect the National Command Authority or to protect our population against a Communist Chinese ICBM attack, or some combination of these options.

It is extremely important that we understand clearly the issue before the Congress, and the consequences of its decision one way or the other.

The question of Phase I deployment rests on three key points. First, is the matter of incremental funds association with deployment. We are requesting just under \$900 million in FY 1970 to continue development, test, and deployment. Of this, about half of the money is for development, test, and the necessary supervision; and the remainder for deployment. So the deployment decision involves the authorization and appropriation of an incremental, \$450 to \$500 million—less than 1% of the DoD's budget request. In fact, expenditures for FY 1970 would be reduced by only about \$250 million, but the ultimate over-all DoD cost for the completed Phase I would increase some \$250 million.

Second, it is important to maintain continuity of this hedge against the still evolving threats. You should realize that ever since the approval by Congress, and Secretary McNamara's decision in 1967, we have been building up our capability to produce and deploy these components. If authorization to continue deployment were delayed until next year, the current capability would decay, and we would lose not just one year but two or more years. Without authority for production and deployment, we would have to close our developmental production lines, discharge our production personnel and cease our engineering on sites. Later, when authority was granted to reinstate production, site acquisition, and onsite engineering and construction, we would re-engage the necessary personnel and train them before productive work could be accomplished. This means that the first two sites could not be in operation until 1976 at the earliest, instead of 1974. If at the same time, the Soviets continue on their present course, they could have another hundred SS-9 missiles making a total perhaps of 600, with up to 1800 warheads to attack our 1000 Minuteman. We would then be defending with too little too late.

The third and final key point on which the ABM issue rests is our desire to negotiate with the Soviet Union and end the strategic nuclear arms race. President Nixon has been quite clear on this point. He said—

"I have taken cognizance of the view that beginning construction of a U.S. ballistic missile defense would complicate an agreement on strategic arms with the Soviet Union.

"I do not believe that the evidence of the recent past bears out this contention. The Soviet interest in strategic talks was not deterred by the decision of the previous administration to deploy the Sentinel ABM system—in fact, it was formally announced shortly afterwards. I believe that the modifications we have made in the previous program will give the Soviet Union even less reason to view our defense effort as an obstacle to talks. Moreover, I wish to emphasize that in any arms limitation talks with the Soviet Union, the United States will be fully prepared to discuss limitations on defensive as well as offensive weapons systems."

In summary, then the President has decided that we should take this minimum step consistent with preserving our security and enhancing the chances for meaningful negotiation with the Soviet Union. Failure to take the step could not only endanger our security in the mid-seventies, but also weaken our negotiation position in the immediate future.

The Safeguard issue is complicated by genuine uncertainties over Soviet intentions, and unnecessary confusion over technical and tactical problems. What is most remarkable in the public debate is the high level of confusion and misunderstanding which exists in the minds of some professionals as well as some non-professionals. For example, regarding the Soviet threat, the following quotation is from the recent book "ABM" edited by Professors Chayes and Wiesner.

"It is important to understand that these assertions by Secretary Laird are not based on any intelligence about new Soviet weapons systems. They represent his interpretation of facts that have, in the main, been known for some time, but have not been viewed heretofore by the responsible officials as signaling a Soviet attempt to attain a first-strike capability."

Secretary Clifford concluded in his January 1969 Posture Statement:

"It is quite apparent from the foregoing review of the threat that the Soviet Union is moving vigorously to catch up with the United States at least in numbers of strategic missiles—both land-based and sea-based."

Implicit in Secretary Clifford's conclusion is that the Soviets would level off when they "catch up." The subsequent evaluation of intelligence obtained earlier than his statement and intelligence received subsequently reveals both that the Soviets are moving even faster than anticipated and that, having passed the assumed leveling off point, their expansion programs are continuing unabated.

Mr. Laird's statements are based upon agreed intelligence data. I know of no disagreement on the approximate number of SS-9's being built by the Soviet Union, nor of any significant issue in size of its payload. We all agree upon the existence of new submarines and upon their approximate rate of deployment. No person who has seen the data objects to the conclusion that the SS-9 has been tested with multiples and the community agrees upon an approximate weight of the RV's.

We do not know just how effectively these RV's could attack Minuteman silos since we do not know precisely their accuracy. Indeed, their testing is continuing.

Further we do not know how many SS-9's the Soviets will finally build. Perhaps the Soviets themselves haven't decided. But, we do have a good idea of the number they could build in any given time at the recent rate, and we do have a good idea of the accuracy they might achieve.

President Johnson and Secretary McNamara saw only the beginning of the SS-9 buildup when the Sentinel system was started 2 years ago, but even at that time the option to defend Minuteman was designed into that deployment. To quote Mr. McNamara in September 1967:

"Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack."

Mr. Clifford requested, and the Congress granted, funds to maintain that option.

Other statements in the ABM book seem to play a strange numbers game. At one point the book states:

"With our Minuteman in hardened silos, it would take at least two attacking ICBM's to be reasonably sure of destroying one Minuteman."

An ICBM with three independently aimed warheads can attack three silos. The U.S.

has designed, but not deployed, a system which allows a missile to signal the launch-control point if it has launched its re-entry vehicle properly. With this system, the control point could reprogram another missile to make up for failures. For example, a missile system having a 20% failure rate and carrying 3 re-entry vehicles per missile, would require only 420 missiles to attack 1000 silos. If the yield of each re-entry vehicle was a reasonable 5 MT and the accuracy a reasonable  $\frac{1}{4}$  of a mile, about 95% of the silos could be destroyed. This would mean 50 of the 1000 Minutemen survive. It would be foolish to attack half of the silos twice as the book advised, rather than all of them once.

The same strange numbers game is played relative to defense. To quote again,

"It would take three missiles with 30 percent failure probability to destroy an incoming warhead with 97 percent certainty. Some such requirement must be incorporated into the firing doctrine for any ABM defense of cities, radars or bomber bases, and this uses up the defensive missiles at a fearsome rate."

Professor Weinberg indicates in his contribution to this book that sequential firing of the interceptors would eliminate this problem. He considers this very difficult. However, this is just the tactic which we will use and we have planned to use for many years. It is feasible. Furthermore, we expect missile failure rate considerably less than his assumed 30%, and results of firings to date support our expectation. Of those missiles that fail, almost all occurs early in flight. Should one fail, we would fire another. Sufficient time is available.

We also find the statement: "But that system (Sentinel) was designed for a wholly different purpose. . . ."

This quotation is part of a much longer charge implying that the Safeguard components were not designed to defend Minuteman. This is just not true. The Nike-X R&D program upon which both Sentinel and Safeguard were based, always had a Sprint missile for point defense of targets, specifically Minutemen and cities. We have, from time to time, examined specialized systems, designed only to hard point defense, with the hope that we could find something much cheaper or much better. But we haven't found it.

Another statement reads: "It has been authoritatively suggested that it just may be impossible during the next years to write a computer program for dealing with the various forms of attack that can be anticipated."

Programming of large computer-controlled systems is difficult. We have had considerable relevant experience, and our experience shows us that it can be done. The systems cited as horrible examples were pioneering new ground, but they eventually worked quite well. A recent example is the Air Force Space Track radar recently completed. It is very similar to the PAR radar in its operation, it has one of the largest real time computer programs ever written and contains almost a million instructions. It was built on schedule and within cost estimates—including the computer programming. The radar and its computer program are now operational, and the system is being operated and maintained by Air Force crews. In the case of Safeguard, we are allowing a year for shake down of the Phase I installations.

The book in many spots also claims that the defense can be easily countered by simple penetration devices or by "blackout" attacks.

These "simple" devices simply are not simple. We know that the United States has attempted to field operational penetration aids for the last decade, and we are only now beginning to have workable ones in our forces. We use them to force the Soviets to

install a complicated and more expensive defense—we do not depend on them to assure our penetration capability. The devices—and the tactics—will require more resources than the Communist Chinese will have available for a considerable time.

With regard to the Soviets, the penetration tactics are not very useful for an attack upon the Minuteman force, and for that reason the Soviets would be wasting their time with them. Light penetration aids and the extensive high altitude blackout do not have much effect on a Sprint defense which takes place in the atmosphere.

With regard to the Chinese, they have yet to achieve their first generation ICBM. They don't know and don't yet have what it takes to develop and deploy penetration aids and tactics against the Safeguard system.

Professor Panofsky has asked recently how many Minutemen could be saved by Phase I of Safeguard.

There are attacks for which Phase I will save a respectable number of missiles. The maximum number is associated with the number of interceptors—a number which is classified for obvious reasons. However, I think it is a mistake to consider Phase I in just such terms. Phase I has two basic functions. It is first a step which will prepare us to react rapidly to a further development of the threat. It prepares sites and production facilities for increasing the number of interceptors and possibly radars, if a threat continues to develop.

Secondly, it provides a checkout, a shake-down of an integrated ABM system. Our first opportunity for such experience. What we learn here will affect future improvements of the system.

Professor Panofsky recently inquired whether the Safeguard system forms an economically feasible defense against a heavy threat to the Minuteman force. Various estimates of the cost of an interceptor including its assigned fraction of the radar and other systems cost have varied between \$2.5M and \$7M. The present cost to the U.S. and probably the Soviet Union for an offensive R/V is an excess of \$10M. The advances which we expect in our forces over the next few years may reduce these to about \$3M. There is little hope they will ever get as low as \$2M. In other words, the cost to attack and to defend in the 1970 time frame are roughly one to one. Whether or not it turns out in, say 1975, to favor the offense or the defense depends on just what improvements the Soviets achieve as well as our own experience with the actual production and operation of our defensive system.

The Safeguard system has been designed by competent people, and the best that are available. Its design has been reviewed by outside experts. Those who do, in fact, study the aspects of the system that are within their area of technical expertise are convinced it will do what it is designed to do. There are some eminent scientists who, for one reason or other claim it won't work. On that, I'd like to say, first, that they have offered no problem which we have not long since addressed and resolved. Second, I want to point out that one does not obtain a meaningful technical judgment by taking a vote of the scientific community or even of Nobel Laureates. This would go to the second warning against misplaced power mentioned by President Eisenhower in his often quoted Farewell message—

"Yet, in holding scientific research and discovery in respect as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite."

I have attempted to treat some technical objections which have been raised; I have not treated all of them. Perhaps you have found or read objections which you consider more serious. If so, I would welcome an opportunity to answer them here and now.

## RUSTIN ON CAMPUS CONFLICT

## HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COHELAN. Mr. Speaker, recently Mr. Bayard Rustin, executive director of the A. Philip Randolph Institute, commented on the violence which currently is so prevalent on campuses and in civil rights protests.

At a time when it is not fashionable for black civil rights leaders to condemn extremism, separatism, and violence, Mr. Rustin, in a forthright assessment, reminds us that while there are valid causes for protest in our society—against the war, poverty, racism, and unresponsive educational institutions—there is no justification for violence. He deplores the pressures toward separatism and toward lowering the standards of attainment for Negroes. He urges instead recognition and integration of Negro contributions into the pluralistic forces of American society.

A consistent and militant fighter himself for civil rights, Mr. Rustin recognizes the tragic polarization and inherent dangers in contemporary violence and separatism.

Mr. Speaker, I request permission to insert Mr. Rustin's remarks, as reported in the Evening Star last week, and call them to thoughtful attention of my colleagues:

[From the Evening Star, May 3, 1969]

## RUSTIN RAPS "SOFT" COLLEGES

(By Brian Sullivan)

NEW YORK.—Bayard Rustin, long-time Negro civil rights leader, says colleges are taking a cheap way out by agreeing to Negro students' demands for black studies programs.

Instead, he says, colleges need to develop massive—but expensive—remedial projects to improve the scholastic level of Negro students and to enable them to make their academic way.

In a question-and-answer session with a reporter on Negro unrest on the campus, Rustin deplored violent protests and said it was humiliating to see college administrators and faculty submitting to Negroes with guns.

They wouldn't submit to "Ku Klux Klansmen coming on campus with guns," he said, and suggested this indicated the college officials didn't really consider Negroes equal to whites.

"They say, well, it's only Negroes behaving that way. They wouldn't tolerate this from white students," he said.

Rustin, who organized the March on Washington in 1963 and now is executive director of the A. Philip Randolph Institute, said Negroes had made substantial gains in educational opportunities.

"It is therefore all the more tragic that instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life they have to live."

The interview ranged over a spectrum of Rustin's views on campus problems, Negro militancy, and faculty reactions and concessions. The questions and answers:

Q. How do you view the efforts to establish separate black studies departments?

A. I am very much opposed to separation under any circumstances and I'm also opposed to black studies. And I believe it is a grievous mistake that there has not been the study of Negro culture history, but I'm op-

posed to it as black studies, because I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces and into other forces. For example, I don't think you should study the American Revolution without studying Crispus Attucks.

But in this country, to try to separate the black experience from the American experience, is ridiculous.

Q. Do you think that the college militants, black or white, have a valid protest?

A. I think there are valid reasons for protesting. I think administrations have been insensitive to the needs of college students. I think that in a society where we have war, racism and poverty, young people are justified in protesting.

Q. What kind of demonstration would you lead on a campus in a protest you consider justified?

A. I believe people have the right to withdraw. They have the right to go on strike, but not to interfere with other people. They have the right to refuse to get to classes, they have the right to carry on any form of non-violent protest.

Q. Do you think Negroes have made significant gains in the past few years, within the education system?

A. I think there has been a number of important gains. The U.S. government expects that by 1975 there will be 400,000 Negro college students. The fact is in 1969 there are over 400,000. We are way ahead of schedule—largely because of the education bill which President Johnson introduced and Congress passed. There are many, many campuses where only three or four years ago Negro students did not have an opportunity to attend. Now they have been offered scholarships, or special cases have been made to encourage Negro students to come on campus.

It is therefore all the more tragic that, instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life which they have to live when they get out of college. Now here again I'm all for studying in an integrated manner. Just as I'm for integrating whatever contributions Jews and Irish and Italians made into our whole history. I'm for integrating the contributions of blacks. However in the long run, what one has to come out of college with, is a degree which prepares one to do something significant in the society. We need doctors, we need lawyers, we need people with degrees in economics and sociology and a myriad number of things. People ought to use their time in college really to specialize and to be able to make a contribution.

Q. There were reports that black students at Cornell armed themselves from fear of an imminent attack by some white students. You mentioned psychological stress that the ghetto student is under when he is dropped into an Ivy League school. How are you going to resolve this?

A. That is a police matter or, better still, a matter for the university to take care of. If the university cannot take care of it, then it's a police matter. I think there's been brutality to Negroes for centuries. We have been able to mount a concern about brutality to Negroes precisely because people were fairly convinced that Negroes were not engaged in aggressive violence.

It's going to be increasingly difficult now when people see pictures of young Negroes carrying guns for us to get attention called to that degree of brutality which is still left in our society. People will get the notion that Negroes are engaged in aggressive violence, and therefore, that the brutality may be justified. So I think these people are doing us a grave disservice with these guns. And I simply do not believe that there are organized groups of white college students on campus, at this point, which are prepared to attack Negro students with violence and

guns. If Negro students continue to carry guns, that may very well happen later.

Q. How are we going to resolve this, given the feelings of the black militants?

A. The college administrations will have to be honest with themselves, and first of all, believe that Negroes are equal to other people and treat them accordingly. If Negroes and any other students engage in this kind of behavior, something must be done to prevent it.

And I think the college administration needs to stop playing young Negroes cheap. Now everybody knows that the ghetto schools and high schools are basically inferior. Efforts to get more youngsters into college and through college is a good idea, but it must not be done in a cheap way.

Let me put it another way. There is no Italian history of the United States. There's no Jewish history, there's no black history, there is American history and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history. The problem is we have not yet had American history, because blacks have been excluded. You don't deal with that problem of American history by doing the opposite thing now.

Q. In summary, what's the root of the campus problems?

A. One of the problems is that young Negroes are facing the shock of integration. They have been partially integrated, but there is a distance in their minds between what they aspire to be and what the conditions they have lived under makes it now possible for them to be. The conflict between this aspiration and ability creates many internal confusions.

Therefore one is often tempted, instead of fighting that conflict through to revert to one's self, to look inward. . . . So that if I set up courses myself I'll set them up so I can pass them. And that, you see, is what I mean when I say there should be lots of money and energy spent in helping the young Negro over that psychological barrier. There's only one way to do that. That is to give him enough tutoring, enough remedial work so that when he does finish college, he will finish on a par with all other students.

## OUR PORT: PROSPER OR PERISH

## HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BOGGS. Mr. Speaker, America is a maritime nation. Since the earliest days of our Republic, our people have looked to the oceans for communication and transportation, for defense and trade. It is no accident that the great cities of this country are either inland ports or seaports. The oceans have helped to make us the wealthiest, most powerful Nation the world has ever known.

Yet, somewhere along the way, amid our many national priorities, we have neglected to maintain and modernize our seaports.

The great seaports of this Nation can no longer afford to dwell on their past glories. The old piers built during the 1920's must be eliminated and terminals built to incorporate the latest developments in cargo handling.

There is a definite trend toward fewer ports. We must take steps to make certain that those surviving will be able to meet the rigors of competing with the modern ports of other nations.

It is essential that all levels of government in this country provide financial aid to seaports in their efforts toward modernization.

This will not be money wasted—it will be an investment in the future of this Nation and in the economic progress of its people.

Recently, in a series of 12 articles, Paul Atkinson, a reporter for the New Orleans Times-Picayune, made an in-depth analysis of the need to modernize our ports.

Mr. Atkinson's articles deal with the problems of the port of New Orleans, the Nation's second-largest port, but because this is a national and not just a regional or local problem, I am now calling Mr. Atkinson's articles to the attention of my colleagues:

[From the New Orleans (La.) Times-Picayune, Apr. 13, 1969]

**OUR PORT, PROSPER OR PERISH: CITIZENS HERE SELDOM KNOW OF GREAT ACTIVITY, DAILY HUM—WARNING OF NEEDS GIVEN 30 YEARS AGO**

(By Paul Atkinson)

"When a city has been a great port as long as New Orleans, its people are naturally inclined to take that fact for granted and to lack the driving enthusiasm of the people of a city that has just achieved port standing.

"Our people—and I mean every man, woman and child in this city—should be more port conscious and aroused to the need of educating our present and future citizens to just how much our city's progress is dependent on the greatest possible development of our port's potentialities."

Those could easily be the words of Dock Board President Robert R. Barkerding, who early this year began a massive campaign to alert New Orleans and Louisiana to the port of New Orleans' needs.

But that warning about the port of New Orleans was voiced 30 years ago by attorney-public utility counsellor Francis Williams in a report on problems of the Port of New Orleans.

This series is designed to inform the average citizen of New Orleans and the state of Louisiana of just what this port—ranked second largest in the nation—means to him personally.

It is not easy to know of the activity that hums daily within the confines of the Port of New Orleans, mainly because few citizens go there and observe. Many residents of the French Quarter, for instance, though living as close as anyone in New Orleans to the docks and wharves, do not even realize that the port of New Orleans lies only three or four blocks away.

Capt. Henry Joffray, in charge of the docks and wharves, talked about this very same subject.

"The average citizen never sees all this activity going on," said Joffray, on a recent tour of the port. "You ask him about the Plaza Tower, the 225 Baronne Building or the International Trade Mart and he knows exactly what you are talking about because he sees it.

#### VIEW BLOCKED

"But visually he has no idea there are 5,000 ships out here moving, there are seven million tons of cargo going by and about 60 cents out of every dollar going in his pocket can be attributed to the port of New Orleans. But he has either a levee wall or a shed obliterating his view. So unless he gets up on the Mississippi River Bridge or on top of the International Trade Mart, this is the only thing he sees.

"Now in San Francisco, you have a real knowledgeable citizenry. They live up on the hills, and as a guy gets up in the morning he is always looking at the port. He sees the

Golden Gate Bridge and all the ships moving around. So he has an awareness.

"We can't jack up the city for New Orleans people to see the port. But we have to do it with visual aids, take our story to as many people as possible."

Newsmen on the tour were amazed at the activity that does go on in the port of New Orleans. It was just after conclusion of the dock strike; and bargoliners, freighters, barges, tugs and towboats abounded.

Yet for all its impressiveness, there are chinks and flaws. Riding downriver from the Henry Clay ave. wharf, these flecks can be seen in old, outmoded wharves with pilings in need of repair. Aprons are too small for today's modern loading and unloading.

But worst of all, there are no container wharves. Container ships are the water transportation mode of the future—and present—and New Orleans has no container wharf. Some containers, though, are unloaded from ships that call in New Orleans using ship's gear or barge with a crane on it.

#### SUM OF \$60 MILLION SOUGHT

The Dock Board is seeking a minimum of \$60 million from the state Legislature during the next four years to finance a capital improvement program. It would include two or three container berths in a new France rd. terminal near the Industrial Canal and the Mississippi River Gulf Outlet.

The Legislature has already approved the capital improvements program. But it failed to do one thing—it didn't fund it.

In future parts of the series, we will look closer at this Port of New Orleans that apparently few citizens really know. We will examine new modes of water transportation that has put a squeeze on the Dock Board—namely, container ships, lighter aboard ships (LASH), and the Seabarge clippers.

And we will learn of modernization needs of the Port of New Orleans and the new Industrial Canal lock that is needed so desperately but appears to be six to seven years away at the earliest; how inland waterways carriers contribute to the port's economy; and how other cities and harbor boards have financed their capital improvements programs.

The series will also document how large the labor force is that is involved in water transportation in Greater New Orleans. New figures show just how strong an economic factor the venerable old port really is to New Orleans and to Louisiana.

A longshoreman will tell us just how he spends his money, and business leaders will tell of the effect of the recent dock strike on the area's business.

And we will look closely at the Dock Board and its facilities, with a complete list of present wharves and their ages. It may surprise many citizens to know that some wharves still in use were built in 1903.

Barkerding, who has grabbed the Dock Board dilemma by the horns, will also give an insight into the board's problems and will comment on such diverse topics as containers, the domed stadium and the port and prospects for the future of the Port of New Orleans.

In short, we hope to alert readers to the needs of the Port of New Orleans. Because if New Orleans citizens don't become aware of the value of the port, then the port will perish instead of prosper. The economic fate of New Orleans citizens and business hang in the balance.

[From the New Orleans (La.) Times-Picayune, Apr. 14, 1969]

**OUR PORT, PROSPER OR PERISH: CITY COULD BE IN TROUBLE, SAYS DOCK BOARD LEADER— BUT IT'S NOT TOO LATE YET—BARKERDING**

(By Paul Atkinson)

"I'm going to find out whether people want this port.

"And if they don't want it, I want them to say they don't want it. About the most

final way they can say they don't want it is when his matter comes up in the Legislature.

"If this Legislature—or another one, and by that time we will be well down the road to trouble—doesn't say let's go with the Port of New Orleans, I think New Orleans is in very, very serious trouble."

These were the words of Dock Board president Robert R. Barkerding, who has finally galvanized New Orleans into doing some serious thinking about the future of its port. Recently, he slowed down long enough from his activities on behalf of the Dock Board to discuss the port's situation.

Barkerding and a Times-Picayune reporter sat down at a tape recorder, and here's how it went:

"Q. How much longer do you give New Orleans as a major port?

"BARKERDING. I think you would have to put that in some sort of relative state. It depends on how fast the other ports go in relation to how slow we go. I wish I could be more precise, but let's just say if we don't have these new container terminals in two or three years, then the character of the Port of New Orleans will change. This will become a pushbutton port, dealing in commodities that don't require a lot of people to work.

"Q. Is it now too late for the Port of New Orleans?

"BARKERDING. No, I don't think it is from my personal knowledge of going around and speaking to shippers. Our consulting engineers who are dealing all over the world in these situations also don't feel it is too late. This corroborates our views. But we certainly have to make up a lot of lost time.

"Q. One of the major portions of the Dock Board's capital improvements program calls for a number of container berths. How quickly should the Port of New Orleans get into containers?

"BARKERDING. We should be in containers now because there are already hundreds and hundreds of containers moving through the Port of New Orleans every month. For example, Lykes Brothers has the contract with the United States government for overseas shipments of household goods and personal effects. This runs into the hundreds annually.

"We are handling hundreds of containers, but we are not handling them in the concept with which they are supposed to be handled—mainly at a container berth on a container ship. We are handling containers in an expensive way, which is no good for the ship owner and certainly doesn't attract to the port the full container ships which you can attract by building these berths. If you don't have the berths, they are not going to come. It's like not having a telephone; no one is going to call you.

"Q. What do you think about the recent idea of Mayor Victor H. Schiro suggesting a \$60 million statewide bond issue to finance the port's needs?

"BARKERDING. That, if feasible, would be about the simplest thing because if the state would float such a bond issue to the tune of \$60 million at once, you might say mathematically we could go three to four times faster than we expect to if we are only dealing with \$15 million a year.

"Additionally, it wouldn't interfere with our bonding capacity which is \$95 million. That means we could get revenues through the Dock Board. Our limit is \$95 million and we have spent \$73 million. We would have another \$22 million to spend. We would like this very much.

"Q. Will the rough seas that the domed stadium project has encountered recently indirectly help the port in its bid for money?

"BARKERDING. I think it is unfortunate, first of all, that the domed stadium failed, because I think it is a completely separate situation. The Dock Board is apples, the domed stadium is bananas, if you try to compare the two. I think they are completely different. The stadium's efforts and revenues

were based on a completely different situation than we are faced with.

"I think it is further unfortunate the atmosphere of both of these huge endeavors going on at the same time may have had some bearing on each other. It's entirely possible.

"That's a personal opinion.

"Q. One North Louisiana senator recently suggested at a hearing on the domed stadium that it was more or less a choice; the port or the domed stadium.

"BARKERDING. I have heard various statements but I don't think they have a basis in fact because the supply of funds for the two projects comes from two different situations and I don't see why they should be linked together.

"They are both commendable efforts and both should be done. Now if there is a choice to be made, only one could be done, then certainly the port would take precedence. I don't think anyone would dispute that. But I repeat I don't think they have any relationship.

"Q. Do you realize that at the special session of the Legislature in November, it was a number of members of the Orleans Parish legislative delegation who defeated Gov. John J. McKeithen's tax package that was earmarked partly for the Dock Board and its needs?

"BARKERDING. That was just the trouble . . . It was a tax package. We certainly don't want to become a part of any tax package this time, and if the Port of New Orleans is going to be included in a tax package, then we might just as well forget it. Legislation for this Dock Board and the funds it needs must be on its own bottom.

"Q. Realistically, knowing Louisiana politics, can it be that way?

"BARKERDING. Well, we are certainly going to make every effort to make it that way.

"Q. How can we get the average citizen of New Orleans and Louisiana to see and realize the value of the Port of New Orleans? Is there a lack of communication between the Dock Board and the citizens?

"BARKERDING. I definitely think so. In New Orleans and Louisiana, there are too many of these sacred cows, ivory towers. These come about for several reasons. Many people, many organizations—I'll even say the Dock Board—play things close to the vest too much.

"There definitely has been a lack of communication. There is no doubt about that. But that time is long past now. We want to put it all on the top of the table, which we are doing. We are in a bird cage. Anyone who wants to look at us, criticize us, help us, come on."

[From the New Orleans (La.) Times-Picayune, Apr. 15, 1969]

**OUR PORT, PROSPER OR PERISH: NEW ORLEANS WHARVES OBSOLETE, NEED REPAIRS—WEAK POINTS ARE SEEN IN TOUR OF FACILITIES**

(By Paul Atkinson)

Many New Orleanians cross the Mississippi River Bridge every day and see the Port of New Orleans' wharves. From above, they look sturdy, fairly modern and serviceable.

But a tour of the port by automobile and boat shows otherwise. Such a tour shows why the Dock Board must annually pour untold thousands of dollars into repairs on a port that, in some instances, is literally falling into the river.

We took such a tour recently with Capt. Henry G. Joffray, who is in charge of the wharves and sheds. His station wagon took us into the Poydras st. wharf, built in 1929 and renovated in 1958.

"Look at all the column supports you have in this shed," said Joffray, pointing at the many columns. "This was okay years ago when you were pushing cargo around with a hand truck inside, but now with modern fork-lift and mechanized equipment, it hampers your operation. You don't have the

maneuverability that you require to effectively handle the cargo.

"In the newer wharves, you try to go into overhead suspension or a minimum of columnar support to give you unimpeded dock space."

#### WHARVES OUTMODED

As we weaved in and out of the sheds, Joffray mentioned other points that show how outmoded some of the Dock Board's wharves are.

"There is poor lighting in some of the older wharves," he said. "We could spend about \$500,000 on modernizing the lighting alone.

"Some of these wharves also have numerous curtains (doors). We spend \$250,000 a year just repairing them where the fork-lift trucks have hit them. When you build new terminals, you wouldn't put in this many doors.

"Look at the wooden decking in this shed. The section of that is over water, you can only put 250 pounds per square foot. The section we are driving on now is over land and you can accommodate 1,000 pounds per square foot. For a modern facility, you have to have 750 to 1,000 pounds per square foot capacity to handle the heavy cargo that crosses your wharves."

Our driver barely squeezed through traffic on one of the back aprons of a wharf. "See what is happening here," said Joffray, "they are working cargo out of the rails, and then this is compounded by truck traffic. It's just too congested. With modern day methods, you need a terminal with plenty of back-up space. There is only 30 feet along here.

"But some of the front aprons where the ships are unloaded are even smaller. Some are only 14 feet.

#### NO BACKUP LAND

"The city has just grown into the wharves. You can't carry on a modernization plan because the backup land is not there. You are trying to do things with wharves they weren't originally constructed to do."

As we toured the port by boat, Joffray pointed to pilings under some of the older wharves. They looked in ill repair and old.

"That is an area that doesn't show," said Joffray. "But you could spend a couple of million dollars replacing the old and putting in new piles."

It would be good if those defects were in the minority of port facilities, but this is not so.

The Dock Board has released figures which show that 45 per cent of the general cargo wharves are obsolete, another 26 per cent are termed usable, and only 29 per cent are labeled modern. Part of the \$60 million sought by the Dock Board would be used to renovate and rebuild some of the older wharves.

The tour of the port was delayed in the afternoon because our boat—like many others—was late in getting through the Industrial Canal lock.

This shipping albatross, according to co-port director Col. W. H. Lewis, must be replaced in the future by a new, modern and larger lock. Most of the cost will be borne by the federal government, but some of it will fall on the Dock Board.

#### PLANS FOR LOCK

Lewis said current planning by the U.S. Army Corps of Engineers is to complete plans for the lock in three years and then to construct it in another three and one-half years. It would be adjacent to the present lock and cost about \$125 million.

"The existing lock is over 40 years old and is completely inadequate," said Lewis. "It has a width of 75 feet where many vessels are much in excess of that, and it has a length of 680 feet and a depth of 31½ feet. It is too shallow, too short and too narrow.

"It is heavily congested and now operated at its maximum capacity for both inland and seagoing craft. It has reached the point

where there are many hours of delay. Barge companies moving barges through the lock are charging premium costs. Additionally, the towboats, the tugs and the cranes that must serve boats in the harbor are charging premium rates because of the delays."

#### REPORT BY GSRI

Before the ill-fated special session of the Legislature that refused to fund the Port of New Orleans' capital improvement program last year, the Gulf South Research Institute studied the port's needs minutely. The following paragraphs are still timely:

"Shippers required to use these facilities must absorb handling costs that are higher. While it is not possible to state precisely the effect this condition has on the volume of the port, it will effect the shipper's decision on whether to move marginal business between New Orleans and other Gulf ports. It is in the best interests of New Orleans and the State of Louisiana to replace these obsolete facilities as soon as possible.

"The need to accomplish port modernization programs was understood by Alan S. Boyd, then United States Transportation Department secretary, when he stated:

"It has taken a force almost as powerful as the atomic bomb to get these ports (old timers Boston, Manhattan, Philadelphia, Baltimore and Norfolk) to begin to invest money in order to stay alive. Slowly they are coming around. Those who don't make 180 degree turns soon are going to be shut out completely because efficiency and economy are the goals of marine terminals of the future."

"General cargo facilities at the port of New Orleans requiring replacement represent 2.4 million tons per year of the capacity of the Port. With total general cargo capacity rated at 5.6 million tons per year, this leaves a residual capacity of 3.2 million tons per year.

"Thus, the port of New Orleans is confronted with a pressing need to replace obsolete, unfunctional facilities while at the same time adding capacity to accommodate future gains in port volume and technological changes in the shipping industry. If the capital facilities program is not fully implemented, the port of New Orleans cannot maintain its competitive position."

[From the New Orleans (La.) Times-Picayune, Apr. 16, 1969]

**APPROPRIATIONS AND TAX FUNDS ARE WIDELY USED—DILEMMA HERE REPORTED BY GSRI LAST YEAR**

(By Paul Atkinson)

A survey indicates that substantial governmental subsidies presently are being furnished to most American ports.

This was reported last year by the Gulf South Research Institute (GSRI) in a report on the Port of New Orleans and its dilemma in finding means to finance a \$60 million capital improvements program.

The GSRI report concluded:

"Public funds from direct appropriations by state legislatures and dedicated tax revenues to support general obligation bond issues are universally used in financing facilities development programs at ports throughout the United States."

The Port of New Orleans, aside from its operating revenues, is the beneficiary of a portion of the state gasoline tax. Originally, the Dock Board was receiving 9-20ths of one per cent, but this was reduced substantially in 1952.

At present, the Dock Board receives a flat \$500,000 annually plus interest and principal payments on all outstanding bonds of the board issued before 1952. These bond requirements expire in 1978, which means that thereafter the Dock Board will get only \$500,000 yearly to aid in capital improvements or as it sees fit.

Now, let us take a look at how competing ports obtain financing for capital improvement programs and operating funds:

Houston—During the past 12 years 46 per cent of all bonds issued, measured in dollar value, to finance the capital improvements program of the Port of Houston have been tax-supported. Prior to 1958, county general obligation bonds, supported by county taxes, were used by the port to finance capital improvements. Officials of the port say that all future bond issues will be supported by county taxes rather than port-generated revenues.

Additionally, the port of Houston receives county property tax funds based on a millage rate which fluctuates according to the general obligation bonds outstanding. These tax receipts were \$690,512 for the calendar year 1966.

Mobile—A state agency, this port presently gets most of its principal and interest requirements for debt service from operating revenues. But the original port facilities, built in 1928, were financed from the proceeds of a \$10 million state general obligation bond issue. All but six of the present 33 dock berths were constructed with non-revenue supported bonds.

Indiana Port Commission—New to the port scene, this commission received \$2 million from the Indiana State Legislature in 1962 to purchase about 450 acres of land, including a mile of frontage on Lake Michigan. Then in 1965, the Indiana Legislature appropriated \$25.5 million to construct the harbor portion, and it should be completed this year. Any further development of the site, though, must be financed from the operating and lease revenues of the port.

Philadelphia—owned by the City of Philadelphia, this port had been obtaining approximately \$600,000 a year from the city and another \$370,000 a year from the Commonwealth of Pennsylvania until 1965. Modernization of facilities was accomplished through financing by general state authority bonds and city loans on a self-sustaining basis. The city leased its terminals and facilities to private concerns, with the proceeds of the lease agreements designed to cover only interest and amortization of the loans.

But in 1965, the non-profit Philadelphia Port Corporation was formed which entered into an agreement to lease most port facilities from the city. The City of Philadelphia and the Commonwealth of Pennsylvania will provide \$1.2 million in matching funds annually for operating purposes for a period of about 12 years.

The City plans to construct and lease to the Philadelphia Port Commission approximately 15 ship berths at a cost of about \$71 million. The board expects the leases with private terminal concerns to cover some maintenance and overhead costs in addition to debt service requirements. The board is designed to reflect a partnership between the city's business community and the city and state government.

Baltimore—The Maryland Port Authority receives 10 per cent of the state corporate income tax—approximately \$4 million in fiscal 1967-1968. These funds are first earmarked for the payment of principal and interest on general obligation bonds of the state issued by the port authority for capital construction projects.

Revenues accruing from the operation of the authority's terminals are estimated at approximately \$2 million. Thus, tax revenues are more than twice as great as revenues from port users. The authority is authorized to issue \$88 million in general obligation bonds, of which approximately \$35 million had been issued in early 1968.

Gulfport—Bonds issued by this state-owned port are full faith and credit general obligations of the state of Mississippi. It receives an annual county ad valorem tax which in 1966 amounted to just over 20 per cent of the total port revenues. The port also receives revenues from cargo handling activities—something not available to the Dock Board here.

Lake Charles—Created as a political subdivision of the State of Louisiana in 1924, the port district is governed by a board of commissioners which has the power to issue general obligation bonds subject to approval by referendum. These bonds are secured by unlimited ad valorem taxes. In addition, the board may levy without voter approval a special ad valorem tax not to exceed two and one-half mills annually.

Thus, Lake Charles receives public tax revenues from three sources: state gasoline taxes (1-20th of one cent per gallon), which yielded \$584,497 in calendar year 1966; port district ad valorem taxes (three mills), which brought in \$443,715 in 1966; and severance taxes, \$9,537, for a total of 46 per cent of the port's revenues for that year.

Baton Rouge—An agency of the State of Louisiana, this port received a general appropriation in 1966 of \$150,000. The port sustains a deficit each year from its operations and debt service requirements. As of Oct. 31, 1966, bonded indebtedness stood at \$38.7 million. In addition, a \$1.3 million unsecured three per cent note, payable to the Treasurer of the State of Louisiana, was outstanding.

Portland—The Port of Portland can issue general obligation bonds against the tax rolls of the City of Portland, but each issue requires authorization from Portland voters. Revenue bonds may be issued to finance construction of marine facilities.

New York—This conglomerate operation funds the transit system, including rail and bus, four airports and two heliports, six vehicular tunnels or bridges, a World Trade Center under construction, as well as the marine facilities under aegis of the Port of New York Authority. Early in 1968, the total operating revenues were approaching \$200 million annually. There are no direct sources of taxes; however, certain assets of the authority have been fully depreciated, especially tunnels and bridges, and these, in effect, serve as a source of revenue for other departments which require greater facility construction funds.

Sen. Theodore M. Hickey recently said that the State of Louisiana may authorize such an authority for Greater New Orleans, bringing the Aviation Board, the Dock Board, the Orleans Levee Board, the Public Belt Railroad and possibly the two bridge authorities under one central authority. He said he believes the idea has strong merit.

Nevertheless, armed with the knowledge of how other ports finance capital improvements, it is evident that the Dock Board is on strong ground in seeking state funding of its \$60 million capital improvements program. That is how others are doing it.

[From the New Orleans (La.) Times-Picayune, Apr. 17, 1969]

NEW ORLEANS BARGE TRAFFIC VALUABLE  
(By Paul Atkinson)

Two recent surveys on inland water transportation in Greater New Orleans turned up a startling statistic. On both occasions, 10 per cent of the nation's barge fleet was in the New Orleans area.

In round numbers, an American Waterways Operators Inc. spokesman said, that is 1,700 barges. "It is now accepted as a truism that 10 per cent of the nation's barges can be found in New Orleans on any given day," said the spokesman.

Just how important is inland water transportation to the Port of New Orleans? Barges and tugs and towboats are generally overlooked as contributors to the city's economy, overshadowed by massive freighters, tankers and cargo liners that ply the water between here and the Gulf and ports of Europe and Asia.

But how else would New Orleans be the nation's largest grain port if it were not for barges slicing through the Mississippi River from such points as Clinton, Davenport, and Keokuk, Iowa, to mention a few grain stops?

Official U.S. Army Corps of Engineer figures show inland water transportation figures have grown during the past 21 years. In 1946, the Port of New Orleans received and shipped internally about 12 million short tons of cargo. But by 1967 that had grown to 50.4 million tons.

In 1946, the Port of New Orleans received only 54,912 short tons of corn. This traffic increased to 6,634,868 short tons in 1967. Wheat increased from 123,271 short tons in 1943 to 2,131,352 short tons in 1967. And the soybean commerce grew from 21,744 short tons in 1946 to 3,158,000 in 1967.

Just what do those 1,700 barges mean to New Orleans' economy, and why should the average citizen be impressed? He likely will reason that barges do not consume any goods, but tugs and towboats that push and pull them do.

Lindsey Williams, president of the Seafarer's International Union of North America local, said recently that he numbers about 600 tugboat employees on his roster. Williams estimates they earn about \$8,000 a year and put into the city's economy about \$4.8 million a year.

The American Waterways Operators Inc. in its book, "Big Load Afloat," estimates that "approximately half of the total commerce which utilizes the extensive wharves of the Port of New Orleans is inland waterway traffic." That may be high, some port experts feel, yet it is indicative of the impact of inland water transportation.

The waterways group also estimates there are 80,000 people working nationally on the 3,000-plus tugs and towboats and another 80,000 ashore directly connected with inland fleet operations—office personnel, terminal operators, service personnel and shipbuilding and repair personnel.

New Orleans' position at the crossroads of the Mississippi River and the Gulf Intracoastal Waterway makes it one of the most popular inland waterway shipping points in the country.

For towboats and tugboats that operate out of New Orleans, and a Dock Board spokesman estimates the number of companies at 155, operators shop in the city for supplies, such as food, gasoline, oil, TV sets, stoves, air-conditioning units, ropes, electronic equipment, and walkie-talkie telephones.

Braxton B. Carr, president of the American Waterways Operators Inc., Tuesday told the Propeller Club of New Orleans:

"Barging has achieved a position of importance in U.S. transportation in a relatively short time and to some extent relatively unnoticed. The importance of oceangoing ships, the services they perform, their contributions to the economy, and their impact on port movements is understandably more clearly imprinted on the public mind than is the role of barges. But note with me that 50 per cent of the traffic through the Port of New Orleans is handled by barge.

"I do not have figures at hand but I suspect that of all modes of transportation, the barge and towing industry has more individual companies, more offices and more personnel home based in New Orleans than any other. I suspect the barge and towing industry payroll is the largest of any mode of transportation in New Orleans. I suspect the cumulative effect of the barge and towing industry on the general economy of New Orleans is greater than any other single mode of transportation.

"New Orleans is the leading U.S. port for the export of grain. It is the leading Gulf port in the handling of waterborne commerce both with respect to tonnage and value of foreign trade. Barges make a significant contribution in both respects, especially to New Orleans' export grain trade.

"So you can see why no other coastal port in the United States has as big a stake in barge transportation as the Port of New Orleans."

[From the New Orleans (La.) Times-Picayune, Apr. 18, 1969]

#### DOCK BOARD WORKS ARE VAST

(By Paul Atkinson)

Three ports in one.

This is what the Dock Board oversees in the Port of New Orleans.

Traditionally, it is believed that the port is only wharves, sheds and docks along the Mississippi River. But this is only a part of the vast 9.3 miles of publicly owned works under the wing of the Dock Board.

The second port consists of works along the Industrial Canal. Many of them are privately owned; but the Morrison Yard wharves, built in 1960, are considered top notch, and were brought into considerable use in the aftermath of the recent longshore strike that stacked up ships like so many cords of firewood.

A third port is located along the Mississippi River-Gulf Outlet. At present, there is only the Public Bulk Terminal to entice business to the outlet, but this is the port of the future in the thinking of the Dock Board.

Col. W. H. Lewis, co-port director, said of the MRGO, "I think it has the highest potential. It will become the center of our port of tomorrow. Why? Because of the pressures of a growing city against a growing port. We must develop new areas in which the space is available for expansion.

"There has recently been mention of industrial parks. In a new port area, you would want to have industries adjacent to the port and this could be found only in new port areas. The justification of the Gulf Outlet was not to give us an additional channel to the Port of New Orleans, but to give us a channel along which the expansion of port facilities could be permitted.

"I don't mean the river won't play an important role in the port. It will continue to play an important role perhaps for the indefinite future."

The presently constituted port contains berth space for 107 vessels.

Included are works for handling bananas, coffee, bulk molasses, newsprint, cotton, raw sugar, and a cold storage. In addition, private industry operates a special plant for handling soybean meal.

Public works also include five repair berths, heavy duty open wharves for heavy lift cargoes, an automobile unloading wharf, scrap iron unloading wharf and four bulk grain elevator shipping berths.

Wharves are of all ages and conditions. They range from the Celeste st. wharf which was built in 1903 and rebuilt in 1924, 1929 and 1949, to the Henry Clay ave. and Napoleon ave. wharves, which were completed in 1964.

One of the newest plants is one of the busiest. That is the Public Bulk Terminal, which cost \$18 million.

It consists of three ship berths, three gantry-type unloading cranes, one ship loader, a rail car loading station, a rail car dumping pit, 10 storage tanks, two open and one closed storage pads, rail and truck scales and a high speed conveyor. The wharf is 1,800 feet long.

During the fiscal year ending June, 1968, the terminal handled 970,333 tons of cargo. Henry Joffray, supervisor of dock and sheds for the Dock Board, believes the terminal will handle four million tons in the foreseeable future. Long-range plans call for \$12 million more in installations.

#### TANKS SOUGHT

Joffray said it is particularly hoped to install more storage tanks. "We would have no trouble getting business for them," said Joffray.

The Public Bulk Terminal has handled sugar, iron ore, gypsum rock, pig iron, salt, phosphate rock. About 50 employees maintain around-the-clock operations.

The Dock Board also leases out a 200,000-square-foot shipside refrigerated cargo han-

dling plant in the Nashville ave. wharf complex. Built at a cost of \$2 million, the building accommodates more than 25 million pounds of freezer and cooler products and stores them in eight separate rooms.

The site of the warehouse was selected to enable it to handle direct cargo transfer from both the Nashville ave. and Henry Clay ave. wharves.

Though leased to a private firm, the Public Grain Elevator is another of the Dock Board's works. The 7,200,000-bushel elevator provides four marine legs for unloading barges. Bulk grain may be loaded on vessels at the three berths at the rate of one million bushels per day.

One feature of the port's plants is Foreign Trade Zone No. 2, an area in which foreign materials and merchandise may be brought in without formal customs entry and payment of duty.

The zone covers about 20 acres, with space for storage, milling, reconditioning, grinding, packaging, sorting, cleaning, drying and blending imported products. Cargo unloaded anywhere in the port, or at the airport, may be transferred by bonded carrier to the zone, and foreign identity of merchandise is maintained.

Public Commodity Warehouse wharves provide 2,512 feet of berthing at which foreign and domestic cargo are handled. In the rear of these are located the Public Commodity Warehouse with 505,318 square feet of covered space, 218,026 square feet of open area for a total of 723,344 square feet of storage and manufacturing space for the handling of export-import commodities.

In addition, the board leases out the area adjacent to the Industrial Canal.

Just what does the Dock Board do?

The State Constitution sets out the board administers the public wharves, docks, sheds and landings of the port of New Orleans that are owned and operated, or which may be purchased, acquired or operated by the board.

It is the board's legal duty to construct new wharves and other structures when necessary; to maintain the public works in good condition; to maintain proper depths of water at all such wharves and landings; to provide for machines for use of them; to provide light, water, police protection, and other services for such wharves and landings and sheds that it may deem advisable; to finance, erect and operate all basins, locks, canals and warehouse elevators; to charge for use of such wharves, sheds and other structures and plants administered by it as well as for services rendered, such fees, rates and other levies as it may establish.

The board provides only terminals at the waterfront. Private enterprise supplies all stevedoring, carloaders, pilots and other shipping workers.

Administration of the port is carried out by a professional fulltime staff under supervision of the director of the port. Currently, there are co-directors of the port, E. S. Reed and Lewis, pending appointment of a new director.

Immediately subordinate to the port director—when he is chosen—are three deputy directors of the port and members of the executive staff and heads of departments. These include the following: Deputy director for port operations; deputy director for planning and engineering, deputy director for administration, port counsel, attorney and director of engineering, trade development director, personnel director, assistant treasurer, controller, superintendent of docks, supervisor of the Public Bulk Terminal, manager of the Foreign Trade Zone and superintendent of the Public Commodity Warehouse, traffic manager, assistant traffic manager, publicity manager, safety counselor, and chief of harbor police and marine fire division.

All told, the Dock Board is staffed by about 625 employees. Dock Board figures showed that

as of June 30, 1968, the annual payroll was \$3.9 million.

Members of the Dock Board are appointed by the governor for a term of five years. As a vacancy occurs, seven civic organizations—the Chamber of Commerce of the New Orleans Area, New Orleans Board of Trade, New Orleans Clearing House Association, New Orleans Cotton Exchange, New Orleans Steamship Association, the West Bank Council of the Chamber of Commerce and International House—nominate two persons, and the governor selects one from the list of 14 names.

Robert R. Barkerding, president; Dr. Joseph S. D'Antoni, Richard B. Montgomery Jr., J. Melton Garrett and Eads Poitevent are currently, members of the board.

[From the New Orleans (La.) Times-Picayune, Apr. 19, 1969]

#### THREE CONTAINER WHARVES SOUGHT

(By Paul Atkinson)

A man sat on the bank of the Industrial Canal holding out a fishing pole. "Where that man is," said the Dock Board's Capt. Henry Joffray, "is where the No. 1 container berth will go."

As our boat sliced through the water, the area did not look impressive. There is nothing but open space there now, but that is why the Dock Board in effect is staking its future on that desolate-looking island-like affair.

"It's the only area where we had enough backup land to construct these plants," said Capt. Joffray, who was conducting the tour of the Port of New Orleans. "We have been filling it in and grading it. There is close to 240 acres out there.

"You'll note there is good access from France rd. And you are only five minutes from the I-10 complex."

The Dock Board hopes to obtain \$60 million during the next four years from the State of Louisiana, and a prime recipient of this money would be a new France rd. terminal that will include three container berths. Containers, in the language of today, are where the action and money are.

There are other new modes of transportation rising on the horizon, such as the Lighter Aboard Ship (LASH) and the Sea Barge. But neither of these two really has taken hold of the Dock Board such as the container method.

#### IDEA SIMPLE

The container idea is simple. Wrapping a single object or several smaller units into one, simple, easy-to-handle, easy-to-store package is fundamental, but already one generation of containers has passed by the Port of New Orleans.

Col. W. H. Lewis, a co-port director, believes the Dock Board is profiting in a measure from going slow with containers. "The second generation of containers," he said, "is going to have requirements the first generation didn't have, such as berth length, cargo cranes, marshaling areas and backup plants. Those that are set up for the first generation are going to be cramped for the second generation. So we are able to move one step ahead."

Lewis firmly believes there will be only one major container port in the Gulf area. "Which one it will be is still a question," said Lewis. "I say it is the one that gets there first with the most and is able to serve the trade."

Concerning Houston's container plans, Lewis said, "I didn't know of any Houston plans specifically to build a full container port. But Houston has in its complex one wharf equipped with a container crane. They have been building new wharfs in a pattern that lends itself to handling of container ships.

"I say the field is wide open, but I don't think it will be open long. If we get the money soon, we may be able to put into service a container berth in 18 months. But a more realistic time is two years."

Steamship people constantly urge New

Orleans to get a container berth. Recently, Delta Steamship Lines Inc. president Capt. J. W. Clark announced he submitted a formal application to the United States Maritime Administration to construct three giant container ships, each of which will have a capacity of 1,200 containers. They would sail to Argentina and Brazil, and Delta has already entered into agreement with those two governments to build container berths there.

#### READY TO GO

"They are ready to go . . . at their own expense," said Capt. Clark.

But to get that business, New Orleans, he said, must join the container revolution.

"Without containerization here," said Capt. Clark, "business will go somewhere else . . . it will pass us by."

Dock Board president Robert R. Barkerding doesn't believe that containers will put anyone out of work. "It hasn't put anyone out of work at the ports which have containers," said Barkerding. "As a matter of fact, if you lose cargo because you don't have containers or container wharves here, you are going to put more people out of work that way.

"The thing to do is to put the proper wharves in here to attract your container cargo and preserve the work force through that method. There is one thing for sure, if you don't do it, there will be people out of work.

"New Orleans has an interesting situation regarding containers. You don't really have any industries here which would automatically create container business. New Orleans would have to get into the hinterlands and develop this traffic to fan down our way.

"This is going to take the cooperation of the railroads, the barge lines, trunk and truck lines, these people and items of cost are beyond the Dock Board's control. And, there will have to be salesmanship, of course. All that is why falling farther and farther behind the parade is going to make it tougher to get that business back."

Container berths will not come cheap. It is estimated that one berth will cost \$3.5 million to \$4 million, with another \$750,000 for a dockside container crane.

Joffray said that containers now are being used for high-value cargo, such as television sets, electronic equipment, surgical instruments, and furniture. Containers are boxes, in effect, that can range in size from 8x8x8 to 8x8x20 to 8x8x40.

New Orleans is already handling container traffic with the use of a floating derrick. But none of the ships coming into the port are strictly container ships, but rather ships capable of handling general break-bulk cargo and containers.

With certain limitations, stated Lewis, there are more than 20 berths at which mixed cargo (containers and break bulk) may be handled.

Recently, Barkerding put containers and the Port of New Orleans into this sharp focus.

"Experience and information now show that the future of the Port of New Orleans is wedded to this container-type operation," said Barkerding to a group of Greater New Orleans legislators, "plus even more radical sea-barge vessels now under construction and following slightly behind.

"It's just fundamental that these ships are not going to call here if container berths are not available. I am dwelling on this point carefully, to explain where this good cargo is going in ever increasing quantities. Also, because our engineering surveys show that almost one-half of New Orleans' annual cargo will be containerized by 1978—if we have suitable facilities."

With those ominous words, it is certain that the man fishing from what is to be New Orleans' first container berth had better make way. If he or some other fisherman is still sitting on that bank in the next three or four years, New Orleans is in trouble.

[From the New Orleans (La.) Times-Picayune, Apr. 20, 1969]

#### LASH, SEABEE COMING TO NEW ORLEANS

(By Paul Atkinson)

If containers are where the action is now, the next shipping revolution will come in LASH (lighter aboard ship) type vessels and Seabees (Sea Barge Ships).

Port of New Orleans co-director Col. W. H. Lewis feels strongly that LASH vessels and Sea Barge clippers "are going to have a greater impact on ports and shipping than the now-recognized container ships. They are particularly well adapted to an area such as ours that is served with abundant waterways and waterways connections to the entire mid-continent area."

Lewis said there are no plans on the drawing board for special plants for either LASH or Sea Barge ships. "The reason is that operators of these ships are still crystallizing their ideas as to what the terminals' abilities should be in regard to specialized works," explained Lewis. "You are talking about a lot of money, and I think all of us—port operators and steamship companies—would like to feel our way."

Lash services will be instituted in the Port of New Orleans by the end of 1969, he said, Central Gulf Steamship Company will handle it.

Present plans indicate Central Gulf will have two Lash ships—they are now under construction in Japan—which can carry 73 barges apiece, 400 tons of cargo.

#### TO LOAD BARGES

The mother ship's 500-ton-capacity crane will lift loaded barges on or off at the ship's home port. These barges can then be sent to inland river points to load or discharge their cargoes.

The barges, which can be interchanged into any standard river tow, are being built here by Equitable-Higgins Shipyard. The shipyard has a \$5.2 million contract to build 233 lighters, and is seeking to complete the contract by October, 1969.

The mother ship will be 860 feet long and will weigh 43,000 tons. The lighters and the LASH ship were designed by New Orleans naval architects, Friede and Goldman.

After off-loading in European ports, the lighters will move over inland waterways of Europe and will provide what amounts to "door-to-door" service and high speed delivery.

Lewis said LASH and Sea Barge systems are designed so that it is not necessary to have extensive shore-based plants.

"They can serve unsophisticated ports, though not on the most efficient basis," he explained. "The economy of the operation, as I understand it, entails a rapid turn-around of mother ships. They can discharge their barges, let them be floated ashore and pick up a new set of brags and return."

LASH ships, he said, will use the Port of New Orleans' existing works, "excepting for the fact that we are cramped for room." He said they can operate from a conventional berth with a mooring area for their barges near by.

"This must of necessity be along the Mississippi River," Lewis continued. "The draft on these LASH vessels will be at times 37 feet, and our Mississippi River Gulf Outlet goes only 36 feet."

#### ADVANTAGES LISTED

James W. Martin, Dock Board director of trade development, said recently that advantages of the LASH type ship are "rapid delivery, through bills of lading, reductions in shipper inventory requirements, elimination of pilferage, cargo care and damage control."

Seabees will not become a reality until 1971. Lykes Brothers Steamship Co. of New Orleans has contracted for three Seabee Clippers to be delivered between May and November of 1971.

The largest common carrier freight trans-

ports ever built anywhere, they will carry 38 cargo barges of 850-long-ton capacity. The crane to lift them on and off the Seabee Clipper is a huge 2,000-ton-capacity unit. It will have a sea speed of more than 21 knots.

Martin said, "Seabee units will double the presently available cubic vessel space to North Europe and the United Kingdom from New Orleans, and they will operate as a general cargo liner service, holding themselves out to carry any size parcel, and any type cargo including bulk liquids, reefer, less-than-barge-load-lots and containerized cargo.

"Like LASH, Seabee barge units can be integrated into standard river tows. The essential difference between the two systems is that Lash is committed to one cargo east-bound, while Seabee will operate a common carrier in both directions.

"Three Seabee Clippers will take the place of 15 conventional Lykes vessels and will operate on a regular schedule of one sailing every 10 days, with an ocean transit time of 10 days."

The three Seabees on order will cost \$37 million each, including the 266 barges required to service the three ships. The ships can handle roll-on-roll-off vehicles and unitized loads with equal facility.

#### AMOSS SPEAKS

At a recent meeting called by the Dock Board to inform legislators and other business leaders of the port's plight, W. J. Amoss Jr., a vice-president of Lykes Brothers, pretty well told how the port now finds itself in such dire need of modern berths to handle containers, LASH and Seabee innovations.

"One point that might be lost or obscured is how we just suddenly came to be involved in these deep concerns with our outmoded facilities and our dire need to provide these new and modern facilities," said Amoss. "My company (Lykes) is one that is changing its mode of operation, and changing rapidly.

"We have a barge-carrying ship concept that will be in service in 1971. We happen to feel that this is the concept that fits the problems of this area. It is one somewhat like the containerization concept.

"But these new approaches in transportation change the whole need in the port. It is a phenomenon that burst on the world in less than 10 years. Just 10 years ago, the facilities in the Port of New Orleans were the best in the world and combined with the excellent labor and the abilities of the people in this area, we had something that was unparalleled anywhere else.

"But in that short space of time we have had all these new technical developments and they suddenly cause us to need all these capital improvements. They don't render our facilities obsolete in themselves, but present us with new challenges and new problems.

"And that, rather than any neglect on the part of any people who have served on the Dock Board, is the reason we are presented with this problem. There is an overtone that New Orleans has just sat back and let the world slide by. As a matter of fact, the world stepped on a jet just a few years ago and we have to do the same ourselves."

[From the New Orleans (La.) Times-Picayune Apr. 21 1969]

PREVENTED FROM KEEPING PACE, WARNS BARKERDING—CAN'T MUSTER REVENUE FOR IMPROVEMENTS

(By Paul Atkinson)

Just what is the Dock Board's financial situation? Why is it asking the State Legislature for \$60 million over four years for capital improvements?

Dock Board president Robert R. Barkerding recently told area legislators the exact situation:

"We can, therefore, say that the port is broke, ailing and going backward; only insofar as upgrading our dilapidated facilities and building new specialized wharves are concerned.

"Thus, we are prevented from meeting the demands of growth in traffic and revolutionary changes in cargoes and vessels in the shipping industry. The need has never before been more critical than it is today.

"And we are obviously dying out as a major port; meaning we can't continue as a major city and state—unless our plight is remedied."

The Dock Board is by no means operating at a deficit. It just cannot muster enough excess revenue to meet the stiff price that a huge capital improvements program would cost.

**PLOWED BACK**

A statement of revenue and expenses for the last 16 years shows that the least the Dock Board made was \$1,667,189 in fiscal 1963. In fiscal 1968, the Dock Board was \$2,076,804 to the good after meeting its bonded debt service.

But all of this excess money has been plowed back into port improvements. During the same period of 1952 to 1968 funds in the amount of \$130,852,195 were spent for construction of new property, rehabilitation of existing property for major maintenance. The funds came from operating gains and proceeds of the Oct. 1, 1955; Jan. 1, 1961; July 1, 1962, and Jan. 1, 1966, bond issues.

The Dock Board showed revenues from two sources in fiscal 1968—operating revenue and the State of Louisiana gasoline tax. Operating revenues brought in \$11,060,259, while the gasoline tax produced \$1,023,050.

This gasoline tax situation rankles many people, for at one time the Dock Board was getting considerably more in proceeds. Originally, in the 1921 State Constitution, the Dock Board was to receive nine-twentieths of one cent from gallon tax.

**SLASHES PROCEEDS**

But in 1952, at the insistence of Gov. Earl Long, the Constitution was changed and the Dock Board's proceeds from the gasoline tax were slashed considerably.

The new amendment provided that the Dock Board should receive an amount equivalent to the requirements for the interest and principal payments on all outstanding bonds of the board "heretofore issued, less amounts received from the Orleans Levee Board and the Public Belt Railroad (special contracts to assure the construction of the Industrial Canal which expired in 1960)" and \$500,000 additionally.

A portion of the money that the Dock Board surrendered was transferred to build the approaches to the Greater New Orleans Mississippi River Bridge.

The Dock Board, had it not surrendered its original portion of the gasoline tax, would have received this much more over the past seven years: 1961, \$3,410,470.23; 1962, \$3,019,458.07; 1963, \$3,173,898.65; 1964, \$3,366,476.80; 1965, \$3,647,785.88; 1966, \$4,037,474.45, and 1967, \$4,328,346.30. That is over \$24.5 million.

As noted, the Dock Board received \$1,023,050 from the gasoline tax in fiscal 1968; yet as the bond requirements in effect in 1952 dwindle, the board will receive less and less. In 1978, the bond requirements will be paid in full and the board will receive only a flat \$500,000 yearly allotment thereafter.

**CHITTENDEN CRITICAL**

At that same meeting with the legislators, Alfred F. Chittenden, president of International Longshoremen's Local No. 1418, criticized the past Dock Board which allowed that money from the gasoline tax to get away. "I understand that since 1952 you could have had \$60 million to \$100 million to put into the docks," said Chittenden.

Clarence "Chink" Henry, president of ILA Local No. 1419, also alluded to that 1952 Dock Board, saying "You are admitting now you need help, but sometime back the other people on the Dock Board didn't ask for help.

"It is true that little ports like Gulfport

and Mobile and others have made progress while we stood still. I'm not blaming anyone on the Dock Board but years back when they could have gotten state aid they didn't want it because they didn't want to get involved in politics. I don't know whether it is politics or not, but all these other ports are getting state aid."

Chittenden also criticized the Dock Board for taking on the Rivergate Convention Center project, which will cost eventually \$14 million to \$15 million.

**HAS CUT BACK**

How about economies and efficiencies to provide the Dock Board more money? Actually, the Dock Board has cut back in recent years. Consider these efficiencies:

Slashed the payroll from 1,122 employees in 1960 to approximately 600 in 1968. Further in 1960, the port payroll was equal to 76.2 per cent of the total operating expenses, and pay per worker averaged \$4,938. In 1966 the payroll represented only 66.6 per cent of operating expenses while the average wages of employees had risen to \$6,014.

Closed the South American office. Phased out the Dock Board's harbor inspection vessel, the Good Neighbor. Reduced the port's advertising budget. Leased the Public Grain Elevator.

**WHERE PROPOSED \$60,000,000 WOULD GO**

Item number and project title	Total State funds requested	1969-70	1970-71	1971-72	1972-73
1. France Rd. terminal (formerly Delta terminal). Construction of berths 1 and 2 and container terminal facilities.	\$9,600,000	\$9,600,000			
2. Structural rehabilitation of existing wharves at selected locations.	1,494,000	1,494,000			
3. Roof rehabilitation of existing wharf transit sheds at selected locations.	340,000	340,000			
4. Structural modifications and additions to Napoleon Ave. wharves for handling containerized cargoes.	915,000	915,000			
5. Public bulk terminal, additions and improvements.	1,430,000	1,430,000			
6. Public commodity warehouse and Foreign Trade Zone No. 2, electrical modifications.	106,000	106,000			
7. Electrical modification of existing wharves at selected locations.	176,000	176,000			
8. Protection of substructure of Galvez St. wharf.	1,000,000	1,000,000			
9. Additions to Henry Clay and Nashville Ave. wharves for handling containerized cargoes.	380,000	380,000			
10. Enlargement and conversion of sacking plant wharf for general cargo handling operations.	478,000		\$478,000		
11. France Rd. terminal (formerly Delta terminal), construction of berth No. 3 and container terminal facilities, and land fill behind berths 3 through 7.	5,602,000		5,602,000		
12. Enlargement and modernization of 1st St. wharf.	2,520,000		2,520,000		
13. Pile protection of existing wharves at selected locations.	275,000		275,000		
14. Public bulk terminal, permanent open storage.	2,850,000		2,850,000		
15. Construction of new terminal facilities, Michoud Canal area, acquisition of land.	500,000		500,000		
16. Mississippi River-gulf outlet, rights-of-way acquisition in connection with Federal project for new lock construction.	2,231,000		2,231,000		
17. Construction of new terminal facilities, Michoud Canal area.	4,250,000			\$4,250,000	
18. Improvements at Henry Clay and Nashville Ave. wharves for handling containers.	445,000			445,000	
19. Construction of New France Rd. terminal, berths 4 and 5 and related site improvements.	10,850,000			10,850,000	
20. Perry St. wharf, pile protection.	1,000,000				\$1,000,000
21. Public bulk terminal, additions and improvements.	2,125,000				2,125,000
22. Construction of New France Rd. terminal, berths 6 and 7 and related site improvements.	11,100,000				11,100,000
23. Mississippi River-gulf outlet, roadway access to board property west of public bulk terminal.	333,000				333,000
<b>Grand total</b>	<b>60,000,000</b>	<b>15,441,000</b>	<b>14,456,000</b>	<b>15,545,000</b>	<b>14,558,000</b>

**DOCK BOARD PROJECT EXPENDITURES SHOWN**

	Mississippi River projects	Grain elevator projects	Navigation canal projects	Bulk terminal and MR-GO projects	Rivergate and other projects	Total
1952-53	\$1,530,514	\$4,814,544	\$627,951		\$157,553	\$7,130,562
1953-54	880,309	2,478,950	323,088		246,017	3,928,364
1954-55	751,568	443,759	588,612		46,366	1,830,305
1955-56	2,951,729	140,305	544,804		195,740	3,832,578
1956-57	3,513,327	222,387	1,223,834	\$440	245,550	5,205,538
1957-58	4,466,015	266,167	1,177,588	835,402	319,348	7,064,520
1958-59	2,702,357	2,024,047	686,645	802,473	125,560	6,341,082
1959-60	1,085,598	4,845,814	143,023	1,418,019	61,071	7,553,525
1960-61	4,104,756	2,354,082	52,917	1,824,300	105,523	8,441,677
1961-62	7,195,278	2,510,012	86,679	1,336,721	229,996	11,358,686
1962-63	3,316,616	1,067,152	251,066	572,683	769,888	5,977,405
1963-64	6,627,534	536,131	(171,954)	2,097,667	1,557,959	10,647,337
1964-65	4,650,259	119,093	2,087,917	4,625,534	2,764,236	14,247,039
1965-66	2,000,160	1,796,173	2,765,344	3,049,125	4,710,125	14,320,927
1966-67	3,593,186	86,661	1,873,295	5,519,015	2,606,589	13,678,746
1967-68	3,760,046	128,728	385,079	1,607,003	3,413,048	9,293,904
<b>Total</b>	<b>53,129,252</b>	<b>23,834,005</b>	<b>12,645,888</b>	<b>23,688,481</b>	<b>17,554,569</b>	<b>130,852,195</b>

DOCK BOARD REVENUE, EXPENSE FOR THE 10-YEAR PERIOD FROM JULY 1, 1959, TO JUNE 30, 1968

	Fiscal years ended June 30—									
	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968
<b>Revenue:</b>										
Operating revenue <sup>1,2</sup> .....	\$10,164,118	\$10,548,988	\$10,582,054	\$10,216,550	\$9,625,098	\$11,062,580	\$8,084,487	\$9,289,902	\$9,901,853	\$11,060,259
State of Louisiana gasoline tax <sup>3</sup> .....	1,174,100	629,206	500,000	1,022,988	1,023,981	1,024,262	1,023,819	1,022,650	1,020,769	1,023,050
Orleans Levee Board contract payments.....	925,000	610,139								
Public Belt Railroad contract payments.....	50,000	32,981								
Compromise settlement of Michoud condemnation proceedings <sup>4</sup> .....							3,194,465			
<b>Total revenue</b> .....	<b>12,313,218</b>	<b>11,821,314</b>	<b>11,082,054</b>	<b>11,239,538</b>	<b>10,649,079</b>	<b>12,086,842</b>	<b>12,302,771</b>	<b>10,312,552</b>	<b>10,922,622</b>	<b>12,083,309</b>
<b>Expense:</b>										
Operating expense, exclusive of depreciation.....	7,051,254	6,879,050	7,268,297	7,216,695	6,443,295	6,875,199	5,252,533	4,903,960	5,399,140	6,361,877
Provision for depreciation <sup>5</sup> .....	1,623,917	1,706,112	1,786,206	1,963,908	2,285,699	2,302,442	2,354,063	2,629,503	2,622,946	2,714,789
Provision for contingencies <sup>6</sup> .....							1,000,000			
Provision for major maintenance <sup>7</sup> .....							611,843			
Bond interest expense.....	615,794	554,599	772,038	1,146,014	2,023,595	2,005,499	1,984,121	2,363,931	2,749,140	2,709,628
<b>Total expense</b> .....	<b>9,290,965</b>	<b>9,139,761</b>	<b>9,826,541</b>	<b>10,326,617</b>	<b>10,752,589</b>	<b>11,183,140</b>	<b>11,202,560</b>	<b>9,897,394</b>	<b>10,771,226</b>	<b>11,786,294</b>
<b>Net gain or (loss)</b> .....	<b>3,022,253</b>	<b>2,681,553</b>	<b>1,255,513</b>	<b>912,921</b>	<b>(103,510)</b>	<b>903,702</b>	<b>1,100,211</b>	<b>415,158</b>	<b>151,396</b>	<b>297,015</b>
<b>Add depreciation</b> .....	<b>1,623,917</b>	<b>1,706,112</b>	<b>1,786,206</b>	<b>1,963,908</b>	<b>2,285,699</b>	<b>2,302,442</b>	<b>2,354,063</b>	<b>2,629,503</b>	<b>2,622,946</b>	<b>2,714,789</b>
<b>Net gain, before depreciation</b> .....	<b>4,646,170</b>	<b>4,387,665</b>	<b>3,041,719</b>	<b>2,876,829</b>	<b>2,182,189</b>	<b>3,206,144</b>	<b>3,454,274</b>	<b>3,044,661</b>	<b>2,774,342</b>	<b>3,011,804</b>
<b>Deduct bond redemptions</b> .....	<b>1,723,000</b>	<b>1,197,000</b>	<b>1,025,000</b>	<b>570,000</b>	<b>515,000</b>	<b>535,000</b>	<b>555,000</b>	<b>860,000</b>	<b>900,000</b>	<b>935,000</b>
<b>Net gain, before depreciation, after present bonded debt service (available either for capital improvement or coverage for additional debt service)</b> .....	<b>2,923,170</b>	<b>3,190,665</b>	<b>2,016,719</b>	<b>2,306,829</b>	<b>1,667,189</b>	<b>2,671,144</b>	<b>2,899,274</b>	<b>2,184,661</b>	<b>1,874,342</b>	<b>2,076,804</b>

<sup>1</sup> Include accruals of \$240,000 in fiscal 1966 representing the estimated proceeds of the Dock Board's business interruption insurance resulting from Hurricane Betsy, which occurred in September 1965.

<sup>2</sup> Include an accrual in June 1967, of an estimated \$100,000 of interest income relative to a financial agreement for the construction of a specialized facility.

<sup>3</sup> Revenue from State gasoline tax provided under art. VI-A, sec. 5, of the Louisiana Constitution, is allocated by law irrevocably pledged in the contract with bondholders for requirements for the payment of bond maturities and interest.

<sup>4</sup> In December 1964, the Board received a cash payment of \$2,750,000 and other considerations from the United States in compromise settlement of the Michoud Industrial Facilities condemnations proceedings. Portions of the settlement were used to create a reserve for contingencies of \$1,000,000 and to provide additional reserve for major maintenance of \$611,843. The remainder of \$1,582,622 is reflected as net nonrecurring revenue.

<sup>5</sup> Increase in fiscal 1955 was due to readjustment of depreciation rates in the amount of \$570,116.

[From the New Orleans (La.) Times-Picayune, Apr. 22, 1969]

#### PORT'S EMPLOYEES PUMPING DOLLARS INTO CITY ECONOMY—FIGURES SHOW \$1 MILLION DAILY BOOST

(By Paul Atkinson)

The number of people directly and indirectly involved in keeping the Port of New Orleans humming at a feverish economic pace is monumental.

Recently, the Louisiana Department of Employment Security (LDES) released figures that showed there was an average of 21,100 people engaged in water transportation in 1968 in Greater New Orleans (Orleans, Jefferson, St. Bernard and St. Tammany parishes).

The LDES said another 12,000 were in shipbuilding, ship repair and 3,400 more in rail transportation—a direct link to the port of New Orleans for shippers.

Put those figures together and you get 36,500 people employed directly or indirectly in port-related jobs. And this doesn't include bank foreign departments, marine insurance underwriters, consulates and marine surveys who could easily account for another 5000 employees.

#### SOME 37,000 EMPLOYED

Roughly, then, you have 37,000 employees directly and indirectly involved in the Port of New Orleans.

And if you give each one of these employees an average yearly salary of \$5,500—which isn't too high in these inflationary days—you can see this means \$201,500,000 to the New Orleans economy.

Some economists say that the dollar turns over eight times before it comes to rest. If that is so, then these \$201 million are really worth \$1.6 billion to New Orleans.

Recently, the U.S. Department of Commerce estimated that the 17,334,823 short tons of foreign waterborne commerce cargo handled by the Port of New Orleans benefited the port to the tune of \$166,569,248.

The Dock Board estimated that salaries and wages to employees directly connected with port operations constituted 58.4 per cent of

the total port benefits, meaning that he impact from salaries and wages was \$97,276,453.

Using the formula that a dollar turns over eight times before stopping this meant that the \$97,276,453 in wages was really worth \$778,211,624 to the New Orleans economy in 1967. The Dock Board noted that the port salaries and wages used in the estimate did not include secondary wages and salaries which would be represented by such activities as foreign banking departments, marine insurance, draying, warehousing, forwarding, custom brokerage, that portion of transportation freight bills that would be spent in New Orleans or other similar port-related activities.

#### SOLID EMPLOYER

The port of New Orleans has been a solid employer through the years. Figures compiled by the LDES show this to be true. From 1950 through 1968, total employment in water transportation, rail transportation and ship repair and building has never dipped below 26,900. It hit that low point in 1962, but since has gained nearly 10,000 employees in a six-year span.

From additional LDES figures, it can be determined that Greater New Orleans water transportation employees were paid over \$130 million in wages in 1967; nearly \$130 million in 1966; and about \$110 million in 1965.

Let's break down some of these employment and benefit figures.

One of the least known is the Gulf Outport, an arm of the Department of the Army. It has a work force of 160 military and civil service personnel and another 650 contractual employees.

A Gulf Outport spokesman said the Army estimates that it pumped \$19 million into the New Orleans economy during fiscal 1968.

Then there is the U.S. Coast Guard in New Orleans. It had an approximate strength of 725 men and a payroll of \$5.4 million annually.

U.S. Customs office, which handles port activities, has 172 employees for a payroll of \$1.7 million.

The U.S. Army Corps of Engineers has

approximately 300 employees who deal in the port area alone with a payroll of \$1.5 million. Another \$5 million is spent annually on contracts to improve navigation in the port of New Orleans.

Of course, there are 640 employees of the Dock Board—including 80 harbor policemen and 50 harbor firemen—who are paid \$3.9 million annually.

And 8,000 to 10,000 longshoremen who drew over \$50 million in wages and benefits from the New Orleans Steamship Association in 1968.

From these figures, it is easy to see why the Chamber of Commerce of the New Orleans Area estimates that the port produces \$1 million a day for the New Orleans economy.

[From the New Orleans (La.) Times-Picayune, Apr. 23, 1969]

#### LOUISIANA PRODUCTS FIND MARKET THROUGH EXPORT—ORLEANS OUTLET BENEFIT ENTIRE STATE

(By Paul Atkinson)

Plastic cups from Shreveport . . . catfood from Golden Meadow . . . sausage from Ferriday . . . ammunition containers from Minden . . . cement spreaders from Alexandria.

Mobile homes from Vivian . . . accordians from Eunice . . . rice from Kaplan . . . wooden lockers from Lecompte.

These and hundreds of other products from the soil and factories of Louisiana find additional markets because of exports through the Port of New Orleans.

That's one way the Port of New Orleans benefits the whole state of Louisiana. With additional markets, these factories will employ additional people, and that means additional dollars for the butcher, grocer, service station owner in Shreveport, Golden Meadow, Ferriday, Minden, Alexandria, Vivian, Eunice, Kaplan, Lecompte, and other cities.

In a study of port figures, the Gulf South Research Institute (GSRI) estimated that the Port of New Orleans produced for the state of Louisiana \$16.9 million in state income and sales tax.

GSRI further estimates that 10,700 manufacturing jobs in Louisiana with payrolls approximating \$62.5 million can be attributed solely to the Port of New Orleans.

The research institute further estimates that 19,800 agricultural jobs in Louisiana can be attributed to activity at the Port of New Orleans. It said another 12,000 persons were employed in associated support industry.

GSRI notes that 54,000 jobs statewide directly depend on the export of manufactured and agricultural products. It concludes, "The Port of New Orleans is realistically linked to 56.5 per cent, or 30,500, of the jobs in agriculture and manufacturing in the state."

GSRI polled establishments that reported international distribution of their products, and found that 52 of the state's 64 parishes distribute internationally.

Manufacturing, food and kindred products industries, paper and paper products industries, fabricated metal products industries, lumber and wood products industries, chemical industries, petroleum industries, machinery (except electrical) industries were polled, and in a special compilation The Times-Picayune shows in the accompanying map employment from establishments with international distribution.

East Baton Rouge Parish is No. 1 with 37,519 employees; Orleans Parish, second with 33,976; Caddo Parish, third with 17,732.

Rounding out the first 10 are Washington Parish, 9,000; Ouachita, 8,060; St. Bernard, 5,914; Rapides, 5,575; West Feliciana, 4,750; Calcasieu, 4,574; and Iberia, 3,947.

Certainly these 200,000-plus jobs can't be attributed solely to the Port of New Orleans, but either indirectly or directly the port is responsible for a sizable number of jobs throughout the state.

United States Rep. Edwin W. Edwards of Crowley realizes the value of the Port of New Orleans to the state's economy. But he said he doesn't feel the average citizen in Louisiana knows the true value of the sprawling port.

Edwards said he believes that the people of New Orleans and the Dock Board have missed a golden opportunity to tell the rest of the state how valuable the port is to Louisiana's economy. "I think they should take one day a month and go around to Monroe, Shreveport, Alexandria, all cities of the state, and tell the story of the port," said Edwards.

The port, he said, should have the highest priority. "Certainly we can't allow the port to slide backwards," said Edwards.

"It goes without saying that anyone who has an interest in the state recognizes the importance of the port not only to New Orleans but to the state in general. The overflow from this facility helps the general revenue of the state. You just can't draw an arbitrary line and say here is where the wealth from the port ends."

Edwards' district includes the Port of Lake Charles, and he knows the value of ports to the state's economy. And he likes the idea of the port directors of New Orleans, Lake Charles and Baton Rouge sitting down and "looking at the overall picture."

[From the New Orleans (La.) Times-Picayune, Apr. 24, 1969]

**STRIKE EFFECTS ARE FELT BY EVERYONE'S CUSTOMERS—TREMENDOUS PAYROLL IS GENERATED HERE**

(By Paul Atkinson)

W. J. McMahon knows the value of the Port of New Orleans. So do Robert Sonfield, J. B. Coincoin, Edward LaBruyere, Joseph Velcich and Vincent Sala.

McMahon is a salesman for the Radio Center; Sonfield, president of Malson Blanche; Coincoin, director of operations for Schweg-

mann's; LaBruyere, Jefferson Parish finance director; Velcich, owner of Joe's Jungle Bar; Sala, former president of the Louisiana Motor Transport Association and owner of Sala's Motor Freight Lines.

Recently, they told what the port really means in dollars and cents to them and New Orleans. All were talking following New Orleans' prolonged dock strike that hit in late December and carried through to February. Often, people don't realize what they have until it—in this case—the port—grinds to a stop.

"Does such a strike affect us as a salesman?" McMahon repeated a question. "Oh, definitely, it does. It affects our overall earnings. They were down in 1968, as an example, and I think much of this was due to the dock strike."

McMahon is a salesman for the Claiborne ave. store, only a few blocks from the International Longshoremen's Association Local No. 1419 hall. "The folks who are not working obviously don't have the finances to buy appliances," explained McMahon.

McMahon is one who does not believe the general public really appreciates the Port of New Orleans. "I don't think they understand the tremendous payrolls generated by the dockworkers and the associated industries," continued McMahon. "On the overall picture, you have so many associated industries—trucking, shipping and cartage—all of this is affected when the ships don't move. Those are everybody's customers—the grocer, baker, appliance man, automobile dealer."

**STRIKE FELT**

Sonfield said the dock strike "affected our sales pattern downward." Late in March, Sonfield said, "we are still feeling the strike's effect and will for several months."

"I have heard that roughly 55 cents out of every dollar is related to the port of New Orleans. If the port is closed down about 70 days, it has to have a drastic effect on our economy."

"I am not sure that the average citizen knows this until he feels it in his pocketbook. I've got a feeling that many are feeling it now."

"Looking over his profit and loss ledger, Coincoin said, "The strike hit us hardest at our Annunciation and St. Claude stores. Their growth was retarded about six percent."

Coincoin explained that the Annunciation store is only two blocks from the longshoremen's hiring hall. "Our gasoline business there was off a lot," said Coincoin.

"Six per cent sounds small. But in dollars and cents, it is pretty big."

Coincoin said the firm's major appliance business was off 15 to 20 per cent. "We had expected that the TV business would be good, that people would be getting another one," said Coincoin. "But during a strike that's the last thing they would buy."

LaBruyere sees the Port of New Orleans' activity hum from his window in the Gretna courthouse. It overlooks the Mississippi River and the wharves.

"When I look out that window and see there is no activity in the port," he said, "I know Jefferson is getting hurt. I am acutely aware of what that port means to all of us—Orleans, Jefferson and St. Bernard parishes."

**TAXES AFFECTED**

LaBruyere said the only indicator of how the strike hurt Jefferson Parish would be in sales tax collections.

"Our January collections were up nine per cent over January, 1968," said LaBruyere. "But our January, 1968 sales tax collections were up 20 per cent over our January, 1967, collections. So that slowdown in growth of the sales tax collections could be attributed to the dock strike."

Velcich stunned the Dock Board and president Robert R. Barkerding April 15 by sending a check for \$5,000 to aid in securing funds for the port.

For more than 36 years, Velcich has befriended longshoremen and river workers and what has been happening to the port worried him considerably.

But why did he decide to make this generous contribution?

"Because this port means everything to me and my family," answered Velcich last week. I own my home and business, and I know that if this port deteriorates, it all won't be worth a darn. I call this contribution my insurance policy.

"I can't find anybody the port doesn't involve . . . it helps the whole state."

Velcich concluded, "This port has been in bad shape a long time. I wrote that check to start something. When I saw the way Mr. Barkerding was fighting for the port, I thought I should do something."

**TRUCKS HALTED**

Sala felt the crunch of the port strike when his trucks did not roll with valuable goods. "I was able to retain my work force," he said, "but others had to let people go." He estimated that trucking firms were forced to let 300 to 400 employes go during the prolonged strike.

The Louisiana Department of Employment Security said that more than 7,000 people were idled locally by the strike in the four-parish metropolitan area.

In this and preceding chapters, we have attempted to tell the story of the port of New Orleans and its value to everyone. But all the words on paper and spoken on radio and television won't do any good, unless there is A-C-T-I-O-N.

Barkerding has done a superb job in rallying many groups around the port's plight. But the test—when the Legislature votes on a \$60 million capital improvements program—is yet to come.

Sunday, Barkerding said current strategy calls for the Dock Board to seek to get a concurrent resolution from the Legislature at the May fiscal session of the Legislature, then come back in the fall or late summer for a special session to fund the capital improvements program. No new taxes can be voted at the May session.

He said chances are good for securing a concurrent resolution. Legislators all over the state are saying that the port of New Orleans should have top priority.

**SHERIDAN LEWIS: "MR. BOYS CLUB"**

**HON. RALPH YARBOROUGH**

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. YARBOROUGH. Mr. President, the Sunday, March 23, 1969, edition of the Corpus Christi Caller-Times, on page 14B, contains an article entitled "Lewis Is City's 'Mr. Boys Club.'" The article points out the magnificent work which Sheridan Lewis, of Corpus Christi, has done on behalf of the youth of that city.

Because of his unselfish contribution to the community, I ask unanimous consent that the article describing Sheridan Lewis' great work, be printed in the Extensions of Remarks.

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

LEWIS IS CITY'S "Mr. Boys Club"  
(By Jim Wood)

Twelve years ago S. C. Lewis went to see Police Chief R. T. Runyan and asked him where the toughest boys in the city lived.

Runyan said La Armada Housing project on Ayers was the most concentrated trouble spot in town.

It was there that Lewis founded the Corpus Christi Boys Club, the first local chapter of the national organization that is devoted to helping boys grow into responsible men.

Last week, Lewis helped turn the first spade of dirt for the Boys Club Community Center, a \$333,000 project that will be built on Greenwood Drive on a 15-acre Boys Club tract near the Greenwood Branch Library.

"It is certainly a high point for the Boys Club and for the community," commented Lewis, a still vibrant, articulate man who will be 80 on June 7.

The community center, which will be operated by the Boys Club under contract with the city, will be able to accommodate 3,000 persons. There will be a library, study center, gymnasium, exercise and shower rooms, meeting rooms and athletic fields outside.

It is being financed with a federal grant covering two-thirds of the cost. Lewis has signed on the line to provide the local one-third share. The city government is the contracting agent for the project.

It has been estimated that Lewis, an oil and gas man who is president of Southern Community Gas Co. and Southern Coast Corp., has spent \$200,000 of his own funds for Boys Club activities during the 12-year life of the organization. His investment in youth will be much higher when the one-third local cost of the new project is paid. The new facility is expected to be completed by the end of the year.

The idea of the new community center was conceived when Lewis was president of the Community Committee on Youth Education and Job Opportunities, a local organization formed to work with high school drop-outs and to find employment for young people. It was later designated by the federal Office of Economic Opportunity as the local community action agency to carry out the War on Poverty, of which the Boys Club was an integral part.

Letters, telephone calls and trips to Washington and Fort Worth (site of the regional office of the Department of Housing and Urban Development which funded the project) eventually resulted in the grant, one of the first of its kind to be approved.

When the building is completed the Boys Club activities will be moved from its site at Port and Prescott. The club moved there a couple of years ago when quarters in La Armada became overcrowded.

The club now has about 1,500 boy members and conducts an after school study center for 450 boys and girls.

Lewis estimates that some 15,000 boys and girls have been involved in either club or study center activities since the club's start. Some 150 persons now serve, at various times, as tutors for the after school study center.

Lewis said the center has been effective not only in encouraging students to stay in school but in curtailing truancy.

"I think a great deal more can be done by the schools. Instead of bemoaning the drop-out problem and sending out the truant officer, they ought to be trying to find out why the kid's aren't in school," he said.

During the first two years the club was in existence Lewis underwrote all the expense of operation. It was accepted by the United Fund in 1959 and the UF has borne the bulk of the operating cost since then.

Reflecting on the state of the area around La Armada, then and now, Lewis said the delinquency rate, once among the highest, is now among the lowest.

And, he added, not a drinking or marijuana case has been reported involving a Boys Club member.

JUST TOO MUCH

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. UTT. Mr. Speaker, an editorial appearing in the *Oceanside, Calif., Blade-Tribune*, May 8, 1969, needs to be read by every one of our colleagues particularly, and by every voter who selects us to represent him in this body.

We already have second and third generation welfare recipients. Is it not time that we profit from the mistakes of the past? Is it not time that we recognize the fallacy of ignoring the incentive to laziness, to indolence, to downright dishonesty that giving welfare to able-bodied people provides?

As the editorial cleverly and effectively points out, Secretary Robert Finch's proposal to give cash outright, rather than to provide necessities for the needy, will simply accelerate the rate at which the welfare rolls will grow, while decreasing the beneficial use of the welfare funds.

I urge everyone to read the following article:

JUST TOO MUCH

Well, those great big politicians who are giving away our hard-earned money are at it again.

This time they've taken the most ludicrous step of all: They're going to give our money to the poor.

They aren't going to give them food stamps.

They aren't going to give them food. They aren't going to help pay their rent. They aren't going to help pay medical costs.

They are going to give our money away. To be sure this plan will help a fraction of the nation's poor who are poor and honest enough to spend the money on food.

But every single one of those freeloading slobs who are on the welfare rolls, and who are too lazy to get a job, will also get our money.

And every one of those baby-factory types who crank out children in a steady stream to get more welfare help, will also get our money.

These slobs who manage to stay out of work and yet drive big cars and have a television set and a new refrigerator will get our money.

Those bums who don't deserve anything more than a kick in the seat of the pants, instead of more federal coddling, will be getting our money.

They won't get food stamps or food, which we can reasonably assume are converted into food for their children, but they will be getting cold, hard cash out of our pockets.

The poor who really need help, and who can't help themselves, will be greatly assisted by President Nixon's expanded food stamp plan, which will cost the nation \$2.5 billion a year.

But let's stop helping the undeserving. Secretary of Health, Education and Welfare Robert Finch says cold hard cash will "preserve the dignity and freedom of choice" of the poor.

What about the dignity and freedom of the hard-working industrious Americans who

are working their fannies off to pay their taxes so the government can give it away?

Don't we count any more in America? Or do you have to be from a broken home or a lazy home or a I-don't-give-a-damn home to count?

I can just see what our money will be going for:

Booze for the drunks.

Cigarettes for the smokers.

Car payments for the poor.

Installment loan payments for the "poor."

Narcotics for the addicts.

Et al.

My eye!

I'll be damned if I'll sit idly by while Secretary of Health, Education and Welfare Robert H. Finch gives my money away to the lazy slobs of this nation.

Write—right now—to Sen. George Murphy, Sen. Alan Cranston, President Nixon and Mr. Finch and tell them to stop this lunacy.

It's time the decent people of this nation get a fair shake instead of this continual nurturing of welfare recipients who are too lazy to help themselves.

LAW AND ORDER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. THURMOND. Mr. President, when Richard Nixon was campaigning for the Presidency, one of his principal themes was "law and order." This theme struck a deep note with the American people. As I travel about the country, I find that one of the things that our citizens are most alarmed about is the threat of anarchy. They are especially alarmed about the disorder and disruption occurring on our Nation's campuses among the supposedly privileged section of our society.

Because of these concerns, many people have told me that they are pleased with the firm attitude toward student riots taken by the Nixon administration, particularly by Justice Department officials in their recent series of "Law Day" speeches. It was most encouraging to see U.S. Attorney General John Mitchell give a reasoned and temperate argument for taking a firm approach toward those who violate the law and cause violence in the name of "dissent," and interfere with the rights of others.

Attorney General Mitchell pointed out that the Federal Government has a clear mandate where a national movement seeking national disruption is concerned. He said:

The clearest mandate we have, so far, is the anti-riot provisions of the 1968 Civil Rights Act. It prohibits persons from crossing state lines with intent to incite riots.

We have substantial information confirming the widely accepted belief that several major university disturbances have been incited by members of a small core or professional militants who make it their tragic occupation to convert peaceable student dissatisfaction into violence and confrontation.

These circumstances can only lead to the conclusion that this hard core is bent on the destruction of our universities and not on their improvement.

You can be assured that these violence-prone militants will be prosecuted to the full extent of our Federal laws.

These were the words of the U.S. Attorney General. He also pointed out the duty of the university officials to take proper steps to see that local law-enforcement officials were allowed to enforce the law. He said:

University officials are not law enforcement experts or judges. When a violent outbreak occurs, they should not take it upon themselves to decide how long the violence should endure and what rights should be trampled upon until local government is called in. For minor demonstrations, which involve no serious disruptions, the university should have the ability to decide for itself what the best solution may be.

But when people may be injured, when personal property may be destroyed, and when chaos begins, the university official only aids lawlessness by procrastination and negotiation. The university is not an extra-territorial community and its officials have the obligation to protect the rights of the peaceful students on its campus by use of the established local law enforcement agencies and the courts.

Mr. President, American citizens rest easier when they hear words like these. I congratulate the Attorney General for his calm and balanced outlook at a time of domestic crisis and turmoil, and I know that all men of good will join in these sentiments.

Mr. President, I ask unanimous consent that the speech by U.S. Attorney General John Mitchell entitled "What Kind of a World Do You Want?" be printed in the Extensions of Remarks at the conclusion of my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. It is especially reassuring to see the Attorney General backed up by his subordinates. On the same day, the Deputy Attorney General Richard Kleindienst spoke in a similar vein at "Law Day" ceremonies at the Department of Defense. Mr. Kleindienst described these young rioters as "ideological criminals"; that is, they are motivated to perform criminal acts of violence because of their ideological hatred for their own country.

In a similar vein, Assistant Attorney General William H. Rehnquist spoke before the Newark, Del., Kiwanis Club, describing the rioters as "the new barbarians." Mr. Rehnquist sharply criticized those who deplore violence, without deploring disobedience. He said:

To deplore only violence, by whomever used, obscures the fact that the law must be enforced against all those who disobey it, regardless of the means by which such disobedience is accomplished. Force as a last resort in support of the enforcement of the law cannot rationally be equated with force used in disobeying the law. The former, when milder means have proved unavailing, is a necessity which has been recognized for centuries, both by common law and by statute; the latter is impermissible, not merely because it is violent, but more basically because it is disobedient. An officer of the law may shoot and kill, if necessary, a fleeing felon in order to prevent his escape, but the fleeing felon is not given a similar right against the officer of the law.

Mr. President, I ask unanimous consent that excerpts from the speeches of Mr. Kleindienst and Mr. Rehnquist be

printed in the Extensions of Remarks at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

#### EXHIBIT 1

##### WHAT KIND OF WORLD DO YOU WANT?

(Address by Attorney General John N. Mitchell, before the annual Law Day dinner of the Detroit Bar Association, Raleigh House, Detroit, Mich., May 1, 1969)

#### INTRODUCTION

It is a great pleasure to come to the City of Detroit to speak to your bar association on Law Day.

As you may know, while I was born in Detroit, I have spent most of my life in New York and now in Washington—one the center of financial power and the other the center of political power. But their very peculiarities tend to insulate those who live there from the real problems of America. That is why I enjoy coming to a great industrial center like Detroit on this occasion.

This evening, I would like to talk to you about a serious threat to our system of law, a threat which is as disturbing as the violence in our cities. It is the violence and dissatisfaction on our college campuses.

Campus disorders are basically a local problem to be solved at the local level and not by the federal government. But as Attorney General—as the senior law enforcement officer in the nation—I believe that I have the responsibility to comment on national problems which affect the administration of justice even though my legal jurisdiction may be limited.

I also come to you tonight as a fellow citizen, as a parent with two children recently graduated from college and as a grandfather concerned about the future.

An eminent Nobel laureate said last month in Boston: "What we are up against is a generation that is by no means sure it has a future." I disagree with that assessment.

I suggest that this generation has the most promising future world of any generation of Americans.

But I must pose to them the query of Mr. Justice Holmes:

"Behind every scheme to make the world over lies the question, what kind of world do you want?"

What kind of world do our students want? Do our university officials want? Do our teachers want? Do our citizens want? And I must remind you that when we talk about our students we are not talking about an alien people—we are talking about our own sons and daughters and about the type of nation we are making for them to inherit.

#### I. The facts

Let me quote briefly to you a capsulized dispatch issued by the Associated Press at 10:15 a.m. EST on April 24:

Washington—Student militants seize buildings at American University and George Washington University.

Ithaca—Cornell University faculty members agree to demands of students who seized college buildings armed with guns.

Kent Ohio—Kent college students create physical disturbances.

New Orleans—Southern University students lower the American flag.

Cambridge—Harvard professor resigns in the wake of police-student clash.

Princeton—Sixty students block doorways to a research facility.

New York—One hundred-fifty students and faculty stage a sit-in at Fordham University.

College Park, Maryland—University of Maryland protestors attempt to block entry to a science center.

New York—Two Brooklyn high schools

forced to close after three days of student unrest.

That is one day of what kind of world some of our students have. In the current academic year, there have been demonstrations on over 200 college campuses throughout the nation. This has resulted in more than 2300 arrests and property damage in excess of an estimated \$2.2 million.

Since January 1, 1969, the protest movement has escalated its tactics. For example, in the State of California:

At San Francisco State a bomb permanently blinded one student and a second bomb was discovered before it exploded.

At Pomona College in Claremont, a secretary was blinded in one eye and lost two fingers when a bomb exploded as she was removing it from a college mailbox.

At the University of California in Santa Barbara, a custodian at the Faculty Club died from burns when he picked up a firebomb.

At Berkeley, in the last eight months, there have been four arsons and two bombings, and \$1.1 million in property damage.

This Administration has tried to be patient in the hope that students, faculty, and local officials, working together, would put an end to this chaos.

But the time has come for an end to patience. The time has come for us to demand, in the strongest possible terms, that university officials, local law enforcement agencies and local courts apply the law.

I call for an end to minority tyranny on the nation's campuses and for the immediate reestablishment of civil peace and the protection of individual rights.

If arrests must be made, then arrests there should be. If violators must be prosecuted, then prosecutions there should be.

It is no admission of defeat, as some may claim, to use reasonable physical force to eliminate physical force. The price of civil tranquility cannot be paid by submission to violence and terror.

#### II. The idea of the university

The American university educational system is one of our proudest achievements.

Perhaps, it is that our current generation does not appreciate the toll that has gone to build it. Starting with one small donated library in 1636, our university system now numbers more than 2,000 public and private institutions with 6.9 million students. The concept that we have in this nation that all who are qualified deserve an education, has been one of our unique contributions.

James Russell Lowell noted:

"It was in making education not only common to all, but in some sense compulsory on all, that the destiny of the free republics of America was practically settled."

Another cherished concept of our university is—as the Commission headed by former Solicitor General Archibald Cox reported—

"A university is essentially a free community of scholars dedicated to the pursuit of truth and knowledge solely through reason and civility . . . resort to violence or physical harassment, or obstruction is never an acceptable tactic for influencing decisions in a university."

#### III. The student movement

To date, we have had disturbances on more than 200 campuses—about nine per cent of the colleges in the country. In only a small number of such disturbances was there any severe physical violence and bloodshed reported. The total arrest rate, of 2300, is less than four-tenths of one per cent of all of our students.

While accurate statistics are not available, it is believed that less than two per cent of our students have engaged actively in any disruptions causing physical or property damage.

It might be convenient to look at these statistics and suggest that the situation has been exaggerated. I think not.

Society has a way of selecting symbols and it is no accident that some of the most violent demonstrations have occurred at some of our most highly regarded universities—California, Wisconsin, Harvard, Cornell, Duke, Columbia—the universities to which we point with pride as among the leaders of our higher educational system.

Furthermore, it is undeniable that, while violence-prone activists represent a small percentage of our students, some of their actions have struck a responsive chord to a whole generation: so responsive, in fact, that the activists receive at least tacit support or neutrality from many other students.

As Professor Freund said prophetically, a year ago, our students accuse us of hypocrisy: that our laws, while pretending to be equal, give preference to the rich; that our politics, while pretending to be honest, are tools for the influential; that our scientists, while pretending to be humanitarian, build machines of war; that our economic prosperity, while pretending to affluence, leaves some citizens hungry; that our religion, while pretending to be pious, is conveniently indifferent.

I would be less than candid with you if I did not admit that their accusations are sometimes true. I cannot deny that the world of my generation may appear hypocritical to the generation of our sons. Neither do I deny that my father's generation appeared hypocritical to me as his father's did to him.

What our sons must remember is that we have today in this nation more equality in the law, more honesty in politics, more ethics in science, more people employed and less people hungry, and more religious dedication to the problems of society than at any other period in our history and than in any other nation in the world. Our progress may be too slow for our sons. But it is good faith progress; and cautious advancement is no justification for destruction.

A decade ago we saw the "silent generation" going quietly from the university to earning a living. Today, we have the "involved generation" who are interested in the problems of our society. They are active in civil rights, in poverty, in hunger, in education for the poor, in job retraining, and in partisan politics. I welcome this generation's demand that the university not be an extra-territorial community removed from society, but that it and its members deeply involve themselves with the problems of the day.

But if they are to assume a role as adult activists in a community, they must also assume the obligations that go with adult citizenship. And one of the primary obligations upon which we exist is a simple maxim, carved above an entrance of the Justice Department in Washington, which says:

"Law alone can give us freedom. Where law ends, tyranny begins."

Campus militants, directing their efforts at destruction and intimidation, are nothing but tyrants. But there are others who share the blame by failing to act—university administrators must take firm and immediate action to protect the rights of faculty members to teach and of other students to learn. Faculty members should stop negotiating under the blackmail threat of violence. Apathetic students should stand up for the rights of those who wish to pursue civility and scholarship in the academic community. To the extent that they remain neutral or refuse to act, they are all accessories to the tyranny we are now witnessing.

#### IV. The constitutional right to dissent

The genesis of our current student problems is thought to lie in our encouragement of lawful dissent.

The right to express disagreement with the acts of constituted authority is one of our fundamental freedoms. The First Amendment expressly protects "the freedom of

speech" and "of the press" and "the right of the people peaceably to assemble, and petition the Government for a redress of grievance."

As one Supreme Court Justice has described it:

"The right to speak freely and to promote the debate of ideas is . . . one of the chief distinctions that sets us apart from totalitarian regime."

Recognizing this, the Supreme Court has construed the First Amendment to protect the right of a citizen to speak, to write and to disseminate his ideas by peaceful methods.

Citizens have the right to use the streets and other public grounds, to conduct reasonable demonstrations, to distribute handbills and to quietly picket.

Furthermore, schools should be encouraged to abide by First Amendment principles.

As Mr. Justice Brennan has said:

"The vigilant protection of constitutional freedom is no where more vital than in the community of American schools. The classroom is particularly the 'market place of ideas'."

While this description was applied to the public, tax-supported school, it would seem to me that First Amendment ideas should apply equally to all universities, both public and private.

#### V. The limits of dissent

But there are definite limits beyond which these First Amendment guarantees may not be carried.

The Supreme Court has flatly rejected the argument "that people who want to propagandize protests or views have a constitutional right to do so whenever and however they please."

As Mr. Justice Goldberg has said:

"We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty under law. . . . There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations."

The Supreme Court has explained that demonstrators do not have a constitutional right to cordon off a street, or to block the entrance to a building, or to refuse to allow any one to pass who will not listen to their exhortations.

The question remains, of course, whether the rights of students to protest on a university campus are to be greater or the same as the rights which the ordinary citizen enjoys under the First Amendment.

Only two months ago the Supreme Court ruled that the right of students to engage in peaceful protests does not include the right to disrupt the educational process.

If we are to be consistent, I believe that students on campus should enjoy at least the minimum protections for freedom of speech specified by the Constitution. In certain circumstances it may be appropriate for university authorities to offer additional rights. Exaggeration and bizarre behavior, romanticism and intellectual rebellion are traditional among our youth. The scope of these additional rights, if any, should be decided by each individual university authority.

But let me make one thing clear: students do not enjoy any special prerogative to interfere with the rights of other students or, as the Supreme Court has said: ". . . conduct by the student in class or out of it . . . is . . . not immunized by the constitutional guarantee of freedom of speech."

The right to be a student carries other fundamental rights than the right to dissent. Among these valuable rights which must also be protected, are the right to use research facilities, free from occupation by demonstrators; the right to use libraries free from seizure by dissidents; the right to con-

sult with administrators free from having one's personal file and records destroyed; the right to study in an atmosphere of "reason and civility."

#### VI. The moral right to dissent

In any honest discussion on student protests, one must meet the claim that civil disobedience is an accepted tradition in American society.

This is especially true among our student population who claim that their seizures of university buildings and imprisonment of university officials are legitimate acts of civil disobedience similar to their participation in the civil rights protests.

I disagree. First: traditionally, civil disobedience has involved an issue of universal or fundamental morality—such as the equality of the races. No such issue has been involved in the current student protests.

Second: organized disobedience in the civil rights movement has rarely involved violence or bloodshed. It has concentrated, rather, on non-violence and on symbolic action which offered no substantial deprivation of rights to anyone else. One can hardly equate a sit-in at a bus terminal with throwing a student out of a second story window.

Third: in this country, the historical key to civil disobedience has been its amenability to arrest and prosecution. Indeed, it has always been considered, as Thoreau told Emerson, that the moral righteousness of breaking a law was in the punishment that the law meted out.

Today's militants also reject that concept. They physically resist arrest and they are unwilling to submit the merits of their cause to any tribunal other than their own self-determination.

#### VI. What should be done?

Having defined the problem, I feel obligated to offer a few suggestions on what can and should be done to resolve it.

My jurisdiction, as you well know, is limited to the application of federal law. Our concept has always been that, unless we in the federal government have a clear mandate, we permit the states and the municipalities to deal with law enforcement problems. The clearest mandate we have, so far, is the anti-riot provisions of the 1968 Civil Rights Act. It prohibits persons from crossing state lines with intent to incite riots.

We have substantial information confirming the widely accepted belief that several major university disturbances have been incited by members of a small core of professional militants who make it their tragic occupation to convert peaceable student dissatisfaction into violence and confrontation.

These circumstances can only lead to the conclusion that this hard core is bent on the destruction of our universities and not on their improvement.

You can be assured that these violence-prone militants will be prosecuted to the full extent of our federal laws.

We are also collecting a great deal of information about student disorders and those who cause them.

We are offering this information to state and local law enforcement officials operating in jurisdictions where campus disorders may occur.

No society, including an academic society, can survive without basic agreement by a great majority of its members as to the fundamental precepts upon which it operates.

The first precept for any academic community must be to outlaw terror.

The second premise is that students, faculty and administration officials should all participate, in some measure, in the decision-making process. What this means, at a minimum, is that university administrators must offer a serious forum for responsible student criticism—and more than that, it must be clear to the students that their

grievances will be honestly considered and will not be lightly dismissed under the procedural ruse of an artificial dialogue.

Third: universities must prepare for prospective violence. It is no longer acceptable for a university administration to claim, after the events of this year, that they were taken unawares—that they acted in panic and that their mistakes can be blamed on the alacrity with which the demonstration developed.

Here, too, the entire university community should be consulted since it is the censure or approbation of a majority of this community which will determine the course of student violence.

If, as has been done at some universities, the majority overwhelmingly rejects minority violence, the militants are left isolated except for brute physical power. Since the entire concept of confrontation is to attract the sympathy of the majority—and sometimes the sympathies may be forthcoming because of inappropriate reactions—this major avenue of support for violent demonstrators should be substantially diminished.

In any event, the university administrator should, in anticipation of the outbreak of a disturbance, consult with local law enforcement officials on the methods of handling various disturbances. Preparation and coordination by these parties may well eliminate the disturbance and will assure the timely application of any required counter-force.

Fourth: if all else fails and a disturbance does occur, university officials should consider applying immediately to a court for an injunction. This tactic has proved fairly successful in the past. It takes the university out of the law enforcement business, where it does not belong, and replaces it with the court which is better suited for this purpose.

Let me be specific: University officials are not law enforcement experts or judges. When a violent outbreak occurs, they should not take it upon themselves to decide how long the violence should endure and what rights should be trampled upon until local government is called in. For minor demonstrations, which involve no serious disruptions, the university should have the viability to decide for itself what the best solution may be.

But when people may be injured, when personal property may be destroyed, and when chaos begins, the university official only aids lawlessness by procrastination and negotiation. The university is not an extra-territorial community and its officials have the obligation to protect the rights of the peaceful students on its campus by use of the established local law enforcement agencies and the courts.

I should like to conclude this address by asking our sons and daughters to consider the words of Rousseau:

"If force creates right, the effect changes with the cause: every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with immunity, disobedience is legitimate; and the strongest being always in the right, the only thing that matters is to act so as to become the strongest. But what kind of right is that which perishes when force falls?"

Ladies and Gentlemen: "Behind every scheme to make the world over, lies the question: what kind of world do you want?"

EXHIBIT 2

ADDRESS BY DEPUTY ATTORNEY GENERAL RICHARD KLEINDIENST, ON MAY 1, 1969, AT THE DEPARTMENT OF DEFENSE, IN COMMEMORATION OF "LAW DAY U.S.A."

The first day of May of each year has been designated by the Congress to be "Law Day, U.S.A."

The President stated that this "is an occasion for rededication to the ideals of equality and justice under law." He then stated that:

"There was never a greater need for such rededication. Events of recent years—rising crime rates, urban rioting, and violent campus protests—have impeded rather than advanced social justice.

"We must reverse the upward trend of lawlessness in our land. We must bring forward in America our faith in ourselves and in our country and its future. We must move forward to a new era of peace and progress in which our great resources can be utilized to end poverty and injustice and to achieve greater opportunities for all Americans.

"Achievement of these goals does not depend upon the acts of government alone; it depends in substantial part upon the attitude and actions of each of us. We must recognize a clear duty to obey the laws, to respect the rights of others, to resolve controversies by lawful means, to become responsive and responsible citizens.

"Unequal justice is no justice at all, unenforced laws are worse than no laws at all; that is why equal justice under law is the bedrock of the American system."

With these perceptive thoughts of the President in mind, I would like to direct our attention for a few moments today to an unusual phenomena that exists in our land. That is the matter of violent campus protests.

I suggest that it might be worthwhile to, first, describe the kind of person who leads and provokes violent protests, in our colleges and universities. Secondly, we might then re-examine the fundamental principles upon which our country was founded. Finally, I hope to draw appropriate conclusions for our consideration, not only with respect to a determination of relative values, but also with respect to suggested courses of action which might be taken.

Who and what is this person about whom we read who is violent in his protest?

William A. Stanmeyer, Assoc. Professor of Law at Georgetown University Law Center, in the April issue of the American Bar Association Journal, had this to say:

"The violent New Left, those who would instigate guerrilla warfare, who condone or encourage bombings and arson, who premeditate the seizure of private property or forcefully prevent legitimate business or government activities, whose heroes are Che, Mao and Lenin—this violent New Left is unique in American experience. It produces a type of person who can only be called the ideological criminal."

Professor Stanmeyer then observed that the ideological criminal is characterized in part by the following traits:

He "violates the law for a political purpose".

He "seeks maximum publicity for his actions but often does not care whether he attains his goals".

He is "driven by a vision"—a vision that "his destructive action will bring about a better world".

He is part of a movement—a movement which some evidence would indicate exists nationwide.

He is self righteous.

He has "blind confidence in the constructive power of tearing things down".

He "spouts hatred for an economy that lavishes on him more comforts than earlier societies bestowed on their Kings".

"He is a threat to law and the values law protects".

Many of us here today consider ourselves fortunate indeed to have been able to acquire—in some cases with sacrificial effort of self and family—a higher education. Many here today who have not been so fortunate nevertheless appreciate and understand the basic value of higher education in a free society. Is there a legitimate interest in favor of our modern ideological criminal in today's world that is deserving of protection? What should our attitude and response be today

with respect to those who seek to use the vestiges of freedom—free speech, freedom of assembly, protection from self incrimination, trial by jury, equal protection of the law—as a means by which they would destroy the society—the society of law—that has first produced and then safeguarded these very freedoms.

Incredible efforts have been put forth by our forefathers and by ourselves to secure and maintain these rights. The ideological criminal on our campuses, on the other hand, have uttered, to quote Professor Stanmeyer again, such slogans as:

"Old Societies pregnant with the new can give birth only when violence is the midwife" or "Dialectical thinking reveals that an intrinsically evil society can be smashed only by means which that society believes evil" or "the system is so bad now that maybe if it's destroyed something good will take its place."

Let us ask ourselves whether in fact, something new is in being of such value today to merit its birth by violence? Is our society so intrinsically evil to warrant its being smashed by means which many of us would consider evil? Does the long history of our country suggest that we dare indulge ourselves in the fantasy that if we stand by while it is being destroyed something better might just happen along to take its place?

None of us here today would pretend that our government of law—not of men—is perfect. But nearly all of us would rejoin, I believe, that it is the most nearly perfect government which civilization has produced. If this is so—and I believe it to be so—then our answers to these questions must be clear, concise and plain. The answer is that nothing new exists to merit its birth in violence—our society is not so intrinsically evil to warrant its smashing by evil means—in terms of man's fight for individual freedom something good just doesn't happen accidentally.

As we observe Law Day, U.S.A., this afternoon, we should finally ask ourselves—what must we do if our answers to these questions are correct?

It seems to me that there are many things we must do. To mention a few:

We must reaffirm constantly our commitment to the law. Every day, in one way or another, must be Law Day, U.S.A.

We must insist that those in our society who, by violence and unlawful means, would seek to destroy our country based as it is upon the law, are promptly and effectively prosecuted under the law.

We must insist that the administrators of our colleges and universities first understand that they are but trustees of an essential part of a free society and, secondly, that they respond to their fiduciary duty by guaranteeing that the criminal acts of a few do not interfere with the legitimate aspirations of the many in their pursuit of a meaningful education.

THE LAW: UNDER ATTACK FROM THE NEW BARBARIANS

(Address Given by William H. Rehnquist, Assistant Attorney General, before the Newark Kiwanis Club, May 1, 1969)

There may have been a time in this country, not too long ago, when the customary injunctions to obey and respect the law that are traditionally heard on Law Day might have seemed mere statements of the obvious. That is not the case today, however. The very notion of law, and of a government of law, is presently under attack from a group of new barbarians. They are found today on university campuses, in various public demonstrations and protests, and elsewhere, though they represent only a small minority of the numbers participating in these movements. Just as the Barbarians who invaded the Roman Empire neither knew nor cared about Roman government and Roman law, these

new barbarians care nothing for our system of government and law. They believe that the relatively civilized society in which they live is so totally rotten that no remedy short of the destruction of that society will suffice.

Reform groups in the past, however disillusioned they may temporarily have become with the society in which they lived, have directed their attention to the passage or repeal of particular laws or groups of laws. In so doing they have been willing to abide by the rules of popular government. The new barbarians, however, disclaim any such moderate tactics. "Bring down the system" is their cry. Notwithstanding their small numbers, they demand not only to be heard, but to be heeded. Failure to both hear and heed, on the part of the majority, brings in response not merely rhetoric, but willful and studied violations of the law—lying on the railroad tracks in front of a troop train, blocking workmen from entering a job site, occupation of university buildings against the will of university officials.

I suggest to you that this attack of the new barbarians constitutes a threat to the notion of a government of law which is every bit as serious as the "crime wave" in our cities. Because of this, the occasion of Law Day, 1969, calls for something more than the traditional encomiums to a government of law.

The barbarians of the New Left have taken full advantage of their minority right to urge and advocate their views as to what substantive changes should be made in the laws and policies of this country. Almost without exception, their views have not prevailed. They have likewise urged at great length in various colleges and universities of this country the numerous changes which they believe that circumstances there require. Here their efforts have been more successful, though still short of complete achievement. To the merits of their various proposals I do not propose to address myself; I shall address myself to the tactics which they have employed where persuasion has proved initially unsuccessful. These tactics have time after time involved willful and studied disobedience of the law.

Such tactics can be rationally justified only by turning on its head the notion of a government of law. One would have to argue that the dissatisfied minority has not only the right to be heard with respect to its views, but also the right to be heeded with respect to those views. Such a right cannot be accorded to the minority, however, without totally divesting the majority of its right to govern.

We are thus brought to the question of what obligation is owned by the minority to obey a duly enacted law which it has opposed. From the point of view of the majority, and of the nation as a whole, the answer, is a simple one: the minority, no matter how disaffected or disenchanting, owes an unqualified obligation to obey a duly enacted law. Government as we know it could not survive for a day if it permitted any group to choose the laws which it would obey, and those which it would not obey. Such right of choice would necessarily extend to other and less vociferous groups, who would doubtless choose to disobey different laws. The result would be anarchy. Neither idealism of purpose nor self-proclaimed moral superiority on the part of the minority qualifies in the slightest way its obligation to obey the law.

In insisting that a law be obeyed, and that disobedience be punished, society places its imprimatur not only on the particular law in question, but on the whole system of law which is the keystone of our civilization. It was Thomas Hobbes who said that life in the state of nature would be "nasty, brutish, and short"—a description with which many of us today would be disposed to agree.

Yet this is the prospect which awaits us down the road if we permit the system of law and obedience to the law to be torn down by the new barbarians.

So much for the position of the majority, or of society, with respect to disobedience to law. What is the question that must be answered by the disaffected individuals? One hears much these days of "matters of conscience", and it is doubtless correct to say that in the last analysis each individual must determine for himself whether a law is so odious that it cannot be obeyed. But while no one can presume to decide this question for another, from an individual point of view, surely it is not too much to expect that rational consideration of the question will embrace the following points:

First, that it is nonsense in a nation of 200 million people to speak in any realistic way of the majority enforcing its will against the intransigence of even a small but determined minority. One need only consider the system of traffic regulation which obtains on our highways, or the system of self-determination of income tax liability which results in the filing of some 60 million returns with the federal government each year, to realize that the continuation of any system of government in a complex society depends in a very real sense, not only upon the consent of the majority, but on the consent of the minority as well.

The deliberate law breaker does not fully atone for his disobedience when he serves his sentence, for he has by example undermined respect for the legal system itself. William Evarts, a New Yorker who served both as Attorney General and Secretary of State in the latter part of the 19th century, once made an address in which he urged obedience to a particularly unpalatable law which had just been passed by Congress. In the course of the address, he made the comment that "he who strikes at a law strikes at the law." His observation is as true today as when it was made.

Second, that just as the minority has it within its power to frustrate the governance of the majority, so a large majority by process of constitutional amendment has it within its power to deny the right of free speech and free discussion to the minority. Rational citizens expect the majority to restrain itself in order to keep open the avenues of public discussion; so likewise should rational citizens expect the minority to restrain itself in order not to bring the wheels of government to a halt.

Third, that there is a certain amount of arrogance in insisting that one's own personal predilections will not permit him to obey a law which has been duly passed by the legislative authority having jurisdiction over him. This arrogance is compounded by the reflection that the privilege claimed for conscientious disobedience is one that cannot be granted to the citizenry at large without bringing chaos; it is therefore, by implication, a privilege reserved to those with articulate and hyperactive consciences. The claim for conscientious disobedience is at war with the basic premise of majority rule.

Certainly those of us who are members of the legal profession, and those non-lawyers who are interested in the way that the nation is governed, need no reminder of their duty to speak up for the law—for the law not as a group of substantive regulations, but as a process by which a great nation is governed, if it is to be governed at all. We have recently witnessed examples of assault by the new barbarians on the rules and regulations which govern many of our colleges and universities, as well as on the system of public law in the country. To the extent that many breaches of university regulations do not constitute a violation of public law, the question posed by breaches of the former is not identical with that posed by breaches of the latter. And to the extent that private universities are governed in accordance with

charters and bylaws, rather than in the manner of political subdivisions, such institutions are not subject to the same general canons of government as are the latter. Nonetheless, major disturbances in our universities frequently culminate in violations of the law, and since the universities presumably intend to conform to some rational standard in enforcing their own rules and regulations, it may be profitable, if not encouraging, to see what lessons may be drawn from these recent disturbances.

Because many recent demonstrations and protests, at the universities and in the streets, have involved violence, it has become the fashion to deplore violence, without likewise deploring disobedience to law whether violent or nonviolent. But this approach misses a large part of the point. To deplore only violence, by whomever used, obscures the fact that the law must be enforced against all those who disobey it, regardless of the means by which such disobedience is accomplished. Force as a last resort in support of the enforcement of the law cannot rationally be equated with force used in disobeying the law. The former, when milder means have proved unavailing, is a necessity which has been recognized for centuries, both by common law and by statute; the latter is impermissible, not merely because it is violent, but more basically because it is disobedient. An officer of the law may shoot and kill, if necessary, a fleeing felon in order to prevent his escape, but the fleeing felon is not given a similar right against the officer of the law.

Though I do not presume to speak for, or even to, the universities on this point, I do offer the suggestion in the area of public law that disobedience cannot be tolerated, whether it be violent or nonviolent disobedience. I offer the further suggestion that if force or the threat of force is required in order to enforce the law, we must not shirk from its employment.

We have recently been treated to counsels, perhaps more directed to universities than to governments, which urge that we not "polarize the moderates", to employ a currently popular phrase, by using force or the threat of force to enforce rules and regulations. But "moderates" who shirk from the use of necessary force to compel obedience to valid regulations or laws are not moderates in any normal sense of that word. Instead they are persons who are either unable or unwilling to sensibly analyze the situation which confronts them.

COLLINS GIVES TEXAS SALUTE: FBI CHIEF, J. EDGAR HOOVER

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COLLINS. Mr. Speaker, because of my strong stand for law and order in this day when we have declared crime in the streets as our Nation's most pressing domestic problem, I should like to salute J. Edgar Hoover. The concerned citizens of Texas join me in support of our all-out law-enforcement efforts.

J. Edgar Hoover's 45 years of service to the Federal Bureau of Investigation and to the American people has been outstanding. His keen awareness of the crime problem and his ardent desire to improve the caliber of law enforcement in this country are two excellent reasons for his continued service as our FBI Director.

Mr. Speaker, all Texans, and Americans everywhere, are justly proud of Mr.

Hoover's many accomplishments. As our bulwark of law enforcement, J. Edgar Hoover means security in the knowledge that our children are safe in the streets and in that our country must function under a blanket of stability and order. I salute him and his record in the years to come.

I recently sent a questionnaire to my constituents in Texas' Third Congressional District and asked them 10 vital questions. One question is as follows:

Do you believe we should support our local police forces more strongly at this time?

Mr. Speaker, the positive response was overwhelming. Ninety-six percent of our young people, age 18 to 20, answered yes; 92 percent of our young adults, age 21 to 24, answered yes; 94 percent of our adults, age 25 to 44, answered yes; 97 percent of our mature adults, age 45 to 64, answered yes. And 97.3 percent of our wonderful senior citizens, age 65 and over, answered yes.

There is no question that the Third Congressional District of Texas gives J. Edgar Hoover our mandate for law and order.

#### WORDS OF WISDOM

### HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COHELAN. Mr. Speaker, a number of our colleagues know Mrs. Ruby G. Martin by reputation. Until recently, she was the Director of the Office for Civil Rights, the title VI compliance agency, at the Department of Health, Education, and Welfare. I am pleased to report that Mrs. Martin is continuing her efforts to bring about equality of opportunity from her new position outside the Government.

On Monday of last week, she spoke at a meeting of the Mississippi Council on Human Relations in Jackson. What she had to say was and is important, especially to those of us who have participated in the enactment of some of the major legislation of the last few years—laws such as the Civil Rights Act of 1964 and the Elementary and Secondary Education Act of 1965.

Mr. Speaker, Mrs. Martin made the point in her speech that there is a necessity to make the system more responsive to the needs of the poor and disadvantaged of our Nation. And this is an effort in which we—as legislators—should be particularly concerned. The words of Mrs. Martin are words of wisdom—words which should be heeded—and I commend her speech to the attention of Members of Congress. I include the speech at this point in the RECORD:

REMARKS OF MRS. RUBY MARTIN TO THE MISSISSIPPI COUNCIL ON HUMAN RELATIONS, APRIL 28, 1969, IN JACKSON, MISS.

Last week I spent four days in serious discussion and soul searching with a group of young black students and Mexican-American (*chicanos* they call themselves) students at the University of California at Berkeley. These were not the Berkeley students who have captured the national headlines during

the past few months by their constant confrontations with University officials. These young people were not the so-called way out militants or separatists, not at all. Rather, they were young men and women genuinely and gravely concerned about meaningful survival—concerned about being productive human beings—concerned about their own future and the futures of all black people and other minorities in America. And these young people are literally being torn apart inside by what's going on around them and what's happening to them personally—the war, the threat of being drafted into a war that they do not understand and do not like, the crisis in the cities and the crisis at the universities across the nation, grave problems of hunger, poverty, racism (black and white), segregation, racial and ethnic discrimination, and unequal opportunity, the denial of a job, a house, the right to participate fully in the wealth of this great nation because of arbitrary factors of race, color, and national origin.

In an effort to come up with some meaningful way to discuss these issues with the young students, it suddenly dawned on me that the black students, as well as every other black youngster in the nation in the same age bracket, are the first clearly identifiable victims of this nation's many promises of the 1950's and 1960's, promises that have been broken, disregarded and ignored. They are the first ones who were promised a racially integrated education, by the 1954 *Brown* decision. They are the ones who were promised an equal educational opportunity by that historic decision which outlawed racially separate schools, a decision which was reinforced by the 1964 Civil Rights Act, Title VI of which prohibits the Federal Government from providing financial assistance to school systems that refuse to comply with the 1954 Court decision. They are the first ones who were promised an *extra* educational advantage, a chance to catch up, or at least a chance to have the educational gap between white and black students reduced by the Elementary and Secondary Education Act of 1965, the Act which established a national policy to provide special education opportunities for educationally disadvantaged, minority youngsters.

The young black people whom I met with in California sincerely feel that all the Federal legislation, court decisions, and lofty statements of national policy are not worth the paper they were written on; they had changed nothing. They told me that they graduated from inferior, from segregated schools despite the *Brown* decision and despite Title VI. They could point to no *extra* educational advantage that either they had received or their younger brothers and sisters, still in grade school—still in segregated schools—were receiving as a result of the Elementary and Secondary Education Act of 1965.

Talking with these young people was one of the most depressing, frustrating experiences of my life because, while I agree that America has a long way to go in redressing racial and social injustices, I believe that some changes have been made—not enough changes and certainly the changes have not come fast enough.

And while I understood their disillusionment, I, myself, was disillusioned at the way they seemed to brush off my arguments that black people must learn how to deal with the *system* in order to bring about effective change. They were ready to junk the *system*—not ready to learn how it operates. While I readily admit that my argument clearly is not the only answer or the final answer, I do think it has some merit, and I would like to explore it with you as I did with them.

My basic premise is simple—black people, poor people, minority people must learn about the decision-making processes in our

nation, and challenge both the decision makers and their decisions with facts and figures, and not with emotion or rhetoric. We must study the *laws* designed to bring about change and determine, in fact, what changes have been made as a result of these laws. If there are discrepancies between what the law says and what, in fact, is happening as a result of these laws, we must challenge the authorities responsible for the discrepancies.

Title I of ESEA of 1965 and Title VI of CRA, 1964, read together—what they say on paper—are powerful tools for dealing with the unequal educational opportunities based on race, color, and national origin that are rampant in our nation. They are powerful tools even though both pieces of legislation, both Title I and Title VI, have been watered down since they were originally enacted. Despite the watering down, however, I believe that both pieces of legislation are adequate to bring about meaningful change. But, the *system* for carrying out these laws, the system for implementing the regulations governing the laws, and the system monitoring performance under these provisions, the system which makes the written laws a farce, are the things we must explore, the things we must learn, and the things we must challenge. For example, the regulations and Federal policies governing Title I of the Elementary and Secondary Education Act of 1965 are clear, crystal clear in a number of respects.

First, Title I funds are for the sole benefit of children from disadvantaged homes, educationally deprived children, poor children. It is not a general aid-to-education act or a school construction act; on this there is no question. The law is clear;

Second, Title I funds are *supplemental* to state and local funds and *must not* be used to supplant state and local monies. Federal Title I funds are extra, over and above state and local allocations, and the law assumes that the state and local expenditures are the same in those schools attended by educationally disadvantaged children as in all other schools in the system; and

Third, programs developed under Title I must be of sufficient size, scope, and quality to give a *reasonable promise of substantially improving* the quality of education afforded disadvantaged children.

There is no question in my mind but that few school officials have paid serious attention to these three important provisions governing the use of Title I funds. Indeed, there is reason to believe that some school officials have flagrantly disregarded these governing principles, and have used Title I funds any way they wanted to use them, sometimes in outright defiance of the law.

Cases are coming to our attention which suggest that in some Southern school systems, the still segregated black schools are being operated almost exclusively by Federal funds, Title I funds, and black classroom teachers, regular classroom teachers assigned to schools are being held captive in these schools and they are also being used to hold black children captive in these schools. These black teachers are told that if Federal funds are cut off for non-compliance with Title VI, they will lose their jobs because they are "Title I teachers." This is a clear violation of the letter and the spirit of the law. Title I funds are extra; they are over and above state and local funds. It is a violation because the law states, on its face, that Title I funds are not to be used to pay regular classroom teachers unless the Title I project itself is to increase the number of teachers in the school, and thus substantially reduce the pupil-teacher ratio in the school, provide for smaller classes, and individual instruction. Title I funds are supposed to hire *extra* teachers, and these teachers *must* be assigned to the schools with the highest concentration of disadvantaged poor children. Telling a teacher that he or she is a Title I teacher is not enough; giving a

regular classroom teacher responsibility for teaching a special reading or math class is not enough; the law requires more, much more, and we must find out how the Title I funds are being used in our school systems.

There is also substantial evidence to support the charges that black children are also being held captive in black segregated schools by the tremendous food programs, the eating programs, and the so-called nutrition programs, totally financed by Title I funds. These children, and their parents, are told that as long as they stay in black schools they can have a free breakfast, lunch, and a bag to take home to the family; but, if they dare elect to attend a white school, they will lose all of the free food benefits. These same school systems are generally also providing free food programs at the white schools, but under another Federal law, the National School Lunch Program, which is administered by the Department of Agriculture. In fact, the black children, upon transferring or choosing a white school, should be eligible for a free lunch under the Agriculture-funded program. Indeed, they should continue to get free food under Title I. The Commissioner of Education has established a policy which provides that Title I benefits such as free food, free health, and free medical services flowing to a black child in a black school should follow him to a formerly white school or desegregated school, and he should not be denied Title I benefits simply because he exercised his constitutional rights.

Just last week, we were told of a situation in Georgia, where a local school system used state and local funds to build a gymnasium in a white high school, and Title I funds to build a gymnasium at the black high school, a clear violation of both Title VI and Title I. This situation came to the attention of the Federal Government after the fact, after the facilities had been constructed in violation of the rules and regulations governing both Title VI and Title I. This is the kind of misconduct and malappropriation of Federal funds that we are going to have to identify and document and present the facts on to the governments at all levels, local, state, and Federal.

Cases are also coming to our attention which suggest that a large number of Northern or Southern big city school systems, systems that are in deep financial trouble because the flight of the white people to the suburbs has lowered the tax base, have thrown Title I funds into the general school budget. Title I funds are being used for general school purposes, teachers' salaries, overhead, administrative costs, etc., with total disregard for the Congressional mandate that this money be concentrated in the schools servicing the most educationally disadvantaged youngsters in the community.

As concerned black people, as parents of disadvantaged children, as people vitally concerned about the welfare of our children, we must mount a mammoth campaign to expose the outright violations of the law; we must expose both the school officials that are stealing from our children, and those who are flagrantly misusing the funds. We must also expose those who, because of ineptness and unconcern have instituted Title I programs which are totally useless, of no value, to disadvantaged children.

Every school system receiving Title I funds is required, by law, to have on file for the benefit of parents and citizens an evaluation of the educational needs of disadvantaged children. They are required to have available a copy of the Title I projects that are supposed to meet those needs. There must also be on file a designation of the schools in which the Title I projects are located. And at the end of each year an evaluation must be made of the extent to which the Title I projects are meeting these educational needs of the disadvantaged children they are supposedly designed to help. I wonder how the Georgia school officials who used Title I

funds, not state and local funds, but Title I funds, to build a segregated, black gymnasium justified, if they bothered to justify, the construction of that facility as meeting the educational needs of the disadvantaged children.

I predict that unless we mount a major effort to assure that Title I funds are being used in our school systems the way they are supposed to be used, they will continue to be misappropriated and malappropriated. I also predict that if this happens, seven years hence, a group of educators, psychiatrists, and sociologists are going to come out with a report with the following headline: "Despite the expenditure of X billion of Federal dollars over a ten-year period to upgrade the achievement levels of disadvantaged children—poor children—black children—they are still dumb. The conclusion: They are inherently dumb."

I don't know about you, but I think we ought to do everything in our power to avoid that headline. If school people are going to use Federal funds appropriated solely for poor children to help all children, not just for poor children, the world ought to know that's what is going on. Poor children should not be held accountable, seven years hence, for that which they have not received. If school officials are going to use Federal funds that are supposed to help raise the educational sights of disadvantaged children to build segregated gymnasiums, to carpet and furnish their offices, to buy IBM equipment for white schools, or to initiate massive programs to feed children to keep them in black schools, then it ought to be brought out in the open.

I'm getting just a little weary of hearing that cutting off Federal funds for failure to comply with Title VI hurts black children only; with the things I'm learning about how Title I funds are being used, I have grave doubts about the validity of the assertions. Some community leaders now suspect that the black schools and black children are actually receiving less financial support when Title I funds are available, than they would otherwise. They fear, with good reason to fear, that black schools are financed by Title I funds only, and all state and local monies are going into white schools.

Unlike the California students, I'm not ready to give up on the system—not yet anyway, and I hope that you are not either. But while I'm not going to give up on the system, I am going to make it work and to expose those who disregard the Constitution and the laws of this land. And while I am distressed by the action of the House of Representatives last week defeating an amendment that would have required the establishment of local advisory committees on Title I programs, I know that community interest and involvement can be brought about in a number of ways. PTA groups, churches, and individually concerned parents can raise these issues with the local education agency; local advisory committees would have been great, but they are not a necessity. As an old Federal bureaucrat, I can tell you that we are going to have to do the work; the Federal Government does not have the staff, and in some cases, not even the desire, to do the job; it's up to us. I, for one, am going to do all I can to bring these injustices and violations out into the open for the world to see, for I believe that if enough pressure is brought to bear, things will change.

Thank you.

"TIRED STUDENT" ABOUT FED UP

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DENNEY. Mr. Speaker, recently the following letter to the editor came

to my attention. The author, a student is Stephen Osborne. The letter appeared in the Oklahoma Daily which is the University of Oklahoma newspaper. It has a message for all of us and having received permission, I insert the following in the RECORD:

"TIRED STUDENT" ABOUT FED UP  
(By Stephen Osborne)

To the EDITOR:

I am a tired student of the University of Oklahoma in Norman. I am tired of being called a "damn pig farmer" and a "Bible Belt Okie."

I am tired of having the out-of-state cynics use my state as a whipping boy for 9 months every year.

I am a tired student—weary of having American higher education facilities stoned, ransacked, and burned by mobs of unendingly, insatiably discontented "reformers" operating under order from "love" pushers who preach peace and breed conflict . . .

I am a tired student—choked up to here on this business of trying to intimidate our government by placard, picket line, and sit-ins by the hordes of dirty unwashed who wish to man the barricade against the forces of law and order.

I am a tired student—weary of the hippies who say they should have the right to determine what law of the land they are willing to obey.

I am a tired student—weary unto death of having my tax dollars to go to the SDS-cheered dictators and heroes who play both sides against the middle with threats of what will happen if we cut off the golden stream of dollars.

I am a tired student—who is getting madder by the minute at the filth "journalists" who have launched universities into an obscenity race, who try to foist on us the belief that their "out of sight" filth is an integral part of culture . . .

I am a damn tired student—weary of the bearded bums who tramp the picket lines and the sit-ins—who prefer Chinese communism to capitalism—who see no evil in Castro or Che Guevara, Eldridge Cleaver, and Huey Newton, but sneer at President Nixon as a threat to peace.

I am a tired student—who has lost all patience with that civil rights group which is showing propaganda movies on my campus and others coast to coast—movies denouncing the United States—movies made in Communist China.

I am a tired student—who is angered by the self-righteous breast-beater revolutionary elements from Columbia, San Francisco State, Fresno State, San Mateo, and old Wheeler Hall at Berkeley, and those abroad, who set impossible yardsticks for the United States, but never apply the same standards to the French, the Cubans, the Russians, the British, the Chinese.

I am a tired student—who is weary of some Negro leaders who scream four-letter words in church meetings for shock purposes.

I am a tired American—who dislikes clergymen who have made a career out of integration causes, yet send their own children to private schools.

I am a tired student—who resents those free-loading goldbricks who try to peddle the belief at my university that capitalism is a dirty word and that free enterprise and private initiative are only synonyms for greed, while they pay their tuition with the money of their middle class parents. They say they hate capitalism, but they are always at the head of the line demanding their share of the American way of life.

I am a tired student—real tired of those who are trying to sell me on the belief that America is not the greatest nation in all the world—a generous-hearted nation—a nation dedicated to the policy of trying to help the "have-nots" achieve some of the good things

that our system of free enterprise brought about.

Yes, I am a tired student—so damn tired of the long-haired critics screaming for the abolition of our ROTC that I could cry—the same hypocritical cowards that would be the first to take advantage of the militia's absence by storming every building on campus the minute it seemed feasible.

I am a tired student—who thanks the Lord he has the luck to be a student, to be an American citizen—a nation with a way to go—but better than the rest.

#### U.S. FOREIGN POLICY: A JOURNEY INTO SCHIZOPHRENIA

**HON. CHARLES H. WILSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the words from a popular folk song among our youth today states, "For the Times, They Are a Changin'." No single other fact seems more evident today. The need for change is upon the land and has entered the minds and hearts of our people. The need for change is reflected by the growing rebellion of our youth on campus. The need for change is mirrored by the demands of adults who have called out for tax, urban, and political reforms. The need for change is echoed by the cries of our servicemen, fighting and dying in Vietnam. This need is present, and, immediate.

Let us look and see in what area have these needs gone unanswered. In what area has the status quo remained the supreme guideline? In what area do the realities of today go ignored because of the stultified thinking of yesterday? Sadly enough, the foreign affairs area, that is where.

I have spoken out in the past, calling for a reappraisal of our foreign policy. I have enumerated our countless failures as well as given credit for our pitifully few successes. I have tried to call attention to the disparity between that which we say, and that which we do.

We call for freedom and self-determination for the peoples of the world. Yet we support dictators and dictatorships throughout the globe, from Greece, to Brazil, from Spain to Haiti. We call for equality for all men. Yet we support the racial regimes of Rhodesia and South Africa. We call for the economic advancement of the underdeveloped nations; yet we are only sixth on the list of nations who give foreign aid when you base that aid in proportion to our gross national product. We call for peace throughout the world and yet we continue to kill and be killed in Vietnam. And finally, we call for disarmament and yet our President proposes an anti-ballistic-missile system that would escalate the arms race tremendously. Could it also be said that we call for sanity in this world while we ourselves act somewhat irrationally?

The time has come to review the explanations for the diversity between our ideology and our activities, that is, the rationalization that says every dictator-

ship we support, every bigoted regime we bolster, every war we engage in, is for and in the best interest of the United States. What are our objectives in world affairs? What are our goals? Is it merely the maintenance of the status quo regardless of what extremes we must go to? I hope not, for that would mean that we would be accepting the Machiavellian principle that the ends justify the means. I reject that principle for I believe that the means to a large degree will determine the worth of the ends. When we utilize foul methods, we pervert and dirty our goal, no matter how right and honorable that goal had been originally.

It is time that we recognize certain basic facts of life and reconcile them with the ideas that most Americans respect. An ally is someone you can depend upon. Our only ally in the Middle East is Israel. Our only allies in Southeast Asia are those troops who are fighting on our side willingly. Those troops are South Koreans and Australians. The South Vietnamese technically qualify. But the questions as to their willingness and spirit that have been raised are valid ones.

The time has come for us to practice what we preach. We must act to fill the credibility gap that we have ourselves created. If America is to stand for democracy, truth, and honor, our future actions must reflect these virtues. Let us end our two-faced policy of arming both sides in the Middle East as quickly as possible without further inflaming the situation and reassure Israel of our continuing support. Let us withdraw from South Vietnam and let the Vietnamese determine their own destiny. Let us act to show our disapproval of the apartheid Government of Rhodesia and South Africa as well as those of dictatorships that stomp upon the principles that our Nation was founded upon. Most important of all. Let us stop stretching the imagination, boggling the mind, and deluding ourselves with flamboyant rhetoric. As many of the youth of today would put it: Let us tell it like it is. And once we tell it that way, let us live up to our words.

#### REVISING THE SOCIAL SECURITY RETIREMENT TEST

**HON. SAM GIBBONS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GIBBONS. Mr. Speaker, today I have introduced a bill to provide a substantial increase in the amount of outside income permitted without a loss of social security benefits and to provide that all types of income will be included in determining the amount of an individual's income.

My bill would permit a person to get all of his social security benefits as long as his total income did not exceed \$10,000 a year. If his total income was more than \$10,000 a year, his social security benefits would be reduced by \$1 for each \$1 of income over \$10,000 a year. Under the bill, income is defined as income from all

sources: wages, interest, dividends, rents, pensions—including social security—and so forth. This bill, however, would make no change in the provision of present law under which a person's social security benefit is stopped for any month in which he works on 7 or more days in a foreign country.

That some change in the social security retirement test is needed is generally admitted. There is, however, no general agreement as to what the change should be. Some propose that the test be eliminated altogether, while others suggest that the amount of earnings allowed be increased by \$10 a month. In my opinion, neither of these extremes is needed. What is needed is a fresh look at the problem and a realistic appraisal of what the test and the social security program are intended to do.

If we look at the present retirement test, the need for a revision is obvious. Under the test, a person who earns over \$1,680 a year has his social security benefits reduced by \$1 for each \$2 he earns between \$1,680 and \$2,880 and by \$1 for each \$1 he earns above \$2,880. However, under the so-called monthly test, he is paid a benefit for each month in which he does not earn more than \$140.

If we apply the present test to the average retiree, whose monthly benefit is about \$100, and assume that he works in every month we see that: First, if he earns as much as \$2,880, he loses \$600 in benefits, and second, if he earns \$3,480, or more, he loses his entire benefit for the year. The monthly test does not apply because he earned over \$140 in each month.

On the other hand, let us apply the present test to a talented actor who reaches 65 this year and gets the maximum retirement benefit payable at this time, \$165 a month, \$1,980 a year. If in July and August he does a play for which he is paid \$10,000 a month, although his annual earnings are large enough to cause him to lose all of his benefits, the monthly test comes into play and his benefit is reduced by only \$330, the amount of his benefits for July and August.

Neither of these situations seem fair to me. In the case of the average worker, the reduction in benefits is too drastic, considering today's wages and prices. In the actor's case the reduction is too little considering his total income because of the monthly test. Accordingly, I have shaped my bill so that the average retiree can have more work and still get all of his benefits while at the same time limiting the benefits paid to those who have a substantial income, that is an income of more than \$10,000 a year, regardless of the source of the income.

Mr. Speaker, I know that this seems to represent a departure from some people's concept of what the social security program is. However, I have gone into the matter at some length and I do not believe that it is as great a departure as some may think. If one thinks, as I do, that the social security program is a mechanism for providing a basic retirement income, then the program should be geared to this objective. It should provide for a basic income which can be supplemented up to some realistic

cutoff point. This is what the present test purports to do, but not what it does. As the test now stands, the smaller your benefit, the less you can earn and still get a benefit. If you are one of the unfortunate ones who gets the minimum benefit paid to people who retire at age 65, \$55 a month, you lose all of your benefits when you earn as little as \$2,800 a year. Compare this with what happens to a person, like the rich actor who can earn \$20,000 in 2 months and lose only \$330 in benefits.

A letter the former Secretary of Health, Education, and Welfare sent to the Speaker on January 7 says:

Over the years there have been considerable confusion and misunderstanding of the retirement test in social security.

And, while I cannot agree with much of the rest of the letter or the report on the retirement test which it transmitted, I must say that his sentence expresses my own feeling. However, I think there is as much confusion and misunderstanding on this point in the Social Security Administration as elsewhere.

After pointing out that for the people now getting social security benefits the social security taxes paid on their earnings have amounted to only 10 percent of the value of the benefits payable, the letter goes on to say:

Another misunderstanding that many people have is that a person who works after age 65 is treated unfairly as compared to a person who after retirement has income from savings and investments. People who think this way misunderstand the whole purpose of a retirement system, which is to pay benefits to partially replace lost earnings. If benefits were withheld because the person had income from savings, a private pension plan or the like, the program would discourage people from saving in their productive years to have a more comfortable life in retirement than social security benefits alone can make possible.

Mr. Speaker, I have great regard for the abilities of former Secretary Wilbur J. Cohen when it comes to social security, and, in the last sentence I quoted, he has brought out the most compelling argument against my bill. However, I think the facts do not agree with the argument. In the first place, savings are not income and no one to my knowledge has seriously proposed that people with savings should not be paid social security benefits. Certainly I am not. What I am proposing is that interest paid on savings should count as income for purposes of the retirement test. Second, not very many people get private pensions and the most optimistic projections I have seen indicate that eventually considerably less than one-half of those now working, perhaps 35 percent, will qualify for a retirement pension.

Although I do not agree with the thesis set out by the former Secretary, let us look at how my bill would work with a person who retires this year with a maximum retirement benefit of \$1,890 a year. Such a person would get all of his social security benefits if his other income from all sources was not more than \$8,110 a year. If his total income should exceed \$10,000 a year, his benefits would be reduced by \$1 for each \$1 of income above \$10,000. If we consider 5 percent a good return from savings and

investments, that would mean that a person with \$160,000 invested could still get all of his benefits. If he had \$180,000 invested at 5 percent, his income would be \$9,000 in interest plus \$1,890 in benefits for a total of \$10,890. He would, therefore, lose \$890 in benefits. It would not be until he had over \$190,000 invested that he would lose all of his benefits.

Similarly, a person with a pension of up to \$8,100 would continue to get all of his social security benefits. Now, an \$8,000-a-year pension is an extremely large pension, particularly when one considers that in 1966 the average private pension was about \$110 a month, \$1330 a year. Thus, my bill would permit a person to have a pension of more than 6 times the average without any loss of social security benefits.

The person with a considerable income who has large earnings in 1 or 2 months would get no social security benefits, while the average retiree could work and earn as much as it is reasonable to expect him to without any reduction in his benefits.

On the other hand, the extraordinary person who has a substantial income without social security benefits would not be paid any benefits, regardless of whether he worked.

Mr. Speaker, the changes my bill would make in the social security retirement test would bring it up to date. When the program started, benefits were to be paid unless the worker received wages from "covered employment." Presumably this was to prevent workers from drawing benefits and then being able to compete at reduced wages in a surplus labor market. Subsequent changes in the retirement test seem to me to be tied to the

same idea even though there is now a scarcity of skilled labor of almost every description.

In light of the present conditions, I believe that the objective of the social security program should be to provide a basic income at retirement age which will permit those who want to retire to retire, while not penalizing the average worker who wants to or who needs to work. If my bill is enacted, those who reach retirement age will find that they have a greater variety of choices than under the present law. They will know that as long as they need a social security benefit, it will be paid. But, if their income is substantial enough so that they have more than the average person earns while working, no benefit will be paid to them.

Considering today's wages and prices, the amounts that a social security beneficiary can earn are much too low. Under the present provisions, those who need work to supplement their benefits cannot earn a meaningful amount, while those who have more income than the average working person are permitted to receive benefits without penalty. It is only simple justice to provide benefits to those who need them, while withholding from those who have no need for them. As I indicated earlier, under the present law, benefits are withheld from those who need them and paid to those who do not.

I hope that the next time we vote on a social security bill, it will contain a provision such as is embodied in the legislation I have introduced.

Mr. Speaker, I include a comparison of the present law and my bill in the RECORD, as follows:

THE SOCIAL SECURITY RETIREMENT TEST IN PRESENT LAW AND AS IT WOULD BE MODIFIED BY CONGRESSMAN GIBBONS' BILL

PRESENT LAW	GIBBONS' BILL
Exempt Amount—\$1,680 a year of earned income.	Exempt Amount—\$10,000 a year, includes all income, wages, interest, rent, dividends, social security benefits, etc.
Benefit Reduction—\$1 in benefits for each \$2 in earnings between \$1,680 a year and \$2,880, \$1 in benefits for each \$1 in earnings above \$2,880.	Benefit Reduction—\$1 in benefits for each \$1 of income above \$10,000 a year.
Monthly Test—Regardless of yearly earnings benefits paid for any month in which earnings are less than \$140.	Monthly Test—None. (Except for first year of retirement.)
Foreign Test—Benefits not paid for any month in which a person works on 7 or more days outside the United States.	Foreign Test—Same as present law.
Age Exemption—Test does not apply after a person is 72.	Age Exemption—Same as present law.

THE SHEEPSKIN PSYCHOSIS

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COUGHLIN. Mr. Speaker, most of my colleagues, I am sure, are aware how little relevance much of our current academic curriculums—particularly at the high school level—has for many students. In this regard I wish to offer for consideration a few statistics, a newspaper article, and a short editorial, all of which might conceivably be put to good advantage by those of us who seek to provide a meaningful educational system.

According to information supplied to

me by the Legislative Reference Service, for every 100 students in the fifth grade in 1959-60, 72 graduated from high school, 40 entered college in 1967 and 20 are likely to earn degrees in 1971.

In other words, Mr. Speaker, high school education geared solely toward college has precious little relevance for 60 percent of all students.

I have also received some statistics from the State of Ohio, which I believe are just as applicable to my State of Pennsylvania and to the rest of the States as well. I think these figures speak for themselves:

Item: Only 11 percent of present jobs call for persons with a college degree.

Item: Only 5 percent of high school graduates have job training that is applicable and acceptable to industry.

Item: 83 percent of unemployed today are under 35 years of age and 28 percent of these young people never have had a job.

Again, the sheepskin psychosis neglects training for the 89 percent of the jobs that do not require a college degree.

Mr. Speaker, clearly our educational system is still tied to century-old ideas that provide everything for the college-bound student and very little for the 80 percent of students who do not earn a college degree. What we surely need is an increase in our vocational training programs.

History, I am sure, will record the phrase "dropout" as somewhat of a misnomer. What we should call these unfortunate students are "squeeze outs," "push outs," "drift outs," and "fall outs."

In support of my view that many students are victims of the present educational system rather than unwilling participants, I submit an article and editorial from the Main Line (Pa.) Chronicle which I ask be included in the RECORD:

[From the Main Line (Pa.) Chronicle, Apr. 17, 1969]

TRUANCY AND DROPOUTS BLAMED ON CURRICULUMS

Joe is 16, a sophomore at Lower Merion High School. He lives in Narberth, wears a mustache and grins at girls. In other words, there seems to be nothing abnormal about Joe.

But Joe's bag is cutting classes and playing hooky from school. During the first weeks of school last Fall he missed 15 full days and no one knows just how many single classes.

Why does he cut? "I dunno," he'll say when asked. Then he'll grin, "I want to work to earn money to get stuff for my car," he'll explain.

"Like today in math class. All I could think about was putting that new transmission in my car.

"The subjects are dull. I can't spend enough time in the auto shop."

Joe is nuts about cars. "Put him in a lot with a car and a couple of tools," said Lower Merion High School Disciplinarian Fritz Brennan, "and he'll stay there all day. He's great with his hands and he just loves cars."

Joe isn't meant to be a scholar. "I don't like math, or English, or any of the mandated subjects. I just want to work in the shop."

But under the regulations of the State's Department of Education, every student in Pennsylvania public schools must take a quota of "mandated" courses, in the humanities and the sciences. Joe, in other words, is not allowed to spend his time where his talent is.

The result? Truancy.

EMPHASIS ON ACADEMICS

Truancy at Lower Merion High School is not the critical problem that it is in city schools, of course. But it is a problem nonetheless, and according to Mr. Brennan one of the chief disciplinary troubles at the school.

One of the major factors contributing to truancy in Lower Merion's schools, according to Mrs. Walter Rohlfs, community counselor, is academic pressure. "Parents want their children to complete academic courses," Mrs. Rohlfs explained. "And society in general places too much emphasis on academics.

"The result is that students who are not academically oriented dislike school and play hooky."

Which is, in a nutshell, Joe's trouble.

What does he do when he leaves school? "I work. I've been a gardener, I cut grass, I work in gas stations and I park cars. I

can make \$2.50 an hour. That gives me enough money to work on my cars."

"Mr. Brennan convinced me to stay in school. He got me five hours of shop a week, which is more than I would otherwise have. And next year and senior year I'll have 13 hours of shop a week—that's all afternoon.

"When I graduate I'll go to work. I just want to be a mechanic."

OTHER REASONS FOR TRUANCY

Not all of Lower Merion's hooky players, of course, are obsessed with cars. "There are two main reasons which explain truancy," Mrs. Rohlfs said. "The first is that a lot of students are simply not academic. The second is family trouble. The child wants to get away from a bad situation at home, so he wants to work to make his own living."

The kids themselves never explain it that succinctly. In questionnaires which Mr. Brennan makes them fill out after a truancy incident, they give all kinds of explanations.

"I don't like school. I can't stand to sit in class," wrote one.

"I didn't finish an assignment so I stayed away," another said.

"I just wanted to see if I could get away with it."

"I was depressed and in the kind of mood that I didn't care what I did. All I did was drive around and think about why I was depressed." The boy added, "I never did figure it out."

There are all kinds of excuses.

What do they do when they leave school? "I went to Ardmore and played the pin ball machine," said one. "I walked through the stores, and then I rode around with someone all day."

One solution, according to Mrs. Rohlfs, would be to make state education laws more flexible.

"Truancy emerges at about age 14," she explained. "If a child at that age shows definitely that he is not meant for college or an academic course, the best thing for him would be some sort of vocational apprenticeship program.

"When their grades are poor, they wonder why they should stay in school. I'm just going to fail anyway," they say, and they're probably right. If they could get an apprenticeship somewhere, that would be the answer.

"Now, she continued, "General Electric has a wonderful apprentice machinist course, but they won't take kids without a high school diploma. The emphasis, you see, is wrong."

It's the school routine, it's the fear of exams, it's the car which needs the new transmission. It's a thousand reasons, but it all boils down to one. The student sees a difficult situation, and doesn't want to cope with it.

"Remember, these kids are adolescents," Mr. Brennan pointed out. "They refuse to take responsibility. Society's standards have broken down to such an extent that they don't know why they should try to be responsible human beings. Sometimes I want to crawl up into their head to see what makes them tick."

NOT MANY DROPOUTS

Lower Merion does not have a lot of school dropouts. Until March 12, only 18 students had left school to go to work. Of them, some will probably return next September when they find that they'll do better with a high school diploma. Six of last year's dropouts returned to finish up this term. In every case, performance was much improved.

"You get tired of fighting them," Mr. Brennan said. "Finally you tell them to get a job, if that's what they want. They come back when they discover that it's not quite that simple."

But truancy remains a problem. For a guy like Joe, for the girls who just want to run a beauty shop, an academic course at Lower Merion means little to them.

"We must try to work out more vocational

programs," Mrs. Rohlfs concluded. "Until we do, the nonacademic student is going to be dissatisfied and unhappy in school."

[From the Main Line (Pa.) Chronicle, Apr. 17, 1969]

EDITORIAL

The curricula in our high schools are aimed at preparing boys and girls for college, conforming to the sheepskin psychosis that has been fostered in the past decade or two.

Ellisabeth Kimbell, our managing editor, has a story in this issue based on interviews at Lower Merion High School. Many of the adolescent kids rebel at having to take prescribed courses that are not going to help them earn a living. "They're simply non-academic," says Fritz Brennan.

So if we are to become a nation of researchers, teachers, social workers, government employees, computer operators and the like; if we can find nobody in the future to do our dry cleaning, paperhanging, car repairs, roofing, plumbing, electrical work and the like—blame the sheepskin psychosis.

INFLATION CAUSES FARM PRICES TO DIP

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ZWACH. Mr. Speaker, for the first time in 1969, farm prices and also farm parity has receded this past month.

Higher costs for building materials, purchased feed, feeder livestock, seed, taxes, interest and wage rates, raised the overall cost index to a record high of 372. This index rating is based on the standard index of 100 based on the average of the years 1910-14. Farm prices received by farmers dropped 2 points this past month to 270, thus giving a farm parity ratio of 73 percent.

Only on two farm items, was full parity prices received. These two are fresh apples and limes. Less than 50 percent was received for cotton, wheat, wool, grapefruit, oranges, and tangerines.

In addition, corn, barley, oats, sorghum, poultry, and turkeys were sold at less than two-thirds of full parity. Price increases were noted for cattle, lemons, calves, and lambs during the past 30 days, according to the USDA report.

Following is a table of the relative parity percentage ratings for some of our basic farm produce for the months of March and April:

Commodity	[In percent]	
	March	April
Cotton	43	43
Wheat	47	47
Corn	64	65
Butterfat	74	74
Milk	83	84
Wool	43	44
Barley	64	65
Flaxseed	68	68
Oats	67	66
Sorghum	64	63
Soybeans	69	69
Beef cattle	82	85
Chicken	70	67
Eggs	78	75
Hogs	78	76
Lamb	91	92
Turkey	61	61
Average of all commodities	74	73

**GONZALEZ INTRODUCES RESIDENCY  
VOTING ACT OF 1969**

**HON. HENRY B. GONZALEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GONZALEZ. Mr. Speaker, one of the major pieces of unfinished business left by the 90th Congress was passage of legislation to insure that our citizens who change residences can vote in presidential elections. I am today reintroducing the proposed Residency Voting Act.

Inability to exercise the power of the ballot, whether caused by restrictive State-residency requirements or by the happenstance of a change of residence close to election time, result in the loss of a basic civil right.

It is my conviction that equal, unencumbered access to the ballot box is the crucible of a free society. Minutes after I was first sworn in as a Member of Congress in 1962, I introduced a constitutional amendment to abolish the poll tax. Soon, and in every Congress thereafter, I introduced an amendment to lower the voting age to 18 in national elections. I believe the prime requisite of citizenship is to elect responsible officials, and nothing more clearly signals second-class citizenship than the denial of the vote.

It is estimated that 8 million Americans were barred from voting in the 1964 presidential election because of residency changes. This disenfranchisement hits a wide range of our people. It hits the migrant farmworker and the transferred corporation executive. It hits oil well riggers and chemical engineers, only two of the occupations with great job mobility. It hits people temporarily away from home at election time, like the long-distance truckdriver, or the businessman abroad.

Bureau of Census figures show that our people make a move every 4 or 5 years on the average. Our mobile population frequently finds that one of three barriers prevent them from voting.

A major barrier is the State-residency requirement. One State requires its voters to be residents for 2 years. Thirty-two States and the District of Columbia require 1 year of residency; 15 States require 6 months; three require 90 days.

The bill I am sponsoring provides that a citizen, otherwise qualified to vote under the laws of a State or locality, may not be denied his vote for President and Vice President if he has been a resident of that State or locality since September 1 preceding the presidential election. This would in effect establish September 1 as the uniform qualifying date for presidential elections.

However, if a citizen moves after September 1 and before election day in November, he would still be unable to vote in most circumstances. The Residency Voting Act proposes to insure that a citizen be given the opportunity to register and vote in the State or locality from which he most recently moved, either in person or absentee ballot.

A third barrier to voting is faced by private American citizens temporarily residing abroad. Although all but two

States provide absentee registration procedures for members of the Armed Forces and employees of the Federal Government stationed abroad, only 12 States extend these procedures to private citizens. All the rest require registration in person. The bill I am sponsoring would remedy this by requiring that any State which permits absentee voting in presidential elections provide an absentee registration process as well.

I was pleased that last year Congress enacted two pieces of legislation which I sponsored to encourage the States to facilitate absentee registration and voting by members of the Armed Forces, and to extend registration privileges to all citizens temporarily living abroad. Both of these laws were amendments to the Federal Voting Assistance Act, a law with only the power of suggestion to the States about uniform procedures for their absent voters.

The States and their political subdivisions, of course, set the manner and places of registering and voting in all elections. They are responsible for registration procedures, keeping voting rolls current, protecting polling places and preventing voting frauds. They should certainly prescribe length-of-residency requirements for local and State elections, and elections for Senators and Representatives to Congress, all of which involve local issues and personalities best known to local residents.

But with national television and press coverage, the candidates for President and Vice President are as well known in one part of the country as the next. I believe it is the responsibility of the Congress to insure that the general population has a reasonable opportunity to vote for the two national offices decided by a vote of all citizens throughout the Nation. I trust the 91st Congress will act promptly to enact the Residency Voting Act of 1969.

**RUMANIANS CELEBRATE NATIONAL  
HOLIDAY**

**HON. GLENN CUNNINGHAM**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CUNNINGHAM. Mr. Speaker, on May 10, the traditional national holiday of the Rumanian people, an observance was held at the Carnegie Endowment International Center in New York City.

Since the Rumanian people at home can no longer commemorate the day that honors the achievement of that country's independence and the founding of its kingdom, it falls upon those in the free world to bring to the day the honor that is its due.

Messages addressed to the Rumanian people by American leaders were read at the commemoration. These messages, together with many others, are broadcast to those brave people behind the Iron Curtain. They serve as assurance to the Rumanian people of the continued interest of Americans in the plight of enslaved nations.

Mr. Speaker, America's observance of

this Rumanian national holiday serves to strengthen the hearts of Rumanians at home and abroad. I call to my colleagues' attention the following summary prepared by the Rumanian National Committee:

**MAY 10: RUMANIA'S INDEPENDENCE DAY**

The 10th of May is the national holiday of the Rumanian people, celebrating three great events of its history.

On May 10, 1866, Charles, Prince of Hohenzollern-Sigmaringen, a scion of the Southern and Catholic branch of the Prussian royal family, was proclaimed in Bucharest Prince of Rumania, and thus founded the Rumanian dynasty. It was the successful outcome of the nation's long struggle to acquire the right of electing as its sovereign a member of one of the Western non-neighboring reigning families in order to put an end to the strifes and rivalries among native candidates to the throne. This ardent wish, though officially expressed as far back as 1857 by the Moldavian and Wallachian Assemblies—the "Ad-hoc Divans"—convened as a result of the Paris Treaty of 1856, and nevertheless opposed by the Russian and Austrian empires, equally disquieted by the growth in power and prestige of the young bordering nation they both secretly hoped to absorb some day. It was due to unrelenting efforts made and wise steps taken by Rumanian patriots, and also to the constant diplomatic assistance of Napoleon III, Emperor of the French (to whom Prince Charles was related through the Beautharnals and Murat families) that all political obstacles were gradually removed and what was to be the prosperous and glorious reign of Charles I could be inaugurated on May 10, 1866.

Eleven years later, on May 10, 1877, during the turmoil of the Russo-Turkish War, the Principality of Rumania, until then nominally a vassal of the Sultan, proclaimed her independence by severing the old and outdated bonds that linked her with the Ottoman Empire. This independence had to be fought out on the battlefields south of the Danube, where the young Rumanian Army, as an ally of Russia, played a notable role. The Congress of Berlin of 1878 confirmed Rumania's independence and conferred Europe's official recognition, a bright page in the country's dreary history though marred unfortunately by the loss of Bessarabia, cynically wrenched by Czar Alexander II and his government from the ally who helped them obtain victory over the Turks.

Another four years elapsed after the Rumanian people had proclaimed their independence and a further step was taken as they decided to raise their country to the rank of a kingdom. On May 10, 1881, Charles I was crowned, by the will of his people, King of Rumania. A prosperous era, which lasted over six decades, opened on that day for the nation. Its apex was attained when national unity within the historic boundaries was reached after World War I. The socially progressive country had now become a factor of peace and equilibrium in the South-East of Europe.

During all those years and up to the present time, Rumanians have cherished and revered the Tenth of May as their national holiday, the anniversary of happy and glorious events in their history, in which achievements of monarchy and people were interwoven. It remains the symbol of their permanency and perseverance through woes and hardships to reach the ultimate end of freedom and well being.

The ruthless foreign rule which now oppresses the Rumanian nation has not been able to uproot the people's attachment to the traditional celebration of the 10th of May. In order to try and alter at least its significance, official celebrations were shifted

from the 10th to the 9th of May, anniversary of the Soviet victory. But, though flags are now hoisted on May 9th, Rumanians in their captive homeland celebrate in their hearts the following day, awaiting with faith and courage the dawn of new times, when freedom shall be restored to them.

### DEPLETION COUNTERATTACK LAUNCHED: ISSUE IN DOUBT

#### HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BELCHER. Mr. Speaker, I wish to insert in the RECORD the following article entitled "Depletion Counter-attack Launched; Issue in Doubt," which appeared in the Tulsa Daily World, April 27, 1969:

DEPLETION COUNTERATTACK LAUNCHED; ISSUE IN DOUBT

(By Riley W. Wilson)

The petroleum industry, through two competent associations, last week launched a determined counterattack in Washington against foes of the oil industry's tax provisions and practices.

The Mid-Continent Oil & Gas Association effectively ripped apart a Treasury Department computer study, which said the nation's crude oil reserves would suffer only slightly from the complete elimination of the depletion allowance.

The Independent Petroleum Association of America, in a memo to every member of Congress, submitted charts and statistics to dispute claims that import controls and proration are costing the public billions of dollars.

But there were indications the counter-attack against weeks of enemy assaults may have come too late to protect fully the industry's position.

On the very day the Mid-Continent replied to the Consad report, one of oil's greatest shields in Congress wavered publicly on depletion.

Rep. Wilbur Mills, D-Ark., chairman of the powerful House Ways & Means Committee, told the nation's press that passage of a tax reform bill will be "almost impossible" without "some adjustment" in the present oil depletion provisions.

Votes in Congress on altering depletion have always come in the Senate and, of course, have been defeated. Votes have been completely avoided for decades in the House because amendments have never been cleared by the Ways & Means Committee for a floor fight.

Mills has a lot to say about the committee actions and his views on the necessity of some adjustments—especially since they were made publicly—are serious. How serious will be determined by the type of amendments included in the tax reform package.

Any alteration aimed at depletion alone, however, will be the first tax defeat for the petroleum industry and could open the floodgates.

President Nixon later repeated his campaign position that the full 27½ per cent depletion rate is vital and valid. This will go a long way toward preventing a reduction in that figure.

But the President added that other "areas" of petroleum industry tax treatment are subject to investigation and, presumably, alteration.

The Mid-Continent did a thorough job of discrediting the anti-depletion report, prepared by Consad Research Corp. for the Treasury Department. The oil men showed

the report's conclusion was "predestined" by some of the assumptions fed into the computer.

The worst was one which said crude production would remain the same no matter what happened to taxes and that production bore no relationship to profits.

Other errors were pointed out and Thomas Martin, the association's executive vice president, said the Consad report should be totally discounted as far as its depletion conclusions were concerned.

The association's critique, however, still had the disadvantage of being a reply to an enemy's charge. Furthermore, it could offer no substitute statistics about the relationships of depletion to reserves. It merely retorted those of the opponents.

The critique, prepared by petroleum experts, said it was impossible to program a computer to come up with acceptable data on this matter. In effect, the oil men said they knew the Consad report was wrong, but couldn't say what is right.

As Sen. Henry Bellmon, R-Okla., said here last week, it would be far better for the industry to come up with some statistics of its own to answer questions rather than to "react" to attacks.

The association's critique, however, did bring out one point about taxation which might prove a positive approach to depletion.

Emotion aside, the biggest complaint of economists to the 27½ per cent rate is that it leads to excessive (in their views) investment in oil through the creation of an "un-neutral" tax atmosphere.

The Mid-Continent association, however, said depletion is actually a neutralizing factor that creates equality in tax treatment instead of inequality as claimed by opponents.

The association said:

"A flat-rate corporation income tax alters the relative attractiveness of different investments, depending on risk and uncertainty, asset lives and leveraging power.

"Investments in oil and gas exploration are characterized by high uncertainty, long asset lives and low leveraging power. Thus, in the absence of mitigating provisions, one would expect that imposition of a flat-rate corporate income tax would divert resources away from petroleum exploration to other industries or to liquid investments. . . ."

Since a flat-rate tax would cause a "mal-allocation" of resources, the association said, it is appropriate to correct it through tax treatment, such as depletion.

While opponents argue that depletion causes wasteful diversion of fiscal resources into the petroleum industry, the Mid-Continent critique said:

"In our opinion, taxation of petroleum exploration and production at the standard rate would cause an un-neutral and economically wasteful shift of resources away from this industry—an industry vital to the economic and military security of the nation.

"Tax provisions which counter the non-neutral effects of the flat-rate corporate income tax on a vital industry are not tax subsidies. They are justifiable provisions which prevent what would otherwise be economic inequities."

### CLEVELAND'S WJW TAKES HARD LINE AGAINST SDS

#### HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. MINSHALL. Mr. Speaker, one of the many great public services provided by WJW-TV and WJW-AM and FM in Cleveland, Ohio, is its continuing policy

of broadcasting editorials on a broad spectrum of problems, ranging from local to national affairs. And WJW goes one step further—it provides its viewers and listeners an opportunity to make their voices heard in response.

I was particularly impressed by two recent editorials dealing with the Students for a Democratic Society and with the response they evoked. As author of legislation which would deal with one aspect of campus unrest, I am particularly interested in what our colleges and universities are doing to prevent disruption of classes for the vast majority of students who are trying to get an education.

The editorials follow:

EDITORIAL: THURSDAY, APRIL 17, 1969

A hard line is the best defense against SDS and organizations like it.

How is a college supposed to handle campus trouble-makers like Students for a Democratic Society? There seem to be two general but opposite views.

President William Jerome of Bowling Green State University thinks it's wiser to put up with SDS than drive it underground, on the theory that its radical behavior will eventually bring about its own downfall.

This station respects President Jerome for trying very hard to keep the lid on his university. But we also believe that putting up with professionally-guided agitators—in the hope they'll straighten out—is an exercise in wishful thinking.

We're all for the hard-line policy of President J. D. Phillips of Hillsdale College in Hillsdale, Michigan. So far as SDS is concerned, he's for keeping them out.

Anyone who wonders why needn't look beyond that recent escapade at the University of Michigan, where SDS members reportedly kept an Armed Forces recruiter in virtual captivity for six hours. And now the SDS reportedly is setting up shop in Ohio high schools.

When the president of Brigham Young University in Salt Lake City, Utah, was asked to allow an SDS chapter among his 21,000 students, he's quoted as replying that nothing in his contract required him to be stupid. And he promptly and flatly rejected the request.

This hard-nosed, no-nonsense attitude may rile the ultra liberals. But so what! What's more important—ivory-domed permissiveness and concession . . . or the preservation of higher education and, ultimately, our nation?

This, in our opinion, is what campus recognition of SDS and similar groups boils down to. Give an inch . . . lose a mile. It's time to slam the door shut . . . while there's still a door.

EDITORIAL: FRIDAY, APRIL 18, 1969

We applaud Kent State University's firm stand against SDS.

In our last editorial, we supported the firm policies adopted by some university and college presidents in dealing with campus trouble-makers such as SDS, Students for a Democratic Society. We can now add President Robert White of Kent State University to that list.

In the wake of disruptions by a very small group of SDS members and outside agitators, Dr. White has made it clear he will not be intimidated by these radicals.

He has announced that SDS has lost its recognition as an approved campus organization at Kent State, and that students under suspension will be placed under arrest should they return to the campus.

We applaud that decision. We believe Dr. White's action deserves the support of the students at Kent State, together with that

of the taxpayers who provide a major share of the funds for this state-supported institution.

We trust Dr. White's firm and realistic stand will inspire other university and college administrators to follow his example.

Peaceful dissent—Yes; disruptive and violent demonstrations—No. There can be no compromise.

EDITORIAL: TUESDAY, APRIL 29, 1969

We have received many letters in response to our editorials supporting the firm policies of Kent State University and other colleges in dealing with SDS, Students for a Democratic Society. Most of the writers agree with us, a few do not.

First, a man in Brookpark, referring to SDS: "This movement appears to offer no hope, no plans, no ideas and no alternatives to the so-called establishment. It pleases me to see the attitude of the public changing and people like myself depend on editorials like yours to expose this problem for what it is."

A man in Cleveland writes: "The agitators should be dealt with severely so that they will not again interfere with those seeking to better themselves through education and become a benefit to our country and themselves."

A lady in Akron added: "Revolting critters who desecrate our flag, vilify patriots and glorify traitors should have no place in our society."

A man in Cleveland said: "I support those colleges through my taxes and I am sick and tired of the rowdy element that is constantly upsetting the school discipline and actually getting away with it." His wife added this postscript: "Let the hoodlums stay in jail for a while and censor their parents."

Here are the opposing viewpoints of two Kent students: The first said: "Many protesters were suspended and banned from the campus without open hearings. This is a violation of our student conduct code which has been put forth to us as a student constitution." The second student added: "The reason SDS is getting so much support in recent days is because students and certain faculty members have begun to see how Kent State University is operated. Students have no voice in policies that concern them and many faculty members are also ignored."

A man in Berea expressed his feelings in this fashion: "Believe it or not, this country is rotting beneath your feet. Believe it or not, the student demonstrators are working for the majority of students. They would be working for even more if you would stop your one-sided brainwashing."

We think this gentleman's contention can best be answered by this final comment: "Congratulations on your excellent editorial. We are students at Kent State University, who, even though it may not seem possible, are in the majority which agrees with your editorial."

We need not say more. That letter speaks for itself.

#### TROOP WITHDRAWAL: THE KEY TO PEACE IN VIETNAM

**HON. EDWARD P. BOLAND**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BOLAND. Mr. Speaker, I introduced a resolution last week calling for an orderly withdrawal of troops from Vietnam and a reduction of our military involvement there. The kind of withdrawal I outlined—a slow and measured withdrawal that would increase commensurately, step by step, with South Vietnam's growing ability to de-

fend itself—is necessary to break the apparent deadlock in the current peace negotiations. It is necessary, first, to convince Saigon that we are not prepared to remain interminably in Vietnam in a futile search for what is conventionally termed a "military solution." South Vietnam must be made to realize that a negotiated peace settlement is the only way to end this war. A withdrawal is necessary, second, to put North Vietnam on notice before world opinion that we are genuinely and honestly seeking a peaceful solution. Hanoi would lose much of its support throughout the world—and much of its support from the Vietnamese themselves—if it continued its belligerence and intransigence once the United States begins withdrawing troops in an effort to achieve peace.

Joseph Kraft, writing in Sunday's Washington Post, points out that an orderly withdrawal would play a major role in the achievement of a negotiated settlement. With permission, Mr. Speaker, I put Mr. Kraft's column in the RECORD at this point:

VIETCONG'S TINY STEP: THE COMMUNISTS' PROPOSAL AT PARIS IS LESS THAN UNITED STATES HOPED FOR—OR BARGAINED FOR

(By Joseph Kraft)

The latest proposals by the other side in Paris talks are a step toward peace in Vietnam. But the step is far smaller than the Administration had anticipated and the proposals are chiefly interesting as a demonstration of how the present approach of the Administration is condemned to yield only the most meager results.

The approach so far followed by the Nixon Administration consists of managing two elements on the American side of the war in a way that constrains the other side to move toward negotiations. One of these elements is American public opinion. The other is the politics of Saigon.

The key to both elements has been the prospect of withdrawing American troops from South Vietnam. And the major innovation of the Nixon Administration has been to talk up—in many ways and to many different audiences—an eventual troop withdrawal.

One consequence of that talk was to silence American critics of the war. Even the campus agitators, persuaded that de-escalation was about to happen, muffled their attacks. Leading political figures—notably Sen. Edward Kennedy—have tended to hold their fire for the same reason.

The second consequence of the withdrawal talk was to prod the government of Saigon. Persuaded that the Americans might eventually move out, the government of President Nguyen Van Thieu moved to win the support of the overwhelming majority of the South Vietnamese who favor peace. President Thieu, in that spirit, came out for direct and immediate negotiations with Communist insurgents, or Vietcong.

These developments tended to make the other side slightly nervous. North Vietnamese and Vietcong officials in Paris and elsewhere complained to this columnist and to others that the Nixon Administration was proposing "surrender" but making it look like a reasonable offer. A Quaker group returned from meetings with the other side in Paris last week reporting that the Communists felt that they had been put "on the defensive in propaganda."

In that situation, Administration officials began to be very optimistic. They felt that the other side, losing public support both in this country and South Vietnam, would have to come forward with a good offer. And these hopes soared last weekend when Le

Duc Tho, the chief North Vietnamese negotiator, returned to the Paris talks from a long stay in Hanoi.

But the offer which in fact came in Paris last Thursday was minuscule. It repeats the old call for American withdrawal from Vietnam "without setting any conditions." It provides for that American nightmare—a coalition government. It gives the North Vietnamese—in a clause asserting that "the Vietnamese people's right to defend their fatherland is inalienable"—a free hand to interfere in South Vietnam.

On the positive side, the new program may open the way to talks between the Vietcong and the Saigon government. That it is about the minimum proposal the other side could make to put the ball back in the American court—to put on this country's back the onus for taking the next step.

Before taking that step, the Administration should think hard about why the other side has moved forward so slowly and so minutely. The answer, I think, is that this country has not been making major proposals at the Paris talks. The tactic of the Nixon Administration has been to play hard to get—to wait, applying pressure until the other side moved first.

But even under the greatest pressure, the other side is not going to take the initiative for moving very far very fast. In the current bargaining situation, North Vietnam and the Vietcong are the little fellows—midgets compared to the American giant. The midgets feel that the giant will take advantage of any hint of concession on their part to achieve military gains. Thus when they move, it is in tiny steps and with infinite caution.

The way to push the negotiations ahead forcefully is for the United States to come forward with far-reaching proposals. Inevitably, these proposals will have to be advanced in secret, but their spirit can be expressed dramatically and in public. The way to do that is to begin—without further fooling around—the withdrawal of American troops.

#### AMERICA'S NEED FOR WATERBORNE REGULATION TODAY

**HON. JOSEPH P. ADDABBO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ADDABBO. Mr. Speaker, on May 7 of this year Commissioner George H. Hearn of the Federal Maritime Commission addressed the annual meeting of the Freight Forwarders Institute at the Mayflower Hotel in Washington, D.C. Commissioner Hearn emphasized that foreign shipping interests must respect the laws enacted by Congress in adopting certain shipping statutes. Carriers in our foreign waterborne commerce who fly flags of other nations carry over 95 percent of our cargoes in international trade, and the United States cannot afford to leave so vital an aspect of its economy in the unfettered hands of those whose interests are not at stake. Commissioner Hearn highlighted this need for regulation with the example of a recent strike surcharge imposed by some carriers on cargo outbound from the United States but not inbound. Commissioner Hearn's remarks should be of considerable interest to every Member. Under leave to extend my remarks in the RECORD, I include the complete text of Commissioner Hearn's address:

## AMERICA'S NEED FOR WATERBORNE REGULATION TODAY

It is an extreme pleasure for me to have been invited again this year to address the Freight Forwarders Institute. I don't wish to presume the reason for being invited back. I would like to think it is because my remarks last year were both informative as well as entertaining. On the other hand, it might be due to the fact that I have engaged in many transportation discussions with your Executive Vice President, Chuck Roche, since he has narrowed his interests to your industry.

Speaking of Mr. Roche, I would like to take this opportunity to applaud you for your fine selection in attracting Mr. Roche's leadership ability and transportation know-how into a representative capacity of the Freight Forwarders Institute. I am sure that substantial growth, economic development and commercial achievement will be the result of this union for your industry.

Last year I spoke of the foreign freight forwarders in their waterborne capacity as a segment of the industry over which the Federal Maritime Commission has jurisdiction. This year I thought I would bring to your attention an important problem which we are continually facing and which lately has been receiving much attention in the press: to wit—some of the reasons for our government regulating the foreign waterborne commerce of the United States.

I also feel that many times when in convention you hear things which you are probably more knowledgeable in than those addressing you. Consequently, I will speak about a subject that I am familiar with and which will give you an awareness of the problems of other segments of the industry. This will help us in our daily commercial pursuits since we will at least be cognizant of the problematic areas.

We boldly talk about regulation while we know that really no one wants to be regulated. Actually no one wants to be told to do anything. A review of this morning's front-page will indicate that this is evident in our homes, the neighborhood, educational institutions, the church, the business community, nationally and internationally.

Protest, dissent and confrontation is becoming a way of life in an era when the normal courtesies are not extended—when achievement and the quality of performance are not accorded the highest priority. Is it any wonder that people on the international scene do not wish to conform with the reasonable implementation of the laws of another country.

Because of the inequities that existed in the United States as we grew in the 19th century, our elected leaders, the Congress, embodied in a series of legislative acts and laws a business philosophy which can simply be stated as anti-monopolistic. This philosophy is not only contrary but exactly the opposite to the business philosophy of most other nations. Specifically, it is different from the commercial philosophy of the other maritime nations of the world. The United States has attempted to implement the laws supporting this philosophy in its foreign commerce, specifically the trades in which foreign flag ocean carriers present their service to carry our cargoes.

The United States government has always actively supported the freedom of the seas principle and all carriers of all nations are welcome to engage in our trades. As a matter of fact, foreign flag carriers enjoy a great participation in our trade and last year carried over 95% of our foreign waterborne commerce.

As businessmen I am sure that were you faced with such a situation, wherein you were hiring the services of carriers competing with you, relying on them to transport 95% of your goods, you would be constantly looking into the rates, practices and agreements those carriers would be making in

concert pertaining to your business. Some people would call this good business. The Federal Government calls this regulation. I will amplify on this situation as I develop the position of the United States in this area.

The conferences of ocean carriers who serve trades in the foreign commerce of the United States enjoy a unique position within our economic system. They are, in principle, groups organized to fix prices, and such activity is basically contrary to the laws and Constitution of the United States. The rate fixing conferences are, however, in substantial measure exempt from those legal and constitutional prohibitions which constitute our anti-trust policy. Despite this exemption which Congress has granted the conferences, they, their members, their representatives and the nations under whose jurisdiction many have been formed have long taken exception to the manner in which that anti-trust exemption is implemented.

To begin with, there is the complaint that the United States frowns upon restrictions on competition such as are created by conferences of ocean carriers. This objection reflects a fundamental difference in economic philosophy between the United States and other nations.

The United States has long believed that there is an inherent danger in the essence of price fixing and monopoly. There is, in our history, a record of powerful business combinations thriving on their ability to stifle competition and drive worthy competitors out of business. Consequently, in the last decade of the 19th century, our Congress began to codify the principal of freedom of competition.

No one can deny that those laws passed by the Congress are controlling within our boundaries. It is hotly disputed as to the effect of our anti-trust laws when they are sought to be applied not only beyond our borders but to persons, groups and agreements whose allegiance lies with another sovereign.

We must concede at first that Congress cannot have intended "to punish all whom its courts can catch, for conduct which has no consequence within the United States." On the other hand, a nation may impose liabilities on persons of foreign allegiance for activity beyond its borders but which results in consequences within its borders reprehensible to that nation.<sup>1</sup>

Thus, where an agreement is made outside the United States among foreigners, and not only is intended to but does have an effect on our commerce, then our laws may be extended to prevent such agreements from adversely affecting our commerce. After all, if an agreement will be unlawful if executed within the United States by Americans, the same agreement will be equally unlawful although executed outside the United States by foreigners if it is intended to and does have an effect within the United States.

This, then, is the state of the law, and one which I believe to be both reasonable and within the bounds of accepted principals of conflicts of laws. I am, therefore, at a loss to comprehend the agony which contorts the expressions of those abroad who complain against this application of United States law to "their" conferences. The fact that "their" conferences are domiciled abroad does not make them any less our conferences since they engage in our trades. That other countries do not regulate in the same manner or on the same principal as does the United States is no reason for us to compromise a philosophy which has proven beneficial, and which has fostered one of the most affluent and stable economic systems in history. The attitude of foreign shipping interests is all the more astonishing when one considers the economic benefits which they have derived from their participation in our foreign commerce.

<sup>1</sup> See *U.S. v. Aluminum Co. of America*, 148 F. 2d 416 (1945).

In addition, we do not defend our philosophy and practice on the basis only of its uniqueness. Other countries do employ various types of discriminatory regulation over their foreign waterborne commerce unlike our laws which do not discriminate. In Australia, for example, there are boards established for various export commodities and those boards go so far as to allocate and control conference cargo space for the carriage of Australia's exports. Brazil has embarked on a plan to enhance its merchant marine industry by seeking to engage in bilateral arrangements in its foreign commerce. A recent Maritime Administration publication, *Maritime Subsidies*, indicates that of 49 Maritime nations examined 47 of those nations engage in some form of subsidy for their merchant marine. Chilean law favors that nation's flag vessels with respect to commercial cargoes. Various Supreme Decrees in Peru favor that country's flag vessels in the carriage of its imports and exports. Colombia has a similar decree at its disposal.

The fact is that if one country wishes to enjoy the benefits of participating in another nation's commerce, and in doing so enjoys as well the protection of that nation's laws, the first country must bear the obligations attendant upon the benefits. No person who profits from the commerce of the United States can expect to do so on terms different from those imposed on any other person. (And it cannot be denied that participation in the foreign waterborne commerce of this country is profitable to those who fly foreign flags.)

Foreigners engaging in our foreign commerce have no rights greater than those which attach to our own citizens who earn their living in the same manner. The shipping laws of the United States do not discriminate as to flag. The flags of all nations are welcome in our ports provided they abide by our pilotage, immigration, contraband, health and commercial regulation laws. Foreign criticism, as a practical matter, has never been directed to the Commission on the ground that we regulate in favor of United States carriers. The criticism is constant: "We are agin regulation."

International waterborne commerce requires a high degree of standard practice among nations; but because all nations do not react similarly to the same stimuli, or do not profess a similar philosophy does not render one wrong and the other right. The merchant marine industry does not play the same role in the economy of all maritime nations, or possess the same status everywhere.

In some countries the merchant marine is a primary industry. In other countries it may be only a small factor of the overall economy. Some countries regard the merchant fleet as a vital adjunct of its foreign commerce; other countries utilize it as a basically domestic service. In any case, when a country relies as much as does the United States on foreign flag ships to service its trades, I believe that country must keep a watchful eye on the service provided by those ships.

No country can afford to leave a vital aspect of its economy in the unfettered hands of those whose interests are not at stake. The foreign interests who have served long and well in our foreign trades have not done so primarily for the benefit of the American economy. They are business interests, controlled by businessmen who make decisions based on commercial considerations. What is good for their balance sheet, however, is not necessarily good for ours or, certainly, for our public interest.

The foreign shipping interests are encouraged by a philosophy and practice very different from ours; and in doing business under our laws those businessmen may not recognize our laws as best for their own na-

tional purposes. The foreign shipping industry must, however, respect the judgment of our Congress in adopting certain shipping statutes, and realize that when foreign vessels engage in our trade, it is on condition of observance of our law.

The divergence of national philosophies which I have been discussing is well illustrated by one example. In 1906 the British Royal Commission on Shipping Rings conducted an inquiry into the operation of conferences. Shortly thereafter a United States congressional committee conducted a similar investigation under the leadership of Congressman Alexander. Both investigations arose because in the late 19th century the shipping industry, worldwide, was replete with deferred rebating, discriminatory treatment of competing shippers, fighting ships and other devices inimical to the free flow of commerce. The two investigations, in different ways, produced a similar result. They generally endorsed the conference system.

The British Commission did not, however, see fit to recommend legislation in the area of anti-trust which would have been comparable to our Sherman Act. The Commission was not prepared to suggest "so great a change" for the British economic system.

Similarly, the United States Congress was not prepared to depart from the well established American business philosophy. Consequently, based on the "Alexander Report," we fashioned legislation which gave limited sanction to the conference system and also recognized our national policy of free and open competition. Congress, cognizant of both the benefits and perils of the conference system, granted antitrust immunity to steamship conferences and counterbalanced that license with a plan of regulation. Thus was born our Shipping Act of 1916.

Despite the uniqueness of our shipping statutes, I think history will continue to reveal the fairness of those laws in their enactment and implementation. It is worth my repeating that the United States, under law, welcomes the service offered by vessels of all flags in our foreign commerce; that under the Shipping Act the Federal Maritime Commission does not favor or prejudice the vessels of any flag; and that every ocean common carrier receives fair and impartial treatment before the Federal Maritime Commission and in the courts of the United States. It is not necessary for me to recite the instances in which foreign flag interests have sought and received the protection of our shipping laws. Can you imagine the outcry if the United States were to repeal the Shipping Act and subject carriers and conferences to the full force and effect of all our laws!

I would like now to bring to your attention a related and similarly vexing situation. It may prove even to exemplify the need for regulation which I have been discussing. Despite the profits garnered from participation in our foreign waterborne commerce and the evenhanded surveillance over it, foreign shipping interests do more than persist in their opposition.

They seek every advantage, often seemingly heedless of the consequences. A clear example of this attitude and practice can be seen in the surcharge which most conferences imposed following the recent longshoremen's strike on our East and Gulf Coasts. The longshoremen remained on strike for as long as 57 days in some ports, creating the longest such strike in our history. As a result of the strike many ships lay idle in our port; other ships had to be diverted from their normal routings. Steamship operators suffered substantial economic detriment.

They, however, were not the only ones to suffer. No American shipper could move his goods outbound across the piers. No American consignee could receive goods inbound from across the piers. Neither could a foreign shipper or consignee expect to have his cargo moved in or out of the East and Gulf Coasts. Without further enumeration, suffice it to

say that immeasurable economic losses were suffered by a great variety of groups.

Upon termination of the strike, each of those groups sought in its own way to recoup its losses; but all was not yet well as congestion clogged the piers and hindered the movement of cargo.

The carriers, to recover their losses, imposed a "strike surcharge". Almost without exception, the surcharge was set at 10% by conferences and non-conference carriers. The surcharge was not the only rate increase the carriers introduced, however. As recently as December 1968 and January 1969 some conferences, aside from the surcharge, raised their rates with 5% to 10% general rate increases. Perhaps this increase was in anticipation of the strike or otherwise deemed necessary by the carriers. Yet, since the strike further rate increases have been filed with the Federal Maritime Commission in addition to the strike surcharge. In some instances the conferences have put a termination date on the surcharge and converted it into equal or greater general rate increases.

The Federal Maritime Commission does not object to carriers receiving their just reward for services rendered. The Commission does object when the reward creates an injustice. Under Section 18 of the Shipping Act of 1916, all common carriers must file their rates with the Federal Maritime Commission. These may not be just any rates, but must be tested against statutorily-specified standards set forth in Section 18(b)5. The rates must not be so unreasonably high or low as to be detrimental to the commerce of the United States. Also, under Section 16 and 17 of the Act rates must not discriminate against or prejudice any affected party.

Thus, when a series of rate increases flowed into the Commission, we naturally cast a watchful and curious eye in their direction. This was done not only because of our statutory obligation to do so, but also in response to the spate of protests which we received.

Then, however, came the rates which turned the Commission's regard from curious to suspicious. Many carriers imposed surcharges on cargo moving out of the United States but not into this country. The rationale for this was hard for the Commission to comprehend because the strike made it impossible to move cargo across the piers inbound as well as outbound. The foreign shipper was prevented from supplying his American consignee just as much as was the American shipper prevented from exporting his goods.

The Federal Maritime Commission, does not, as I have said, wish to deny the carriers their due; but a disparity as blatant and obvious as the surcharge disparity must be justified. Perhaps it can be justified; and if so the Commission will accept it. On its face, however, such a disparity is a prejudice and discrimination against United States shippers and cannot be permitted to stand without justification.

The Commission, therefore, communicated with various carriers and conferences not only as to the disparity but also as to the level of the surcharge. A few conferences and carriers responded by either removing the surcharges entirely or by postponing their effective date. In general, however, the response was disappointing, and included flimsy justification or delaying tactics.

With this background, and following several requests for justification, the Commission finally took strong action. We issued a show cause order directed to the outbound North Atlantic Continental Freight Conference and the inbound Continental North Atlantic Westbound Freight Conference and their member lines. They were directed to show cause why they should not be found in violation of Section 15 of the Shipping Act because of their responsibility for the inequitable apportionment of a strike surcharge.

It was evident that those two conferences

were prime examples of an attitude and practice inimical to our foreign commerce. Of the seven member carriers in the inbound conference and the 10 members of the outbound conference, seven serve both trades—inbound and outbound. Those carriers were directed to justify the imposition of the surcharge only outbound from this country. That the same carriers were members of different conferences could no longer be raised as a defense, and the carriers could not hide behind conference membership.

The response to our order was not so disappointing. On Friday, May 2, the Commission received a telex message from the outbound conference stating that the surcharge would be removed effective Monday, May 5.

This, however, is not the end of the story. In fact, the North Atlantic Continental Freight Conference has filed a 15% general rate increase which would have taken the place of the surcharge, and which is still scheduled to take effect June 1. This increase is on top of other general rate boosts by that conference of 5% on December 1, 1968, 6% on December 18, 1967 and 7½% on March 1, 1967. This is an overall increase of 33½% in about two years. Other carriers and conferences, when confronted with complaints and inquiries as to their surcharges, transformed them into general rate increases which also follow previous similar rate hikes. In that manner they perhaps hoped to hinder or postpone or discourage any action against them.

The Federal Maritime Commission will not, however, be put off by such tactics and will pursue its statutory obligation of surveillance when it appears that there may be an unlawful detriment to the foreign commerce of the United States.

Gentlemen, these facts are proof of why Congress, in its wisdom, enacted our shipping laws and empowered the Federal Maritime Commission to implement them. Under that mandate the Commission has pursued its obligations in a fair and reasonable manner which is consistent with the intent of the Congress.

NOT YOURS TO GIVE

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SHIPLEY. Mr. Speaker, an article recently published by the Foundation for Economic Education, Inc., has been brought to my attention by one of my constituents, Garth Henrichs, of Litchfield, Ill. I do feel that the message expressed in the article could be applied just as well today as it was in Davy Crockett's time, and I ask unanimous consent that this article be printed in the RECORD:

NOT YOURS TO GIVE

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker—I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of char-

ity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased, Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him.

Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and, instead of passing unanimously, as was generally supposed, and as, no doubt, it would, but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and, besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating \$20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came to the fence. As he came up, I spoke to the man. He replied politely, but, as I thought, rather coldly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

"Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

"Well, Colonel, it is hardly worth-while to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest. . . . But an understanding of the Constitu-

tion different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is."

"I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question."

"No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate \$20,000 to some sufferers by a fire in Georgetown. Is that true?"

"Well, my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of \$20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did."

"It is not the amount, Colonel, that I complain of; it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give \$20,000,000 as \$20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over \$13,000. There are plenty of wealthy men in and around Washington who could have given \$20,000 without depriving themselves of even a luxury of life. The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

"So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger

to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you."

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

"Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot."

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgement of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and, perhaps, I may exert some little influence in that way.'

"If I don't," said I, "I wish I may be shot; and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it."

"No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you."

"Well, I will be here. But one thing more before I say good-by. I must know your name."

"My name is Bunce."

"Not Horatio Bunce?"

"Yes."

"Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend."

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with, and I found that it gave the people an

interest and a confidence in me stronger than I had ever seen manifested before.

"Though I was considerably fatigued when I reached his house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight, talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue, and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

"Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgement is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only."

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

"And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

"It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so."

"He came upon the stand and said:

"Fellow-citizens—It affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today."

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress.

"Now, sir," concluded Crockett, "you know why I made that speech yesterday.

"There is one thing now to which I will call your attention. You remember that I proposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worth-

lessness of money, particularly so insignificant a sum as \$10,000, when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

#### SMALL BUSINESSMAN ON THE MOVE

### HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GIBBONS. Mr. Speaker, since this is "National Small Business Week" I would like to pay especial tribute to Frank J. Kearney, Sr., of Tampa, Fla. Mr. Kearney is owner of Consolidated Box Co. and has been named by the Small Business Administration as "Florida's Small Businessman of the Year."

I join others in saluting our 5 million small businessmen, the backbone of our free enterprise system, and particularly Mr. Kearney for the fine honor he has received.

So that others may read of the accomplishments and growth of Mr. Kearney's business, I am attaching an interesting article prepared by the SBA:

#### FRANK J. KEARNEY: SMALL BUSINESSMAN ON THE MOVE

This is the story of Frank J. Kearney, a man who didn't have sense enough to quit.

Frank Kearney was a small businessman three years ago. He's a pretty big businessman now.

In March 1966, he was president of a fine little business, Consolidated Box Company. He manufactured folding paper containers, employed 75 persons and his sales that year amounted to \$1,100,000.

He was doing just fine. His workers were paid well, and he was paid well himself.

But Frank Kearney believed that if you were not going forward you were going backward. When you mark time, as any soldier can tell you, you build only ruts.

He had a feeling for his fellow man. He wanted to do something for the underprivileged, those who were discriminated against and the rejects of society.

It was his contention that people want jobs, not charity, and he set out to change his particular part of the world by creating employment for those who believed themselves abandoned.

He decided to expand his Consolidated Box Company into defense work, but he needed \$75,000 in "starting-up" money and a working capital line of credit of \$200,000.

The local banks said the venture was too risky. No soap. At that time, Consolidated Box had an outstanding loan of \$190,000 with the Small Business Administration, payable over a remaining term of four years. It was personally guaranteed by Frank Kearney.

He discussed his problems with Tom Butler, Miami regional director of the Small Business Administration. The SBA helped Kearney find the necessary \$75,000. It declared a six-month moratorium on principal payments of the existing loan. This would provide \$25,000. The SBA authorized a new and separate three-year direct loan for \$50,000.

Frank Kearney arranged for a \$200,000 line loan with Larry Tayne, president of National Acceptance Corporation, of Chicago, through

assignment of receivables to become due under government contracts.

The arrangements with the SBA were finalized in July of 1966.

Shortly afterwards, Frank Kearney installed a production line and trained 100 persons capable of producing the M105A-2, the most complicated of spiral-wound ammunition containers. He obtained the sources of supplies and components.

Three months later, in September 1966, he made his first successful competitive bid for ammo shell containers and completed that contract.

In the following month, Frank Kearney took a mammoth business risk and submitted a container bid that was 15½ cents per unit lower than any of his competitors, including the big business representatives.

The entry of Consolidated Box, started a gradual decrease in the competition's container prices, resulting in savings of several millions of dollars to the Federal government. Consolidated has been nominated for consideration to receive the Defense Department "E" Award.

In three years, Consolidated Box has grown to be a plant offering employment to 275 persons with an annual payroll of \$1,250,000.

Total sales has increased from \$1,100,000 to \$7,500,000.

Frank Kearney still refuses to mark time. Consolidated Box has acquired 2½ acres of land adjoining the existing site. It has added three new buildings, including a warehouse with a railroad siding. It has installed over a half million dollars of new commercial box equipment and printing presses.

Diversification is the key word at Consolidated. In addition to ammunition containers, it manufactures boxes for the cigar, meat, frozen shrimp and poultry industries. In the past year its sales extended as far west as Texas and Louisiana and north into Georgia.

Frank Kearney is an exponent of the spirit as well as the letter of the equal opportunity laws governing employment. He hires ex-convicts. There are no fixed educational requirements. He initiated a company-financed job training program. As a result, more than a fourth of his employees are disadvantaged persons coming from sections of Tampa designated as "hard core" areas of extreme unemployment.

He works closely with the U.S. Department of Labor and the Florida State Employment Service. His hiring and employment practices have been certified as complying with Defense Manpower Policy No. 4. All job openings in the ammo division and most of the box divisions are filled by the FSES with disadvantaged persons.

To complement the work performed at Consolidated, Frank Kearney helped form a new business, Component Manufacturers, Inc., of which he is the president, which then acquired control of the assets of Rogers Tool and Die Co. of Texarkana, Tex. Components, also a Tampa firm, now employs 18 persons. It makes dies, parts for Consolidated Box, does electro-plating and has the capability of manufacturing high-precision items such as rocket fuel loaders.

In less than a year after he expanded his business, Kearney cleared his \$50,000 SBA loan and paid up the principal payments on the original loan. Consolidated no longer requires working capital loans of any kind.

Frank Kearney is a native of Dubuque, Iowa. He is 63 years old. He and his wife of 38 years, Helen, have three children. He is an active member of Christ the King Catholic Church, the Greater Tampa Chamber of Commerce and the Committee of 100. He is one of the founders of the Tampa Tarpon Tournament.

Frank Kearney still believes in the American Dream. Why not? He is one of those who made it come true.

UNIVERSITY OF CALIFORNIA AT  
BERKELEY

## HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COHELAN. Mr. Speaker, the University of California at Berkeley is often credited with being the birthplace of student demonstrations in the 1960's. And it is perhaps true to say that the experience of the Berkeley campus since the Free Speech Movement sit-in of the fall of 1964 is the most extensive in the country. Throughout the several confrontations between students, faculty, and university administrators at Berkeley a wide variety of fact, rumor, and misunderstanding has grown up. In an effort to dispell some of this confusion, Chancellor Roger Heyns of the University of California at Berkeley recently delivered a speech in Sacramento, Calif., in which he attempted to sort the truth from the myths. This speech contains much information that is of benefit to the Congress.

Chancellor Heyns points out that in large measure the problems of the campuses are reflective not of just university problems but of national problems. He states:

Students at Berkeley and elsewhere are deeply troubled by the gap between policy and practice in our Nation. Among many of the issues to which this applies, none is felt more strongly than the plight of the minorities. Thus, while the overwhelming majority of students at Cal were critical of strike violence and did not join picket lines, they gave general support to the broad objectives of a greater role for minority people in the University. They are aware of the many reasons why the condition of the minority peoples has changed so slowly, but they also note that when political pressure was applied through confrontation, the pace of change increased markedly.

There is in this passage a message of large importance. It is the job of Government not just to respond, but to lead. Students and minorities are not the only idealistic and impatient sectors of our society.

I commend Chancellor Heyns' thoughts to the attention of my colleagues and request that they be included at this point in the RECORD:

## CHANCELLOR EXPOSES MYTHS ABOUT UNIVERSITY OF CALIFORNIA BERKELEY CAMPUS

(NOTE.—Roger W. Heyns, Chancellor at UC Berkeley, recently sought to dispel some "myths" about his campus. Following is the text of an address delivered before the Comstock Club of Sacramento.)

It always surprises me to find Sacramento can be reached in 90 minutes by car, when information on the true state of the Berkeley campus seems to require several light years for the trip. It was with the hope of improving the "flight time" of fact that I accepted your invitation to appear here today.

The Berkeley campus presents a paradox which I find the news media cannot easily explain. It is the most constantly covered academic news beat in the world today. Four daily newspapers in the Bay Area have full-time, five-day-a-week coverage of the campus. Even the slightest possibility of crisis adds four TV crews, and more newsmen.

When a Berkeley student called the media and told them he was going to burn his card on Sproul Hall steps at high noon, newsmen appeared in force. As cameras whirred and reporters edged closer, the student struck a match and declared he was burning his Freshman Class card to announce a dance that night. No other campus is the recipient of such media attention. At the same time, there is more misinformation more widely circulated about it than any other university, despite increasingly balanced reporting of it by the media. In the face of this anomaly and its global dimension, our efforts to give the full picture of Berkeley to our fellow Californians seem to be all but overwhelmed.

I would like to speak first about some of the misconceptions or myths about Berkeley which make our task particularly difficult. These myths also make difficult the role of responsible citizens in a time of great and upsetting change because they mislead Californians and obscure the problems which confront us. I must warn you beforehand that my intentions here today may prove frustrating to you, because they are to replace the simplicity of myth with the complexity of fact. I admit that my object is to complicate your view of Berkeley. If it is not complicated, then it is not accurate, and hence misleads you when you attempt to understand the campus, and indeed many other campuses and their young people.

The first myth we need to examine closely is that only some firm discipline is needed to set everything right at Cal. The suggestion clearly is that the administration at Berkeley has failed to enforce the rules and to punish those who violate them. The record shows, however, that the facts are quite different. In the four years prior to 1969, over 350 students at Cal were disciplined for rules violations (I do not include the types of violations some of your college contemporaries may have told you about, like beer, sex and cheating). Of these, some 64 students were separated from the University and 186 placed on strict probation. For more specific illustration, let me cite two days of protest last fall when there were sit-ins at Sproul and Moses Halls. As a result of disciplinary proceedings against the students involved, seven students were dismissed, 31 suspended from school and 131 placed on probation. All also received sentences in the civil courts for breaking the law. Perhaps of equal importance, some \$20,000 in damages done in and around Moses Hall were paid as fines by those arrested in the hall. Whenever we can, we shall assess those involved for such damages. The taxpayer should not have to bear that burden.

Discipline is in progress for those cited during the recent strike at Cal. So far, 12 students have been separated from the University, 9 placed on probation and others given lesser discipline. Another 101 students still are involved in disciplinary proceedings.

I believe it is fair to ask how effective this discipline has been. That is, does it have any effect? The answer is that in the past two years, including the recent discipline cases which have been made final, only 32 out of 369 students committed a second violation, and five committed a third. University discipline is an effective method of protecting the academic community and its freedoms of inquiry and discussion. There is no ignorance of the enforcement of University rules and discipline among our students. The myth survives only outside the campus. It is simply not true, therefore, that there is not enforcement of rules at Berkeley. Indeed the vast majority of our students support and obey those rules. For the few who do not, there has been and is fair, firm discipline. Moreover, there is no amnesty for rules violators, despite strike demands for it.

That myth has a twin. It is that universities do dislike having police on campus that

they ignore the commission of crimes. That myth is impressively resilient in the face of overwhelming facts. For one, the campus has its own police who regularly patrol the campus and enforce the law. For another, at Berkeley I have called additional police to the campus five times when they were needed, and shall do so again if the occasion arises. I have not hesitated to call for police reinforcements, and am clearly on record with the faculty and students on this point. As the third fact which counters this myth, let me point out that the Academic Senate has formally supported my authority and my judgment in such decisions involving the police.

I do wish to leave with you, however, my very clear intention to attempt to settle campus difficulties without off-campus police. I believe the police would concur, because campus police work under crisis conditions is very difficult duty. Our ability to resolve our difficulties on campus is improved if we work out the issues by discussion rather than through police action, within the law and the rules, rather than outside the law and rules—which then necessitates bringing additional police. There is no doubt among the militants at Berkeley that I shall ask for police assistance when needed. The only doubts about that appear to lie beyond the campus.

Another myth is that Berkeley faculty is leading and encouraging disruption on the campus. Again the facts dispute the myth. The Academic Senate has given overwhelming support to the maintenance of law and order on the campus, to the enforcement of rules and to firm discipline for rules violators. On February 3, it voted 330 to 31 in condemnation of the use of violence on campus. In addition, its Committee on Academic Freedom has been outspoken in criticism of the use of force on campus. Only one faculty member of some 1,700 at Berkeley is known not to have met his classes and one is believed to have been involved in disruption.

The most substantial proof of the misinformation contained in this myth is the fact teachers at Berkeley continued to teach throughout the strike. Moreover, many of them took personal roles in trying to prevent violence and to reduce tensions, for which they deserve commendation. It is simply not true that the faculty has encouraged disruption.

The fourth myth is that graduate students, more specifically teaching assistants, are the prime movers in campus upset. In the recent strike, some members of a union which includes some teaching assistants did indeed go on strike. Those who struck were not paid for the hours they did not work, in keeping with legally recognized response to strike action. The number so penalized to date is 18, out of a total of some 1,000 teaching assistants. Thus only a small number and an even smaller percentage of TAs were involved. Moreover, the record should show that they exerted a restraining influence on the strike rather than seeking to inflame it. Their strike was illogical and unsuccessful, but nonetheless, even it and its small numbers put down the myth that TAs are the architects of upset.

Let me speak to one other, more general myth. It is one which should have been put down in part by the facts I have brought to bear on the first four myths. That is the widely-held belief that the strike at Berkeley closed down the institution, that classes came to a halt and the educational process stopped. Unfortunately, the declaration of a State of Extreme Emergency, a technical measure to obtain additional police, reinforced the misconception that the University was shut down. The strikers wish that were so. They demanded classes be cancelled for one day, then two days, then three days. When that did not work, they tried obstruction, then disruption and finally destruction. We asked for additional police to protect our students and faculty, and to preserve the right to an

education, and the University did not close. Indeed, it never was closed. Classes continued, the library was open for use and laboratories were filled. Those who wished to attend class were able to do so. The record makes it clear that those who wanted to go to class did, and that they were the vast majority of students at Cal. For substantive fact to support this point, we compared the Winter Quarter withdrawals for 1969 and 1968 (when there was no strike). Only 60 more students withdrew during 1969 than 1968. Our responsibility was to insure that Berkeley's students were able to go to class and to complete their quarter's work. We met that responsibility.

These myths have been nurtured out of the very serious disorders which have occurred on the Berkeley campus in the past 4½ years. It should be clear to you from the facts that I have set forth here today that demolishing the myths does not diminish the seriousness of these incidents in our recent history. What has occurred there has posed a substantial threat to the existence of a great university, to its fundamental freedoms of discussion and inquiry, and to its public support. In addition to the facts I have recited—and they are but a small bit of the evidence available—let me make some observations which are relevant to a more accurate perception of the contemporary campus.

The first is that the storms of change which are buffeting this nation of ours fall with special fury upon the universities. It is in the classrooms, drawing on both history and contemporary research, that the imperfections of our civilization are subjected to critical examination. The most demanding of this criticism today seems to be reserved for the university itself. (Those outside the university may find both humor and justice at this inward turning of criticism developed in the university for use in society). The university, like the rest of our society, has not yet reached perfection and our students are all too aware of that. What some of them appear not to understand is that perfection recedes in the face of violence, but they are learning that lesson.

The second point is that the campus is well aware of the dangers posed to it by disruption, and more particularly that which employs violence. There is no excuse for the use of force in a university, and the campus has acted out of that strong belief in responding to disruption. Unfortunately, the evidence suggests that the success the campus has had in dealing with disruption has led to increasingly extreme behavior by militant students. These students are either unable or unwilling to perceive that disruption does not have support from any sizeable segment of the campus community. They seize on an issue, begin their protest, then discover it is not generating support, so they begin to escalate. Their ultimate weapon is obvious: Force the administration to call the police, then manipulate the police with provocation. For a successful conclusion, this formulation demands one additional factor: Early capitulation by the administration. Without that, the militants are in deep trouble, because the campus consensus is against disruption and violence, and because the tactics of manipulation are not subtle and they soon begin to neutralize themselves, especially if the police maintain self-control in the face of provocation. In a phrase, while we are winning the battle for discussion and against disruption, we are losing the battle for public support because of the extreme activities of the militants. The nuances of the situation—violence is used because the militants are losing—are lost on the public. And from this are born the myths I spoke of earlier.

The first point, therefore, is that the crisis of change in our nation is hitting the campuses with special force. The second point is that Berkeley does not accept violence as a form of campus conduct. The third is that there are legitimate issues of concern to stu-

dents regarding the University. It has been my objective to respond to these issues rapidly and openly, to meet valid student needs, when possible. This is our policy because it is necessary to maintain a viable community which enjoys the support of its members. A responsive institution can have that support. In addition, such policy and practice denies militants the legitimate issues they need to recruit a crowd for their own political ends. The fact that student involvement in recent incidents has remained very small when judged against 28,000 students suggests the effectiveness of our policy.

This leads to the fourth point. Students at Berkeley and elsewhere are deeply troubled by the gap between policy and practice in our nation. Among the many issues to which this applies, none is felt more strongly than the plight of the minorities. Thus, while the overwhelming majority of the students at Cal were critical of strike violence and did not join picket lines, they gave general support to the broad objectives of a greater role for minority peoples in the University. They are aware of the many reasons why the condition of the minority peoples has changed so slowly, but they also note that when political pressure was applied through confrontation, the pace of change increased markedly. Most students would prefer that change take place in a rational, non-disruptive, non-violent manner, but they wonder whether our democratic institutions are capable of this. Looking back at the 104 years since the Civil War, they have their doubts. Those doubts extend, I might add, to both the public and the private sectors of the democracy. I personally believe that our institutions can respond rapidly and sensitively to broad social needs, and indeed that they must if they are to obtain the broad political support they need to survive. Our actions at Berkeley have been predicated on that belief, leading us to try to meet the issues posed by our students while acting to protect the freedoms of inquiry and discussion against disruption and violence.

I believe one of the most important functions universities have today is to show that democratic institutions can change to meet legitimate social needs. It is crucial to the future of our nation that our young people know that they can work within the system to make it more responsive. That is the best way to prove the radical ideology, that America must be destroyed to be changed, is nihilistic, not realistic. It is the method by which we can insure the renewal of faith in our democratic institutions with each new generation, and at the same time renew within those institutions themselves the flexibility they must have not merely to survive, but more humanely and efficiently to serve all of us.

This task which is so vital to our future is not an easy one. It is difficult because the university itself, no less than other bureaucracies, is reluctant to change. If it is liberal about everyone else's business, it is extremely conservative about its own. That is a problem we are trying to resolve within the campuses. The need for the renewal of young people's faith in our institutions, however, is not confined to the universities. It is tested by the other institutions which we have developed during our history. Many student attacks on the university are in reality attacks on present social and political conditions in America. For the radicals, the attacks are power-seeking in the extreme. In the great majority of our students, however, this criticism is quite different, as I have noted. Their attitude is sharpened almost daily by public response to the unrest on the campuses. Their criticism is not that the public is angry about campus disruption; most students (and faculty) share that unhappiness. What angers them is the use made of the turmoil to attack the institution itself. Evidence of this was contained in a recent California poll which found public support for the pursuit

of the truth on campus had declined in two years from nearly two-thirds to less than half of those interviewed. Those who supported political control of the campuses had grown from 18 to 31 per cent. This wavering of belief in democratic ideals—because the freedoms embodied in the university are fundamental to our way of life—by the California citizenry and its leaders further strains the credibility of the older generation. As the Lieutenant Governor so perceptively noted in a speech last week, what is bugging students is not Marx, it is Jefferson: the same Jefferson whose ideas are the bedrock of America's democratic ideals.

Somehow you are allowing yourselves to be placed in a position of attacking the democratic foundations of this nation. Your composure is slipping and your criticism is becoming wilder. You may respond that the California poll did not talk to you, but to other people. I know better. I have talked to hundreds of Californians in my nearly four years here. Most of them have been university graduates and many of them, of stature in their communities. Nonetheless, they seem to have lost their poise, their faith in the democratic tenets of free discussion and inquiry, and their understanding of their own children, for it is they who are our students. The young people can and do maintain poise in the midst of Berkeley's freedoms. They are more precise in their criticism of the university. In fact we are having to turn away large numbers of students who want to come to Berkeley because it is both vigorous in its intellectual activities and rigorous in its academic demands.

These are tempestuous times when some of history's most difficult problems no longer can be put aside. The freedoms of the university are crucial to resolving these problems, and their resolution will be by trial and error, like all great human advances. The Berkeley campus vigorously is defending those freedoms against the threats from within because its students and faculty hold a deep allegiance to those freedoms. Their defense against the threat from outside the institution demands an equal commitment to those freedoms by the leaders of this state.

#### JUGGERNAUT CONQUERS CLINTON RIVER

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. O'HARA. Mr. Speaker, earlier this month, a small army of volunteers plunged into a difficult and dirty task which they had assigned themselves.

When they were finished, the Clinton River was not crystal clear—it will take years and dollars to accomplish that—but the river was free of tons of debris.

The Clinton River is the major waterway in Macomb County, Mich. Flowing into Lake St. Clair, a link in the Great Lakes chain, it has fine recreation potential.

But over the years it has been badly abused.

Governmental jurisdictions along the river are working at improving the quality of the water. It is hoped that eventually, sportfishing will return to the river.

In the meantime a number of persons have been increasingly concerned about the debris that had accumulated along its course. The debris, logs swept down the river in periods of high water, and junk

dumped by careless people, was both unsightly and dangerous.

A few months ago, Mr. Ray Trombley and the Lake St. Clair Advisory Committee decided to initiate a volunteer effort to clean up the Clinton.

Their long, hard work culminated early this month when more than 1,000 people and a small armada turned out over a 2-day period to remove the debris from a 10-mile stretch of the river.

The Macomb Daily, a newspaper in Mount Clemens, Mich., said the effort "is being hailed as one of the greatest community projects ever undertaken in Macomb County."

Mr. Speaker, I would expand upon that description; I believe it is one of the greatest projects ever undertaken by any community. I think that it serves as a fine example of what can be accomplished by citizens determined to improve their community.

I ask that the article "Juggernaut Conquers Clinton River," from the Macomb Daily "The Sentinel Outdoors," from the Daily Sentinel; and the editorial "The Clinton River Cleanup," from the Detroit Free Press be printed in the RECORD:

#### JUGGERNAUT CONQUERS CLINTON RIVER

(By Gene Schabath)

MOUNT CLEMENS.—Tons of trees, logs, oil drums—virtually every form of debris imaginable—line the banks of the Clinton River today, remnants on a two-day assault on a blighted 10-mile stretch of the neglected waterway.

A juggernaut work force of aching, blistered, sun-burned people conquered the seemingly insurmountable task in what is being hailed as one of the greatest community projects ever undertaken in Macomb County.

The Lake St. Clair Advisory Committee, originators of the massive Clinton River Clean Up, said they achieved 90 per cent of their objective. Few people will prevaricate about the remaining 10 per cent.

Operating with the adeptness of a well-planned military campaign, the Committee and the hundreds of workers astounded bystanders with the amount of debris they hauled out of the river and the efficiency in which the clean-up was performed.

Although the clean-up attack was planned for 8 o'clock Saturday morning, it wasn't until mid-morning before the massive work force really starting rolling. The army of 700 to 800 workers labored until Saturday evening before the campaign was secured for the day.

Less than half of Saturday's work force returned Sunday. Nevertheless, the assault on the river continued until late Sunday.

The stretch of stream from the spillway to the mouth of the river is cleaner today than it has been in possibly decades.

It was people who accounted for much of the debris. It was people who removed it.

People like Ray Trombley, chairman of the Lake St. Clair Advisory Committee. Trombley coordinated the two-day war against the Clinton. From the base of operations at MacArthur Park in Mount Clemens, Trombley directed the massive clean-up deploying equipment and workers to the 10 work sites.

Numerous occasions during the two-day campaign. Trombley shuttled heavy equipment and man power from one work area to another as the work crews methodically cleaned each site.

People like Ralph Kandt and Ken Fowler, co-chairmen of the Clinton River Clean-Up. The two committee members logged hundreds of miles during the two-day purge, acting as Trombley's war lords.

People like the REACT (Radio Emergency Association Citizens Team) crew which provided invaluable communications for the operation. The St. Clair Shores citizens band radio operators manned two radios at the MacArthur Park staging area and had radio operators at each of the 10 work sites.

People like George Merrelli, UAW Region 1 director. The UAW fed the massive work force from chuck wagons and chuck boats. Workers consumed over 2,000 sandwiches, more than 100 dozen donuts and drank more than 100 cases of pop and 700 cups of coffee during the first day of the clean-up.

People like Ken Hintz, owner of the Northeast Crane Co., located in Detroit.

"There's a couple reasons why I came here to help," Hintz said. "First, I just bought a boat and at least wanted to make an attempt to help clean up. Second, there's a couple guys in our crew who own boats and use the Clinton River as such."

Hintz and his 11-man crew tackled one of the most difficult areas—the property across from the Selfridge missile site.

People like the airmen from Selfridge. The battalion of blue, armed with machetes and muscle, wiped out their assigned section near the Bridgeview Bridge in one day.

People like Delbert Jones and the other residents of Kibbee Flats, who waded into the muck of the Clinton to pull out large logs and assorted debris.

"Macomb County is really classic," said Jones, deputy director of MAP who has helped with clean-up jobs in Detroit's inner city. "I've been on a lot of other clean-ups but they were nothing like this. The people here really have their hearts in it."

People like Harold Emerson, owner of the Emerson Trucking firm, who hauled away truck-load after truck-load of junk extracted from the river.

People like Dr. Harold McNeil and Dr. John Fow, both Mount Clemens, who donated their services, to aid the injured.

People like George Talbert who suffered a smashed finger yet returned to his work after x-rays were taken at Mount Clemens General.

People like John Rogers, one of the 35 workers requiring tetanus inoculations necessitated by cuts and scratches suffered while working in the polluted Clinton River.

People like Mr. and Mrs. Henry Christensen, of New Baltimore, members of the MacHobo, a National Campers and Hikers affiliate. The Christensens, using only a 12-foot pram with no outboard, made numerous trips towing mounds of debris behind their small boat.

People like those from the Roam 'en Oaks hiking group, from Clawson.

People like the workers from Health Corp. of Richmond.

People like the women from the VFW Bruce Post Auxiliary who made more than 4,000 sandwiches.

People like the 100 St. Clair Shores City Employees and those from the Michigan Shade Tree Service.

People like Ray Jennings, Gill Trombley, Al Toth, Larry Sawacki, Charlie Zinner, Ed Rowe, John Agnello and the other work crew chiefs.

People like Mary Saul, of 186 Cass, Mount Clemens.

"It was the darndest thing," Trombley said, relating the episode with Mrs. Saul. "She was a frail little thing and she came with a rake and a plastic bag and wanted to go to work."

"I got three reports from the people working with her behind the VFW," Trombley added. "They just marveled at her."

There were other people along the Clinton River this end, too. They were the residents who could be seen scraping and painting their boats or tending to other chores.

"A goodly number of the homeowners along

the river helped but the response from these people is not what we expected," Trombley added. "If it had been, the entire job would have been done."

Trombley said the clean up will be completed probably this fall.

"No one thought we could do what we did," Trombley said. "The debris in the river was beyond what we had expected. The little log turned out to be a big log. Everyone who witnessed the operation—the legislators, news media, county and state people, said it was unbelievable."

Trombley said the Lake St. Clair Advisory Committee will approach the County Board of Supervisors in attempt to get immediate action on the construction of a weir to halt debris from flowing into Lake St. Clair.

#### THE SENTINEL OUTDOORS

(By Roman Typpkiewicz)

Our hats are off to the gang who attacked the Clinton River last Saturday and Sunday. You should have been there to see what determined men and women can do.

Unbelievable!

The young and the elderly, sportsmen, politicians, teenagers, soldiers, housewives—and even children—attacked the ten-mile stretch of river with an amazing amount of vigor and determination.

Our hats also go off to Ray Trombley, chairman of the Lake St. Clair Advisory Committee and his gang for the time and energy they spent formulating last weekend's battle plans.

No less can be said to the hundreds of volunteers who took their time, equipment and muscles to tackle the seemingly insurmountable task.

The river shoreline late Sunday evening was jammed with every imaginable type of junk and debris which eager hands and strong backs hauled out of the river during the two-day assault.

Hopefully, the same thing can be done soon to that stretch of river west of Mt. Clemens.

It could use it.

Hats off again in thanks to the hundreds of persons who made at least that section of the Clinton more a river than a sewer.

#### THE CLINTON RIVER CLEANUP

The Clinton River cleanup and Dave Eberhard's young people working furiously with shovel and broom on the east side of Detroit are heartening indications that there are a lot of people around who aren't waiting for things to be done that they can do themselves.

The Clinton is a slow stream now, and doesn't clean itself as it did in the old days. But it is still a pretty, meandering river, or was until it became a public dumping ground.

Lacking funds or even an idea as to what public body should do the job even if money were available, the residents between Mt. Clemens and Lake St. Clair have again moved in to clean out the bottles, tires, decaying trees and overshoes.

They got a lot of help from the Selfridge Air Force Base. The Coast Guard sheriff's deputies, Boy Scouts and other sources of manpower, formal and informal. Everybody enjoys a peaceful stream—so why shouldn't everybody keep it looking nice?

The Rev. Mr. Eberhard's push to get rid of the winter's accumulation of debris was almost a joyous occasion over the weekend, with him leading the charge in a dirty sweat shirt.

Come to think of it, we would have quite a handsome town if everybody would walk out of his front door for a few minutes and pick up the cigaret packs, beer cans, empty bottles and dead branches at his own curb.

Clinton-cleaners, east-side sweepers . . . good examples for all of us.

**FIND PEACE IN A VIOLENT WORLD—  
GO FISHING IN PENNSYLVANIA**

**HON. HERMAN T. SCHNEEBELI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SCHNEEBELI. Mr. Speaker, the Pennsylvania Fish Commission has issued the following report on fishing conditions in the Keystone State which should be of interest to fishing enthusiasts as well as to those less enthusiastic but interested in "getting away from it all":

**FISHING REPORT**

(By Pennsylvania Fish Commission)

Northwest, Region 1—Regional Supervisor Lee Shortess reports: Streams are normal and clear throughout the region. Best baits are minnows, worms, streamers; Adams in dry fly; March Brown, Brown Quill in wets. Butler—Thorn Creek. Cameron—Driftwood Branch, Sinnemahoning. Jim Shields, Emporium, caught a 19-inch rainbow there. Erie—Crapple, bass, northern pike are hitting at Presque Isle Bay. Perch hitting at Erie Harbor entrance near South Pier. Northern pike at Buell Dam. Jefferson—Nice rainbows being taken at Cloe Lake. Clearfield—Chest Creek and Parker Dam—Brown and brook trout. McKean—Trout at Kinzua Creek. Some musky action reported in Allegheny River. Potter—Nice catches of trout in all streams on wet flies. Venango—Sugar and Oil Creeks. Warren—Brokenstraw and Tionesta Creeks. Crawford—Pymatuning Reservoir offers a variety of fishing fun with many largemouth bass, walleye and crappies reported from vicinity of Linesville. Curt Smith, 13, Meadville, caught a 48-inch, 37-lb. musky near the Causeway. Harold Peterson, Jamestown, caught a 46-inch, 30-lb. musky on a large minnow from Pymatuning.

Southwest, Region 2—Regional Supervisor John Buck Reports: Streams are normal and clear. Armstrong—Buffalo Creek, March Brown, Black Gnat taking trout. Allegheny River producing walleye below Locks 6, 7, 8, using large minnows fished deep or nite-crawlers, Beaver—Raccoon Lake—small daredevil spinner taking nice rainbows. Bradys Run Lake same. North Fork, Little Beaver River, minnows and salmon eggs for rainbow and brown trout. Traverse Creek brookies on worms. Bedford—Shawnee and Gordon Lakes producing northern, musky and walleye fishing on minnows and large spoons. One 40 inch musky reported from Gordon Lake on big daredevil. Trout in Yellow Creek on March Brown and Minnows. Blair—Clover Creek good catches of trout on Light Cahill fished on surface. Cambria—Chest Creek trout on minnows, worms, salmon eggs. Northern pike, walleye hitting well at Glendale Lake. James Kitchen, Delmont, Pa., caught a 36½" 11½ lbs. northern pike on large shiner at Glendale. Walleye on nitecrawlers fished deep. Fayette—Youghiogheny River below dam is normal; trout hitting Black Ant, Mallard Quill. Virgin Run Dam rainbows on Black Ant fished wet. Dunbar Creek fly area trout hitting assorted nymphs and early pattern dry flies. Fulton—Cowans Gap Dam trout hitting spinners. Cove Creek trout hitting flies and small spoons. Meadow Grounds Lake northern and walleye hitting minnows. Huntingdon—Standing Stone Creek trout hitting Mallard Quill and March Brown fished wet. Rock bass excellent in Raystown Branch Juniata River on nitecrawlers. Walleye also hitting rapalas in river. Indiana—Little Mahoning, Little Yellow Creeks trout on minnows, small spinners. In fly area use an assortment of spinners and flies. Mifflin—Juniata—Trout hitting at Willow Run, Lost Creek and Penns Creek—Grannom is coming; off Penns Creek. Joe Mitchell, Lewistown, 20

inch brown from Penns. Juniata River is just above normal but rock bass are hitting with zest on small minnows. Worms, spinners and hellgrammites. Washington—Green—Canonsburg, Dutch Fork Lakes fine catches of rainbows and brookies on salmon eggs and worms. Ryerson State Park Lake panfish hitting worms. Westmoreland—Keystone Lake and Loyalhanna Creek trout on minnows, streamers. Twin Lakes and Youghiogheny River taken walleyes, panfish on small minnows and worms.

Northeast, Region 3—Regional Supervisor Clair Fleeger reports: Streams are normal, clear and warming over area. Bradford—Trout at Mountain Lake and Schrader Branch. North Branch Susquehanna River is clearing and should be a good warm water fishing bet over weekend. Wyoming—Bowmans Creek—Crappies, blue-gills, perch hitting well at Lake Carey (boats available). Susquehanna—Rock bass, walleye in Susquehanna River on minnows and worms. Big Elk Lake, Montrose Lake and Heart Lake taking many bullheads on nitecrawlers. Wayne—Trout in Equinunk Creek on wet flies. Bullheads hitting throughout all areas. Good pickerel fishing at White Oak Pond on minnows and spoons. Carbon—Trout in Lehigh River and Mud Run on salmon eggs, muddier minnow and streamers. Lehigh River below Bowmanstown good pickerel spot with spinners. Sullivan—Lycoming—trout—Muncy, Loyalsock Creeks, and Hunters Lake. Earl Eisenhower, York, Pa., caught a fallfish 18¼ inches long, weighing 2 pounds in Muncy Creek. This is a Pennsylvania Angler Citation Award fish. Pickerel at Hunters Lake on spoons and minnows. Lackawanna—Susquehanna—Trout at Chapman Lake, Tunkhannock Creek, Butler Creek on spinners, minnows, Xmas tree lures at Chapman. Columbia—Fishing Creek for trout on Red Quill, Grannam, fished dry. Rock bass, channel cats, walleye in Susquehanna River near Sunbury and Danville. Ralph Oberdorff, Danville, caught 27 inch walleye. Tioga—Trout hitting in Pine Creek and Cedar Run. Some musky action at Hills Creek Lake; Fred Haller, Jersey Shore, Pa. caught a musky 45 inches, 24½ lbs. Luzerne—Lake trout hitting at Harveys Lake. Stanley Keefe, Mountain Top, caught a 30 inch, 10 lb. lake trout there recently. Lehigh River good brown trout action. Bluegills at Sylvan Lake on worms and streamers. Pike-Wayne—Perch, bluegills hitting at Lake Wallenpaupack on small live bait. Trout hitting on worms, speedy shiner and rapala. Monroe—Trout fishing in Broadheads, Big Bushkill is good on streamers, wet flies. Pike—Trout good in Shohola and Lackawaxen.

Southeast, Region 4—Regional Supervisor Miles Witt reports: Streams are normal and clear. Chester-Delaware—French Creek, Ridley Creek trout on spinners, streamers, worms, salmon eggs. Good crapple action in all reservoirs on shad darts. Lebanon—Trout at Marquette Lake, Shuey, Lions Lake and Indiantown Run trout hitting well. Lebanon—Stavers Dam good for catfish. Lancaster—Trout—Hammer, Middle and Octorar Creeks. Donegal fly areas good trout bet. Speedwell Forge Lake—bluegills and Susquehanna River catfish. Schuylkill—Trout—Mahantango Creek. Walleyes and northern pike good at Sweet Arrow Lake on spinners, live minnows; James Reed, Cressona, caught a 23½ inch, 3½ lbs. walleye there. York—Trout at Hanover Water Co. Dam and Muddy Creek—salmon eggs, wet flies. Susquehanna River good catfish, carp, rock bass on live bait. Northern pike at Codorus Creek State Park Lake. Montgomery—Trout at Lock Alsh Reservoir. Excellent bluegill fishing at Black Rock Dam on Schuylkill River. Good pan-fishing at junction Perkiomen Creek and Schuylkill River; also carp on dough flavored with strawberry flavored jello with honey mixed. Lehigh—Trout on Little Lehigh on wet flies. Northampton—Bushkill Creek trout

hitting CP Swings; Fred Recker, Nazareth caught a 22½ inch, 3½ lb. brown trout; Phillip Bell, Easton, 20 inch, 4½ lb. brown, also a 19 inch, 3½ lb. brown. Delaware River fishing good—Leverett Everett, Easton, caught a 24 inch, 3 lb. northern pike; Thomas Pfeiffer, Easton, caught a 22 inch, 5 lb. smallmouth from the Delaware. Philadelphia—Trout fishing excellent in Wissahickon Creek—many over 20 inches reported by fishermen. White perch, striped bass and eels reported from Delaware River on worms and shrimp. Most fish taken after dusk. Bucks—Cooks Creek and Neshaminy Creek, Levittown. Cumberland—Lake for trout. Edward Gyarco, Carlisle, caught a 20½ inch, 3½ lbs, brown trout from Yellow Breeches Creek. Opossum Lake, Laurel Lake also good trout areas. Pickerel hitting in Shermans Creek in Perry County. Rock bass also hitting well.

**SHAD REPORT**

The Delaware River is in excellent condition. Peak of the shad run is reported from lower Delaware River with many good catches reported in Lambertville, Lumberville, New Hope areas. Both herring and shad are hitting shad darts and gold hooks. The upper Delaware also report shad action from Milford to Narrowsburg where action is lighter. Bruce Fleeger, 6, caught a Citation Award roe shad 22¾ inches in Delaware River. Joe Cartwright, Easton, caught a 24 inch roe shad; Joe Kluska, Easton, 2—21 inch roes; Les Pettis, Nazareth, 22 inch roe; Al Hauser, Easton, 22½ and 20 inch roes; Bill Eisenhauer, Easton, a 23, 21 and 21 inch roe and milt Linsman, Sr. and Jr.—23 and 22½ roe shad.

**THE AMERICAN WAY**

**HON. WILLIAM O. COWGER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COWGER. Mr. Speaker, we are privileged in Louisville, Ky., in having a new junior college, in name, Jefferson Community College, which is less than 2 years old. On May 1, of this year, Jefferson Community College celebrated its first annual Flag Day.

On many college campuses today there is unrest. I am pleased to report that on the Jefferson Community College campus there is the American way of life. The following is an article which appeared in the college newspaper the Quadrangle, on May 1 of this year:

**THE AMERICAN WAY**

(By William Kellerman)

This is America—America is a place where people are free. Free to work, free to go to school, free to worship the God one believes in. America is a place where a man can read, write and say what he believes without having fear of being routed from a night's sleep to be interrogated or worse. America is a place where a man can dream and realize the possibility of the most extravagant of his dreams coming true. In America, a man is even free to protest because he does not think he is free. America is a place where a president is elected not where a king is tolerated. America is a place where a man can fall in love and marry the woman of his choice. America is a place where not dogs and mustard and cold beer taste best at World Series time, where every boy over ten years knows as much about Wilt Chamberlain and Mickey Mantle as he does about George Washington and Thomas Jefferson.

In America, a poor man can become rich overnight by backbreaking work or by the

death of a rich uncle. In America a man can watch a pretty girl who walks down the street in a mini-skirt instead of an army uniform. An American boy can spend an entire summer lost in the idea of running home and showing Mom that ol' carp he finally caught at the bottom of Cochran's pond. And a little girl serving her doll tea on a warm spring afternoon.

America is knowing that once you have bought something it is yours and no one can legally take it from you. America is the Green Bay Packers on a snowy November afternoon—dozing in the warm sun in the local park—a new pair of shoes that hurt your toes—chocolate ice box pie with graham cracker crust—a movie on Saturday night—the announcing of the new heavyweight champion of the world—Church on Sunday morning—Walter Cronkite—an old late show you have seen three times before—a Coca-Cola—old men wearing old beat-up straw hats, sitting on courthouse benches, spitting tobacco juice and cursing the weather—Raquel Welch—the drunk who lives down the street—the family—Fourth of July—watermelon—a new car—the family budget—standing in front of a tombstone, thinking, praying, remembering.

America is a Jewish Negro named Aristotle O'Bryan—a farmer's daughter joke—the Army vs. Navy football game—the woman next door that always drops in when you are sitting at the table in your shorts—overdue bills—junk mail—landlords—hunting trips—good neighbors—bad neighbors. The old lady down the street who knows everybody else's business. Meatloaf on Wednesday nights. A handshake, a warm smile. The 1910 Fruit Gum Co. The Sunday radio sermon. The fact that Dr. Spock is as well-read as is the Bible. Post Toasties. A new car with engine trouble. Harper Valley P.T.A. A policeman that lends a helping hand. A drink of spring water, T.V. commercials. The Kentucky Derby. Soul Food. \$5,000 per year. Christmas cards. Taxes. Hamburgers. Inflation. Two weeks vacation and Old Glory.

Some people want to get rid of these things, they call it bad because it is the "establishment". They want to replace these things with sleep-ins, sit-ins, and stand-ins, love-ins, riots, L.S.D., pot, and other such oddities.

I'll stay with the old standards, you do what you want to do. After all, this is America.

THE SINGING ANGELS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. VANIK. Mr. Speaker, it is my pleasure to take note of one of America's most outstanding and talented young people's singing groups, the Singing Angels of the Greater Cleveland area. These dedicated young people are among the most creative and talented groups who perform today. Their musical performances are lively, entertaining, and professional.

I wish to take special note of the fact that their director, Bill Boehm, and so many parents have supported this group not only morally but with every parental devotion possible which has enabled these fine young people to perform throughout our community in hundreds of splendid concerts since 1964.

I wish to insert at this point in the Record a fine article about the Singing

Angels which appeared in the Cleveland Press on May 10:

SINGING ANGELS DESERVE PRAISE

(By Frank Hruby)

Before their fifth birthday arrives this fall, the "Singing Angels" will have racked up an enviable record of accomplishment for organizations of this sort.

"Of this sort" means children's choruses, and while there are children's singing groups all over the country in one form or another, few if any have rehearsed and performed as consistently and as widely.

Formed in 1964 by William C. Boehm, Cleveland concert tenor and lyric theater favorite, they quickly won the hearts of greater Cleveland, and their rise to fame—by means of over 100 concerts—in five years' time has been steady and fast.

Among their many successes have been annual trips to the Lakeside, Ohio, Summer Concert Series, performances in Severance Hall, three appearances at the annual Golden Wedding parties sponsored by the Press, a performance with Cleveland Philharmonic Orchestra, countless performances at the Mid-American Boat Show and in 1968 a Voice of America broadcast.

One of the principal tenets of Boehm and the other conductors of the Angels—George Strickling, Luther Blackwell and Tom Neal—is that music is more than a universal language in the international sense. It can and does transcend boundaries, real or imagined, between races, creeds and colors.

Originally planned as a hundred-voice chorus for singers between the ages of five and seventeen. The Singing Angels now have an additional hundred as a reserve chorus which acts as a training ground and supply for the performing group.

On Sunday, May 18 at 3 p.m., the Singing Angels will present their Fifth Annual Spring Benefit Concert in Masonic Hall and will celebrate the event with new blazers especially designed for them.

The public is cordially invited to attend the concert, and tickets will be available at the door.

The Press congratulates the Angels for a successful five years of musical pleasure and entertainment and is proud to have been associated with them from time to time during those years.

NEWSPAPER PRESERVATION ACT

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BROWN of Ohio. Mr. Speaker, as a newspaper publisher in the "real world," I have repeatedly been asked by some of my colleagues for my views on the Newspaper Preservation Act. I have tried to explain what this legislation would accomplish—in my opinion—in my remarks.

The Newspaper Preservation Act is intended to make it legal for 44 newspapers in 22 U.S. cities to fix prices, pool profits, sell jointly, and divide markets. The objective is to maintain separate ownership and editorial views independent of each other by permitting economies from combined activities which would otherwise be subject to possible restraint of trade prosecutions by the Justice Department.

The legislation applies exclusively to so-called joint newspaper operations,

currently functioning in Albuquerque, N. Mex.; Birmingham, Ala.; Charleston, W. Va.; Columbus, Ohio; El Paso, Tex.; Evansville and Fort Wayne, Ind.; Knoxville and Nashville, Tenn.; Honolulu, Hawaii; Lincoln, Nebr.; Madison, Wis.; Miami, Fla.; Oil City, Franklin, and Pittsburgh, Pa.; St. Louis, Mo.; Salt Lake City, Utah; San Francisco, Calif.; Shreveport, La.; Tucson, Ariz.; Tulsa, Okla.; and the twin communities of Bristol, Va., and Bristol, Tenn.

In these cities, competing daily publishers have joined their business operations while still retaining separate business entities. This is the factor which differentiates "joint newspaper operations" from the usual mergers into single ownership such as have combined morning and evening newspapers in Milwaukee, Portland, Atlanta, or New Orleans. It is the arrangement for the continuation of two separate ownerships which raises an antitrust problem. Technically they are business competitors, but they have deliberately ceased to compete for business.

Each of the joint operations prints its morning and evening editions out of a single plant, but this violates no antitrust law. Joint printing, and joint distribution also, are wholly acceptable under the law. So the Newspaper Preservation Act does not have as one of its purposes legalizing these production activities.

It is the degree of joint sale of advertising and the joint setting of rates by these business competitors which is significant to whether or not the arrangement violates the Sherman Act. The Newspaper Preservation Act would exempt the 22 joint newspaper operations from the prohibition against price fixing now and retroactively to the time they established their joint operation.

The same can be said of "profit pooling" and "profit division." Since a single advertising sales staff usually serves both of the publishers, they must have a method of dividing their profits—usually on the basis of some predetermined formula. Because "profit pooling" necessarily lessens the incentive to compete, the Supreme Court on March 10 of this year ruled that this practice of the Tucson dailies also violates the antitrust laws.

Again, the Newspaper Preservation Act would legalize the practice, into the future and back to the date on which the publishers launched their joint operation.

The joint newspaper operators insist they must have the right to fix prices and pool profits to sustain both their morning and evening newspapers so as to maintain divergent editorial viewpoints in the community. Critics of the legislation, which include the National Newspaper Association of smaller newspapers and the printing trade unions, say the joint operators can make a go of it utilizing joint printing and distribution, and therefore do not need a special antitrust exemption.

While the proponents have amended the original "failing newspaper bill" of the 90th Congress to meet some of the specific objections to the bill, it is my understanding that the critics continue to oppose adoption on the basis that a

special newspaper exemption from the antitrust laws is neither needed nor desirable.

The bill has been characterized as a "chain operator's bill." While the Nation's largest newspaper chains are represented in the ownerships of the 44 newspapers—seven in the case of Scripps-Howard; two by Lee Newspapers; one each owned by the Hearst Corp., Cox Newspapers, S. I. Newhouse and Knight Newspapers—there are also more than 30 independent newspaper ownerships covered by the bill. The bill has been referred to as a bill for the metropolitan press. Yet several smaller cities, such as, Bristol, Va.; Bristol, Tenn.; Oil City and Franklin, Pa.; Fort Wayne and Evansville, Ind.; are included.

Proponents of the legislation lean heavily on the argument that the joint operations are necessary to preserve vigorously competing editorial voices in their cities. Critics point out that the very efficient business combination makes it virtually impossible for a newcomer to enter the newspaper market in these communities, so that giving the joint operators legal sanction for the price fixing, joint sales and profit pooling tends to stifle would-be new voices. It may also be noted that single ownership sometimes allows divergent editorial views, although the possibility of suspension of such a policy is obviously always available.

It is a fact that new technology in typographical composition and printing make it much easier to launch new newspapers now than in years past. This trend shows promise of continuing. It has spawned many aggressive new publications already—in the suburbs, within ethnic groups, to serve differing economic and intellectual strata. These papers compete with larger established newspapers as well as among themselves for readers, advertising dollars and in editorial influence.

The practical results of the proposed legislation are impossible to measure. Since the provisions of the bill become available to joint operators only if they can show one of their newspapers was "failing" at the time the joint operation was established, presumably most of the 22 operations are prepared to prove this. Some of the combinations date back to the mid-1930's. Most combinations are known to have prospered under their joint operation arrangements, but just how well they are doing now has not been revealed in hearings before the House and Senate Judiciary Committees. And whether they would continue to prosper if they had to forgo price fixing and joint advertising sales and "make do" with joint production and distribution is at best speculative.

By July 4, William Small, owner of the Tucson Citizen, must provide the Federal district court there with a proposal for modification of the joint newspaper operation in his city. This, presumably, will represent the best accommodation mutually acceptable to Mr. Small and the Justice Department, and should be instructive as to what kind of compromise is possible within existing antitrust laws. It should be helpful in assessing whether this legislation is needed or not.

ADDRESS OF DR. HECTOR LUISI

### HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DE LA GARZA. Mr. Speaker, in the spirit of hemispheric solidarity, I think it is incumbent on us to be constantly appraised of the aims and aspirations of our good neighbors to the south. With this in mind, I respectfully submit for your consideration a most eloquent speech delivered by His Excellency Dr. Hector Luisi, Ambassador of Uruguay to the United States, at the luncheon of the Pan American Society of the United States, Inc., at New York City, on Thursday, May 8, 1969.

ADDRESS DELIVERED BY DR. HECTOR LUISI, AMBASSADOR OF URUGUAY TO THE UNITED STATES

It is indeed a great honor and privilege for me to be at this meeting of the Pan American Society today.

We men of the Hemisphere are bound by our common belief in certain basic principles on which all our independence movements were founded. Worship of republican ideas, dignity of man and the eternal search for the survival of democracy are the common heritage of the Republics of the Hemisphere.

Barely two centuries since those heroic times, the United States of America has become the major power in the world. The Latin American Republics have, for many reasons, not followed a similar pace of economic growth and we are now in different categories of developed and developing countries. Failure in reaching a harmonious pace of development is driving this world of ours to an emerging North Atlantic civilization with some outposts in the Far East, like Japan and Australia, and the perispheric group of developing countries.

We are fully conscious that inevitable currents of trade will tend to further strengthen the ties between the nations of this North Atlantic civilization, thus further widening the present gap.

Such gaps are factors of tension, which jeopardize progress and indeed the survival of bodies politic, either national or international.

Gibbons gave us a vivid description of how a combination of internal and external uncontrolled tensions led to the final decline and fall of the Mediterranean civilization. I do not believe that history should necessarily repeat itself, as statesmen have sufficient instruments to influence the course of events.

Generous and enlightened efforts such as the Marshall Plan and the Alliance for Progress will go down in history as evidence of intents to avoid otherwise inevitable catastrophes. Many are the reasons which account for the different results achieved through these two enlightened efforts.

We are now about to face new times when many countries in the world are revising the courses to follow. We hope that these new times will find all the countries of this Hemisphere as close together as we have been in the course of our history as independent nations.

President Nixon has emphasized his personal interest in the destiny of the countries of Latin America and his new approach is marked by the fact finding mission headed by Governor Rockefeller. I think I detect the lawyer's touch in President Nixon's pragmatic approach to this new policy. There is wisdom in not creating great expectations and on this point I beg to be allowed to quote myself at the opening address to the Eleventh Conference of Foreign Ministers of the Organization of American States. I then

emphasized that there should be an adequate rationality between raised expectations and possibilities for their achievement, lest there should be bitterness, frustration and a loss of trust in our statesmen. Democracy, as a form of Government based on public opinion, is certainly not strengthened when this sort of spirit prevails in our peoples.

We Uruguayans are conscious that efforts of developing nations are a paramount factor in the struggle for their progress.

We have had some real difficult times, but I am proud to say that the country's response has proved to be up to the challenge.

We have been trying to prove that major structural changes can be achieved without weakening the basic principles of democracy.

The Uruguayans have approved by the largest majority ever recorded in our constitutional history, a new constitution which may be defined as a Charter drafted to demonstrate that the essential requirements of efficiency in the modern State are not incompatible with democracy. We do in fact, firmly believe, that efficiency may only be achieved through the democratic process. Dictatorial systems, though apparently more efficient, have in themselves the seeds of self destruction, as they lack the necessary continuity, which is to be kept for any long term policy to be successful. Long term policies for countries do not necessarily coincide with the life span of us human beings. You citizens of the United States are very well aware of the self evident truth that only democracy provides for this essential continuity in the art of government.

President Pacheco is leading the country in this spirit of efficiency within democracy and his government has achieved some very significant results which are pre-conditions for our economic take-off.

We have been able to cut inflation by fifty per cent last year and we are in the process of achieving another cut of at least fifty per cent this year. Our reserves have been improved in some seventy million dollars and our balance of trade for last year was closed with a substantial surplus of more than ten per cent of our imports.

We know that we still have some difficult problems ahead, but I am absolutely confident that the future of Uruguay will be in accordance with its lifelong tradition of political stability and economic and social progress.

May I, Mr. Chairman, take this opportunity to express both my appreciation for the presence of such distinguished personalities as those gathered here today and my conviction that their continued and generous efforts for our common cause in the Hemisphere will result in further strengthening the many bonds which unite our respective countries.

#### COMMENTARY ON THE GREEK QUESTION

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DERWINSKI. Mr. Speaker, a very interesting column by the international correspondent of the Copley News Service, Dumitru Danielopol, was carried Tuesday, May 6.

This article merits special attention since Mr. Andreas Papanandreu, the discredited Greek political figure who is presently allied with radical left elements has been in Washington making maximum use of news media to denounce the Greek Government and our country in emotional terms with scant attention to fact or historical exactness.

This article by Mr. Danielopol is an objective, truthful commentary on the Greek question.

The article follows:

ARTICLE BY DUMITRU DANIELOPOL ON THE GREEK QUESTION

WASHINGTON.—“Greek and Turkish military forces are very strong, determined, well-trained and well motivated forces and very, very essentially part of the NATO forces in Allied Command Europe,” said Gen. Lyman Lemnitzer recently.

It's about time somebody had a good word for the Greek military. And an authority like Gen. Lemnitzer, Supreme Allied Commander in Europe, ought to know.

Ever since the military took over in Athens on April 21, 1967, they have been maligned, denigrated, insulted and slandered by every kind of self-professed liberal, fellow traveler and self-styled “fighter for democracy” in Greece. Leonid Brezhnev and other Communists also have joined the chorus.

It did not seem to matter that parliamentary democracy at the time of the takeover was a farce. It didn't seem to matter that corruption and decay was rampant; that the camouflaged Communist party and its stooges were blackmailing industrialists and businessmen for funds lest they promote costly strikes. It didn't seem to matter that the economy was stagnant; the Governments fell at the tip of a hat; that instability, insecurity and the prospects of a civil war fostered by the Reds was terrorizing the majority of the Greeks.

One of the great hoaxes perpetrated was that the Greek military had destroyed the morale and capability of the armed forces.

This has now been debunked by Gen Lemnitzer.

“In order to maintain the kinds of forces needed to deal with the enemy capability in their respective vicinities, they (Greece and Turkey) are required to maintain forces that exceed, to a considerable extent their economic and industrial capability to support,” Lemnitzer said. “So they are reliant upon the United States and other members of the NATO Alliance for their military equipment.”

This is an important statement since after the 1967 coup President Johnson stopped deliveries of heavy equipment to the Greek army—equipment pledged under the 1965 NATO program.

Deliveries were partially restored by the Johnson Administration when the new Greek Constitution won a 92 per cent vote of confidence in the Sept. 30, 1968 referendum and after the Soviet aggression in Czechoslovakia.

Since then the Greek colonels have made a number of long delayed reforms. They have begun to gradually restore freedoms revoked at the time of the coup.

But the flow of arms towards Greece is still stalled. The Nixon administration has the issue under scrutiny. But if they are restored in full, as is likely, the military program established in 1965 falls short of requirements in view of the changes in balance of power in that part of the world.

The Greeks are getting impatient. Some say the security of Greece is at stake and that unless the United States restores deliveries they will go shopping elsewhere.

The situation in the Mediterranean is too precarious as it is to mix politics with security.

TRIBUTE TO LENA WASHINGTON

**HON. ALPHONZO BELL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BELL of California. Mr. Speaker, one of the great strengths of our Na-

tion's political structure is a two-party system which encourages continuing dialog on philosophy, policies, and programs.

On Friday evening, May 23, 1969, Californians will pay tribute to Mrs. Lena Washington, a Los Angeles Negro Republican leader, for her contributions to the Republican half of our political system.

Mrs. Washington has served for 20 years on the California State Central Committee in almost every capacity including that of executive director. A distinguished—and, I might add, extremely charming—community leader, Mrs. Washington is an active participant in civic, church, and service organizations. Her choice of politics as a particular interest dates back to the age of 16 when she joined the Women's Political Study Club. Republicans have since been the fortunate beneficiaries of her talents.

In recognition of her service to the party of her choice she was selected to serve as honorary secretary of the Republican National Convention of 1952 and as a presidential elector for the State of California in 1968.

Mrs. Washington is presently devoting her outstanding leadership ability to bringing the Republican message to the black community. I believe her efforts should serve as a model to citizens of all political persuasions who recognize that good government is everyone's business and that one of the most effective mechanisms for achieving it is service to the party of one's choice.

It is a privilege to join with Lena's many friends and associates in honoring her truly remarkable career.

McCARRAN ACT

**HON. DON EDWARDS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. EDWARDS of California. Mr. Speaker, thousands of U.S. citizens were imprisoned during World War II in American concentration camps. Up until 1957, many of these camps still existed. This action stands as a black mark on American history and as long as the authority for such action remains, history could be blackened again. The concept of detention camps violates every American principle. If such camps were put to use, the Republic would be no more and the Constitution would be a meaningless piece of paper.

It is for this reason that I believe we must act quickly to repeal section II of the McCarran Act. Such decision was also reached by the city council of San Jose upon recommendation of the city's human relations commission and I include a copy of the city's resolution in the RECORD:

RESOLUTION No. 2-69: A RESOLUTION OF THE HUMAN RELATIONS COMMISSION OF THE CITY OF SAN JOSE RECOMMENDING REPEAL OF SUBTITLE II OF THE INTERNAL SECURITY ACT OF 1950 (McCARRAN ACT)

Whereas: As members of the San Jose Human Relations Commission, with knowledge of the experience of Japanese-American

citizens in emergency detention, we recognize the danger of Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act) to the civil rights of all Americans, and

Whereas: We, as American citizens of all nationalities, regret that said part of our recent history, and

Whereas: The Emergency Detention Act provides that, during periods of “internal security emergency”, any person who probably will engage in, or probably will conspire with others to “engage in, acts of espionage or sabotage” can be incarcerated in detention camps, and

Whereas: A person detained under the Emergency Detention Act will not be brought to trial under law, but instead will be judged by a Preliminary Hearing Officer and a Detention Review Board, wherein the detainee must prove his innocence, but the government is not required to disclose evidence or produce witnesses to justify the detention, and

Whereas: Said procedures violate all constitutional guarantees and protections and are unnecessary, as existing laws and procedures are available and are completely adequate to safeguard internal security, Therefore be it

Resolved: That the San Jose Human Relations Commission affirm its opposition to Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act), and be it further

Resolved: That the San Jose Human Relations Commission strongly recommends to the City Council of San Jose that they also affirm their opposition to Subtitle II of the Internal Security Act of 1950 and that said Council take appropriate steps to exert their influence to bring about the repeal of the Emergency Detention Act with especial attention given to sections 812 and 814d of said Act.

Adopted this 12th day of March, 1969, by the following vote:

Ayes: Commissioners—Avrech, Escamilla, Gray, Lydon, O'Rourke, Stroughter.

Noes: Commissioners—Aram.

Absent: Commissioners—Phillips, Ribbs.

THOMAS F. O'ROURKE,

Chairman.

DEFENSE DEPARTMENT CONCERN FOR DOMESTIC PROBLEMS

**HON. SEYMOUR HALPERN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. HALPERN. Mr. Speaker, I recently have seen a copy of a letter written to the Secretary of Defense, Melvin Laird, by June Willenz, executive director of the American Veterans Committee.

I was much impressed by this letter and its contents which praises the Defense Department's newly created Domestic Action Council. Because of the concern of many Members of Congress for Federal agency efforts to help resolve the domestic problems of our Nation regardless of their particular mandate, I therefore call the letter to the attention of my colleagues:

APRIL 28, 1969.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
The Pentagon,  
Washington, D.C.

DEAR SECRETARY LAIRD: The American Veterans Committee (AVC) wishes to commend you for your address in St. Leo, Florida on April 26, in which you indicated your commitment for continued efforts by the Depart-

ment of Defense to help resolve the domestic problems of our Society.

We applaud the creation of a Domestic Action Council at the highest level of your Department and hope that it will play a prominent role in promoting the Department of Defense's contributions to domestic action. We hope, also, that this Council will work closely with the President's Urban Affairs Council and the civilian sector of society.

AVC endorsed the creation of Project 100,000 and Project Transition and has been supportive of their efforts to upgrade many of our young men who have been educationally disadvantaged.

Last month, we wrote to the Deputy Secretary of Defense, Honorable David Packard, indicating that we considered Project Transition and Project 100,000 as "imaginative and worthwhile endeavors to provide important educational and training upgrading for a group of young men." We expressed the hope that these projects would be continued, and we are pleased that you have emphasized their significance.

AVC is looking forward to the development of the social action programs you have outlined in your St. Leo speech. We offer you our support and assistance in this program. As you know, AVC has been committed to the cause of social justice and equal opportunity since it was founded during World War II. We look forward to continuing to work with you in this important area of concern.

Sincerely,

JUNE A. WILLENZ,  
Executive Director.

FOR THE POOR, BUSINESS AS  
USUAL: MUCH TALK BUT LITTLE  
GOVERNMENT ACTION

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, in a special meeting with members of the Democratic Study Group yesterday, the Rev. Ralph David Abernathy and members of the Poor People's Campaign outlined their demands and explained the deplorable conditions which the poor in this Nation endure. The representatives of the poor who made statements did so with passion and eloquence—not the contrived eloquence of professionalism or demagoguery, but the forceful eloquence of human experience and shattered pride. Hearing these conditions described was both disturbing and frightening; there can be no excuse, in a supposedly moral and humane society as affluent as ours, for allowing these lifestyles to exist. But they do exist because lack of concern, an enormous military budget, rampant bigotry and blatant selfishness all contribute to their existence day in and day out. All too often those with the power to act decisively in these areas have used their power for negative obstructionism. The time is at hand to once and for all replace this attitude with positive action.

Reverend Abernathy pointed out that as many as 40 million Americans have been described as being poor and that poverty in America ranges across all racial and native barriers to include black

Americans, Mexican-Americans, Cuban-Americans, Puerto Rican-Americans, Indian-Americans, white Americans, and many other groups. All kinds of Americans share not the bounty of America, but the poverty of America—this is the plight of the poor. Speaking for members of the Southern Christian Leadership Conference, Reverend Abernathy stated, quite simply, that "we as black people and your brothers are entitled to enjoy the blessings of this land." So they are.

The greatest tragedy here is that these people have to come, virtually begging, to their Nation's Capital every year to plead for relief. The problem should have been faced years ago. But come they must, because of continuing neglect and inattention. The time to study the problem has come and gone and we have studied the problem to death. Welfare has been examined and found hopelessly backward and self-sustaining. Yet welfare continues virtually unchanged. Under the previous administration we finally made a commitment to the disadvantaged in this country, but precious little has been done to transform the promises into performance. Reverend Abernathy perhaps put it best when he said that pledges of action have come back like "a bad check marked 'insufficient funds.'"

The funds are not insufficient. They are denied—denied by complacent disinterest and inexcusably inverted spending priorities which allow billions for the tools of death and destruction, while strangling to a pittance the funds to right the wrongs which exist for our own people.

The Nixon administration talks about committing itself to the needs of the disadvantaged, yet Reverend Abernathy emerged from a disgracefully abbreviated meeting with the President and the Urban Affairs Council with the sad news that it was the most "disappointing and fruitless meeting" he has ever attended in Washington. The administration's talk is also less than convincing when one witnesses the spectacle of Cabinet members, whose agencies are responsible for most of the poverty program activities, promising to hear representatives of the Poor People's Campaign and then reneging on that promise. A mere 45-minute audience with the Urban Affairs Council is hardly a substitute for the realistic give and take of a face to face meeting in which to discuss more than generalities and engage in more than platitudes.

Mr. Speaker, I would like to offer at this point an editorial which appeared in this morning's Washington Post which states very well, I think, the unfortunate implications of this action which the Post aptly terms "A Needless Brushoff." This disinterest suggests the kind of "closed" approach which the administration would do well to avoid. There is ample and obvious evidence to show that the time has long since come for turning promises and platitudes to the poor into progress and performance for the poor.

The editorial follows:

A NEEDLESS BRUSH-OFF

The Rev. Ralph David Abernathy, a man of poverty and patience, with no grudge-bearing skills in a role where he could easily

exploit them, is in Washington this week with what he calls Chapter II of the Poor People's Campaign. Unlike last year, when the instant urban problems of Resurrection City beclouded the goals and ideas of the encamped poor, this year's confrontation of poor with rich is expected to be free of mud and mayhem.

Whether it will be free of bitterness is another question. Mr. Abernathy and his delegation of 100 have been refused a series of meetings with Cabinet members whose agencies deal with the poor. Instead, the Administration has set up a meeting this morning of the Council on Urban Affairs, including the President, in which Mr. Abernathy and a small group will reportedly have less than an hour of talking time. That's barely enough to let the coffee cool, let alone allow the poor to present their demands.

Mr. Abernathy has been around the Establishment long enough to know that, academically, it is well-acquainted with his proposals: stop hunger, stop the war, stop giving the poor raw deals. The Cabinet officials in question, none of them small or mean-thinking men, would probably agree with the general aims of these demands, at least in private. Thus, in refusing to meet individually with Mr. Abernathy, they are, first, practicing poor public relations. They will come off as being insensitive to the poor, exactly the charge Mr. Abernathy made last week when told he was not welcome in the offices of the various department chiefs.

The poor, and many others, already hold deep suspicions that the Nixon Administration cares little for the Nation's worst-off. In seeing their symbolic leader refused a hearing, the poor are likely to be more than ever convinced they have no friends in Washington.

A second implication is that dialogue is useless. It will make little difference to the rural shack dweller or the urban ghetto dweller that something may seem to have been accomplished in the Urban Affairs Council meeting—assuming that is possible in so short a time. Instead, Mr. Abernathy's followers will see the closed doors in HEW, HUD, Agriculture, Labor, etc., and say, "the big shots brushed him off."

The Cabinet members still have time to meet with Mr. Abernathy and his group. Both parties have been through this before: there's gladhanding, a little blown-off steam and a lot of hope expressed in the future—it doesn't cost very much. As both Mr. Abernathy and the Cabinet members know, the real place where the suffering of the poor can be decreased is in Congress. Even if Mr. Finch and the rest of them could get together individually with Mr. Abernathy to commiserate on that, it would be worth it.

ISSUANCE OF A POSTAGE STAMP  
IN HONOR OF U.S.S. "PUEBLO"  
CREW

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BIAGGI. Mr. Speaker, I wish to express my full and enthusiastic support for issuance of a special postage stamp honoring the men who served on the U.S.S. *Pueblo*.

Any group of men so abused and tortured by unfriendly forces as was the crew of the *Pueblo* deserve recognition for their courage and determination in the face of extreme cruelty and brutality.

Such a postage stamp would demonstrate the gratitude of the Nation for the

devotion and steadfast service exhibited by these fine Americans. It would, in some measure, recognize the extent of their sufferings.

It would demonstrate that while we seek peace and more often than not hold back the power that is ours, we stand behind and fully support the efforts of our men in uniform.

Such a stamp would again serve notice to aggressor nations of our intention not to be bullied and harassed because such nations think our hands are tied and that Americans have gone soft.

A postage stamp honoring the men of the U.S.S. *Pueblo* would demonstrate, despite its lack of explicitness, the new consensus on foreign policy which I believe is rapidly taking shape, that America will not idly stand by and see the reputation, property, and lives of Americans jeopardized in the future.

Such a stamp would serve to remind us that we must work even more arduously for peace: Whether the need is defined in terms of a more versatile defense establishment, a strong peace initiative, or bolder economic assistance to the underdeveloped countries, our leaders must put forth all their energies in the cause of a just and lasting peace.

The issuance of a postage stamp paying tribute to the *Pueblo* crew will serve notice that this country, worthy of its great past, understands the sweep and promise of the American democratic tradition and the pressing need to refocus that tradition on the problems of today's explosive yet infinitely promising world.

What happened to the *Pueblo* was a tragedy. I strongly urge the issuance of this stamp to serve as a reminder of and a tribute to the brave men of the U.S.S. *Pueblo*.

NO HELP FOR THE AVERAGE TAXPAYER?

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BROWN of Ohio. Mr. Speaker, I am inserting this letter, name and identification deleted, so that the Members of this body and others may have another opportunity to read of some of the problems faced by the middle-income families when they try to obtain financial assistance, only to be advised that the assistance is reserved for the underprivileged.

APRIL 22, 1969.

DEAR Mr. BROWN: May I say in starting that this is the first letter of this sort I have ever written, so please don't cross me off as a chronic complainer. I've listened to all these programs for school drop-outs, underprivileged, welfare and whatever until I am sick to death. These people undoubtedly need some help. However, I would like to present the cause of what seems to me a forgotten group of people.

We have a daughter who is a senior in high school and will graduate in June. She was elected to the local chapter of the National Honor Society last year. She is in the 98th and 99th percentile according to the results of her ACT and SAT aptitude tests. She has been selected for listing in this year's Merit

Publishing Company's "Who's Who Among American High School Students," and has received a Letter of Commendation from the National Merit Scholarship testing service.

She is interested in pursuing a course in either music or journalism. She has studied piano since the second grade and is presently studying voice. Her voice teacher, who is also the school choir director, says she is the most gifted musical student he has yet had.

She applied for admission to Ohio University at Athens, Ohio, and was accepted with a token scholarship of \$150 on the basis of the Parents' Confidential Statement. We are a middle income group family, partly because of my husband's participation in the Air Force Reserve program at an area Base as a pilot. Fortunately, he is not required to be underprivileged to participate in this. Our income has not always been in the range it is now, so with a family of three children and long-term inflationary prices, we are not in a position to send her to college without help.

We are not asking for a hand-out. We only want a way to help her to help herself. Once again educational loans seemingly are available only to the underprivileged. She was tested and applied for summer employment at an area Base. Although she qualified, they are hiring only underprivileged people as summer help. Isn't this in itself a form of discrimination?

Isn't there something the matter with a society in which the intelligent of the middle class society are so penalized? I can't feel that this problem is peculiar to us. It seems a shame that in view of her qualifications, she still may be deprived of a college education, while her father's income tax money goes to help the underprivileged. If you can direct us to any sources of help, I would appreciate it. Otherwise, maybe we should see that we fall into the ranks of the underprivileged and school drop-outs. It would seem to be encouraged. Thank you.

Sincerely yours,

A CONSTITUENT,  
Seventh Ohio District.

UNIVERSITIES UNDER THE GUN— AND OUR REACTION THERETO

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROBISON. Mr. Speaker, as an alumnus of Cornell University, and as the Representative in this body of the Cornell community—since Ithaca, N.Y., is in my congressional district—I have, naturally enough, been deeply disturbed by the events that took place on that campus last month.

It would be altogether too easy—and far too tempting—to attempt to post-judge the decision made by the administration at Cornell and, after some initial hesitation, subsequently endorsed by its faculty, that at least temporarily ended the crisis that threatened the very life of our university. Easy—and tempting—to do so, that is, from our perspective here, a comfortable 300 miles or so away.

Others have done so, including some nationally syndicated columnists, editorialists around the Nation, and a goodly number of my colleagues here whose judgment I respect. However, I have refrained from doing so, and intend to hold to that posture. This, nevertheless, should not be taken as evidence of my lack of concern, for I am deeply con-

cerned, as are all of us, with this problem of student unrest; and I am as anxious as anyone in this body to find and apply whatever Federal "solutions" there are if, indeed, there be any.

Of course, Mr. Speaker, the Cornell situation was a "sorry mess," as one of my colleagues has recently said, and the university authorities undoubtedly paid a very high price—the true cost of which has yet to be determined—in order to end it, if it be ended.

And, yet, I think it does little good now to speak of "cowardice" and "disgraceful appeasement," in our rehashing of this tragic incident. That sort of thing makes headlines, too, and is undoubtedly appreciated by that average American who is our typical constituent and who, naturally enough, is fed to the teeth by the disruption of and militant threats to destroy our great educational institutions, and who, equally naturally, is demanding that "somebody must do something."

Before we here, in our position of high responsibility, decide what that "something" ought to be, I would like to ask my colleagues to consider, with me, the following two items which, under leave, I include with these remarks.

The first is a letter from Mrs. Millie Ann Koman, a Cornell graduate student not personally known by me, but who, in her own thoughtful manner seeks to set the record of the Cornell crisis "straight" as she, an on-the-scene observer, saw it. I do not say—since we are dealing in an area of personal judgment, and one highly subject to being tinged with emotionalism, at that—that her opinion is of more value than that of those others who read the Cornell crisis and the account of its ending in a different light. I do suggest, though, that her viewpoint is worth considering, and I hope it will be so considered.

The second item is Alan L. Otten's highly perceptive column, entitled "Let the Center Hold," as taken from the Wall Street Journal for May 8. Mr. Otten speaks, as I would wish to, of the "vital center" in every academic community—"the great mass of faculty and students that is beginning to perceive the need to hold and counter the protestors"—and of the need for the rest of us to do what we can, not to threaten retribution, but to rally that center from which, in my considered judgment, the solutions we seek will—and only can—come.

The letter and column follow:

ITHACA, N.Y.,  
May 4, 1969.

Congressman HOWARD W. ROBISON,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN ROBISON: As a frequent listener to your Sunday morning broadcasts I have often appreciated the understanding of current issues which you convey to the radio audience. However, your discussion this morning of the recent events on the Cornell University campus indicated that you do not understand what happened here. If your opinions are based on newspaper, radio and T.V. coverage of the Cornell crisis, they are not surprising. The vast majority of the Cornellians now question whether such media ever tell the truth. We have witnessed during the past two weeks undeniable and inexcusable distortions of reality which have

not only misinformed the public but contributed to a heightening of tensions during the crisis itself. As a Cornell graduate student (and, by the way, I am not a radical) I feel an obligation to at least try to set the record straight.

In the first place, you and many others have reacted primarily to the presence of guns in Willard Straight Hall, and, thus blinded, have failed to recognize the real issues which led to the occupation of the building and the circumstances under which guns became involved. For months the black students had been trying to get our attention. They had been asking for special courses which would be relevant to their needs. They had been asking for the chance to develop a sense of community as blacks in this predominantly white institution. They had been trying to tell us that racism can be institutional as well as individual—covert as well as overt—and that racism exists in a very real sense even in our so-called "liberal" university. They talked a long time before even a few people began to listen and a few grudging delayed responses began to be made.

(I might note at this point that in many ways the university reflects American society as a whole. The findings of the Kerner Commission were largely disregarded by decision-makers. The majority of white Americans rejected the possibility of white racism being a cause of black unrest—without even stopping to think about what racism is and how it operates. Even though blacks have been oppressed, degraded and discriminated against for years, many Americans assume that black men need a conspirator to stir up their wrath.)

A few days before the takeover of the Straight a cross was burned in front of the black girls' cooperative dormitory. Campus police for some reason made an inadequate response to this understandably frightening incident which President Perkins later called a "prank".

On Saturday April 19th, frustrated in attempts to negotiate the issues, the blacks non-violently took over the Straight. Only after white fraternity brothers tried to "liberate" the building did guns enter the picture. Frightened by previous incidents such as harassments, telephone threats and the cross-burning as well as by rumors of white men with guns outside the Straight (some of these rumors were well-founded), the black students obtained guns to use for self-defense. The press, the public and perhaps a majority of the Cornell community at that time, were unable to understand why the blacks felt they needed and might have to use guns for self-defense. Now, many of us are beginning to understand how American blacks must feel in a white society which has so often reacted with hostility, insensitivity and violence to black demands for justice, equality and human respect.

Let me assure you that I do not support the existence of guns in anybody's hand—be it black or white or any other color. But neither do I support the racial injustice which exists and persists in the United States. It is my hope that measures to eliminate both guns and racial injustice from the American scene will not long be delayed—for I am afraid we have already procrastinated too long, perhaps in the hope that these riots, protests and disorders would run their course, so we could return to some sort of stable status quo.

As a result of the recent crisis, many Cornellians have been forced to listen to what blacks have been trying to tell us for years. Many of us have recognized the need to re-define the problem and to ask ourselves not what can we do for the blacks, but *what can we do to combat white racism?* The bookstores in Ithaca are sold out of *Soul on Ice* (Cleaver), *Black Rage* (Grier and Cobb) and *Crisis in Black and White* (Silberman). Please try to understand that during the Cornell crisis the mass of students did not

follow a few extremists like sheep, only to return the following week to the pursuit of three-car garages, ever-growing bank accounts and bigger and better plots of land in the "cemeteries" we call suburbs. Many of us had long before decided to reject these latter pursuits which can hardly be challenging goals when we see around us real poverty, discrimination, starvation, crime, distrust among men, etc. etc. This is what is "bugging" students on campuses across the country. We have a desire to do something, to make better communities, to make the notion of justice and equality for all a reality.

We would like to think that at least some of our Congressmen are trying to listen to us and trying to truly represent our interest in the future of America. I hope we can count you among those who are trying to understand.

Yours respectfully,

MILLIE ANN KONAN.

[From the Wall Street Journal, May 8, 1969]

#### LET THE CENTER HOLD

WASHINGTON.—Continued campus violence provokes angry demands for retaliation. The Attorney General ponders using the antiriot laws. Influential Congressmen crank up investigations and call for cutting off aid to student and faculty participants. State legislators urge new criminal penalties for protesters, hold down appropriations for publicly supported colleges and universities.

Certainly the provocation is intense. The danger to the colleges and universities—and thus indirectly to society itself—is clear and present. Pictures of Negro students carrying guns and professors leaping from seized buildings are shocking. Firmness is clearly needed in dealing with violence and lawlessness.

Yet great care must be taken to avoid an excessive reaction—and that may be what is currently taking shape.

There are two potential pitfalls in too-tough action. One is strategic. Overkill could provide exactly the symbolic confrontation the noisy few need to win over large numbers of uncommitted teachers and students—those not particularly afire with "non-negotiable demands," but yet concerned about shortcomings in society and uncomfortable with fulminating lawmakers and invading cops.

The second possible pitfall is philosophic, an implicit lack of faith in traditional democratic processes. Certainly the demonstrators have consistently displayed this lack—but that's no reason for the university's defenders to react the same way. Tough talk and tough measures may substitute too easily for a determined effort by political and educational leaders to rally the great mass of faculty and students behind a more orderly process of change.

Repeatedly through history, and particularly in recent years, there have been dire predictions of overwhelming peril to American democracy, and the need for extreme measures to preserve it. Yet so far, at least, democracy has proven equal to the crisis.

A few years back, America's cities were pictured as about to be leveled, with violent black rebellion and white counter-violence. There were those who despaired of reducing the U.S. military commitment in Vietnam or ending the reign of Lyndon Johnson. Last fall there were worried forecasts of a huge vote for George Wallace and an election thrown into the House of Representatives amid confusion and turmoil.

Yet some degree of Negro good sense and white good will have limited the number of urban riots. Opinion polls and party primaries forced Lyndon Johnson to proclaim a limited bombing halt and refuse to run again. The Wallace support shrank substantially as Election Day neared.

Such a recitation may be naively playing Pollyanna. Fool's luck may have played a

bigger part than democracy's strength. A dozen cities may go up in smoke this summer; Richard Nixon may not be able to end the war any more than Lyndon Johnson could; the shock to the electoral system may come in 1972. But thus far, certainly, the Cassandras have been wrong.

And perhaps those who now prophesy the imminent collapse of higher education may similarly be underestimating the good sense of most Americans and the strength of the democratic system. What's needed is to mobilize that good sense and bring out the system's strengths.

This does not mean a call to arms—football stars and other muscular types charging pickets and storming buildings to throw the demonstrators out. Rather, it means persuading the mass of students and professors to involve themselves in rational and constructive efforts to improve the universities, and to remain steadily aloof from the more disruptive, violent protests.

This would require better communications among administration and faculty and students. It would entail considerable effort to show that valid grievances are being listened to and acted on, with a substantial role in the process for those willing to use reason rather than force. It would strive to carry on as normally as possible—makeshift classrooms and other impromptu devices—when sit-ins and picketing disrupt. It would seek to leave the demonstrators isolated in their lawlessness—perhaps even ultimately bored with it.

"The answer to this has to come from within the university community itself," Harvard President Nathan Pusey declared on Sunday's "Meet the Press." "It has to come from the students and faculty primarily, and it will come only as these groups, themselves, come to see that this kind of disrupting activity is something that can't be tolerated, and they will have to withhold, I think, their sympathy with this small group of revolutionaries who don't care about the university, if we are going to come through this period."

Appeals to self-interest may help arouse the university community: The students' stake in getting educated, the faculty's stake in having a place to teach and carry on research. There's the emotional appeal, to preserve institutions that have meant so much in the past. There's the altruistic argument that trained men are needed to help society better itself.

Many students and teachers, particularly the more liberal ones, may be most impressed, however, by the violently hostile political reaction to continued demonstrations and disruptions. In time, the result could be a truly repressive authoritarian government. In an extremely provocative article in "The Public Interest," University of California sociologist Robert Nisbet argues that, as traditional institutional authorities weaken, the vacuum is quickly filled by a police-state government.

"The human mind cannot support moral chaos for very long," he contends. "As more and more of the traditional authorities seem to come crashing down, or to be sapped and subverted, it begins to seek the security of organized power. The ordinary dependence on order becomes transformed into a relentless demand for order. And it is power, however, ugly its occasional manifestations, that then takes over, that comes to seem to more and more persons the only refuge from anxiety and apprehension and perpetual disorder."

In his first statement on campus disorders in late March, President Nixon quoted Yeats: "Things fall apart, the center cannot hold. . . ." Just recently signs have emerged that the center, the great mass of faculty and students, is beginning to perceive the need to hold and counter the protesters. It might be helpful if more of the public officials now threatening retribution would do a little more to rally this vital center.

**BUFFALO AREA CHAMBER OF COMMERCE MARKS 125TH ANNIVERSARY**

**HON. THADDEUS J. DULSKI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DULSKI. Mr. Speaker, my home city of Buffalo, N.Y., can trace its history back to the late 1600's and had reached a population of about 10,000 when it was incorporated in 1832.

Twelve years after incorporation, in 1844, a group of waterfront interests got together and formed a board of trade. The organization had several name changes along the way until 1962 when the "area" accent was emphasized by inclusion in the name.

So, this year, what is now known as the Buffalo Area Chamber of Commerce marks its 125th anniversary.

The organization has gone through a considerable change in its operations over the years from its beginning as a group concentrating upon the city's waterfront interests, to today's concern for not only the entire economy of the city but also of the suburban area.

During my decade in the House, I have found the Chamber to be constantly alert on matters of wide interest, local and otherwise. We have not always agreed on details of legislation and policy, but still I am convinced that we are going down parallel streets, intent upon the best interests of all our people, as we see it.

Mr. Speaker, the Buffalo Courier-Express carried an interesting and informative article on the Buffalo chamber in its May 11 issue, as follows:

**TREND TO PROFESSIONALISM: CHAMBER MARKING 125TH ANNIVERSARY**

(By William F. Callahan)

Back in 1844 a group of Buffalo waterfront interests got together and formed a new organization known as the Board of Trade. This organization concentrated on the business activity directly related to the waterfront and the development of its business.

This year the Buffalo Area Chamber of Commerce, which is the successor to the original Board of Trade, is celebrating its 125th anniversary. The waterfront is now just a small part of the all-encompassing interests of the chamber.

In 1882 the Board of Trade changed its name to the Buffalo Merchants Exchange. It retained that title until 1903 when it became the Buffalo Chamber of Commerce. In 1962 the word "Area" was added to better describe the scope of the organization's operations.

But the name is not the only thing that has changed through the years. "For some time the image of a Chamber of Commerce organization throughout the country was the hackneyed, stereotype of a group of hand-shaking, pat-on-the-back businessmen," said Charles F. Light, executive vice president of the Buffalo Chamber.

"That image is no longer true and has not been for a good many years," said Light. "Today, the whole philosophy of the major chambers such as Buffalo is total involvement in both community problems as well as business development," he stated.

Light, who has been executive vice president of the Buffalo chamber since 1961, said that a major trend toward professionalism in chamber operations began following World War II.

"There have been even more dramatic changes within the last five years, as chambers, such as Buffalo, have had to become deeply involved in inner-city problems and be more active in the legislative areas," he said.

Light began his professional chamber career in 1950 in his hometown of Elmira as assistant manager of that city's Assn. of Commerce. He then became executive secretary of the Ithaca Chamber in 1951.

Three years later, he came to Buffalo as manager of the Buffalo chamber's Business Development Dept. In 1957 he was named general manager of the chamber and four years later succeeded Charles C. Fichtner as executive vice president.

He also has been active in state and national chamber affairs. He served as president of the New York State Chamber of Commerce Executives in 1957.

Currently Light is president-elect of the American Chamber of Commerce Executives. He will assume the helm of this 2,500 member organization next October at the organization's meeting in Detroit.

The Buffalo chamber itself now has 4,307 members representing 2,437 companies.

"The problems today are too complex for any one group or organization to solve. That is why we try to serve as a catalyst in many cases to help bring together all areas of interest. Only when all the groups are in communication, can many of the serious problems, particularly those of the inner city and minority groups, be studied and meaningful progress made," Light added.

The Buffalo chamber plans to celebrate its 125th anniversary year in an active, but fairly quiet way as far as noting the event is concerned.

It will be featured, however, as part of the chamber's annual Directors' Luncheon which will be held next Thursday at the Statler Hilton Hotel. William McChesney Martin, chairman of the board of governors of the Federal Reserve Board, will be the speaker.

The Buffalo Branch of the Federal Reserve Bank of New York is also celebrating its 50th anniversary at the same time.

**CLARIFICATION OF ACLU POSITION ON ARMY CHARACTER GUIDANCE PROGRAM**

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CONYERS. Mr. Speaker, I am sure that many of my colleagues are aware of the long and distinguished crusade of the American Civil Liberties Union to insure basic civil rights to all Americans. It was with this purpose that the ACLU raised objection to certain character guidance materials issued by the Department of the Army. It is extremely important to understand that the ACLU is in no way trying to restrict Army chaplains from performing either their secular duties as officers responsible for the implementation of character guidance programs, or their religious functions as ordained clergymen whose services are available, on a voluntary basis, to servicemen and their families who feel that they wish to take advantage of these services. The ACLU merely wishes to insure that these areas will not overlap, and that constitutional separation of church and state will be maintained with regard to training materials and guidance methods which are used by the Armed Forces.

I have asked that the following letters and statements of policy be included in the RECORD in order to help present a clearer, more accurate picture of this dispute:

WASHINGTON OFFICE, AMERICAN CIVIL LIBERTIES UNION, Washington, D.C., April 9, 1969.

DEAR CONGRESSMAN: You are no doubt aware of the furor which developed over the ACLU's objection to the Character Guidance Program of the Department of the Army. Since much of that furor has been based on a misunderstanding of exactly what the ACLU's complaint was, I am enclosing copies of all the correspondence involved in the matter to facilitate your understanding of the issues and your ability to respond to constituent mail.

As you will see from the enclosed, the ACLU did not, as has been widely reported in the press, object to chaplains using the words, "God," "Supreme Being," or "Creator," either during Character Guidance discussions or at other times, but rather to the contents of the training manuals used in the Character Guidance Program which contain not mere references to "God" or "Supreme Being" but actual espousal of various religious doctrines and to the overall religious flavor of these lectures. Since attendance at these lectures is mandatory, the use of these materials results in a program amounting to compulsory religious indoctrination.

The ACLU has no desire to "censor" in any way chaplains operating in their regular religious functions in providing counseling, holding services and performing their regular religious duties as ministers to the troops and families of troops who voluntarily seek them out for religious guidance and comfort. Our only aim is to have the Character Guidance Program adhere to the position announced by Secretary of Defense Laird on April 3, 1969, that "espousal of religious dogmas or particular sectarian beliefs is not the purpose and has no place in the Character Guidance Program." If the current religious indoctrination is not eliminated from the Program and its training manuals, then we believe that attendance at these lectures should be purely voluntary.

If you or your staff have any further questions, I will, of course, be most happy to discuss this with them.

Sincerely yours,

LAWRENCE SPEISER,  
Director.

**DEPARTMENT OF DEFENSE NEWS RELEASE**

Secretary of Defense Melvin R. Laird today made the following statement:

Certain misunderstandings have arisen regarding the Department of the Army's actions taken last year with respect to its Character Guidance Program. I believe it is appropriate and important to clarify this matter and to report the preliminary results of a study which I ordered when I learned of the previous actions.

The Army in December 1968, made certain changes in its Character Guidance Program in order to clarify its purpose. The purpose of the Character Guidance Program in the Army, and comparable programs in the Navy, Air Force and Marine Corps, is to instill and strengthen patriotism and a sense of individual moral responsibility in members of the Armed Forces. These programs are sponsored by commanders in the field and are separate and apart from the religious programs conducted by chaplains of the Military Departments.

The actions by the Department of the Army were concerned solely with its Character Guidance Program and in no way affect or otherwise interfere with the religious programs. All military chaplains have a continuing responsibility without restriction, to

conduct worship services, to provide religious instruction and counseling to interested personnel and their families and to sponsor church related activities.

With regard to Character Guidance Programs within the Military Departments I want to state that there will be no prohibition against the use of "God," "Supreme Being," "Creator," "faith," "spiritual values" or similar words. References to these terms are appropriate for inclusion in the Character Guidance Program. However, all three Military Departments consistently have adhered to the position that espousal of religious dogmas or particular sectarian beliefs is not the purpose and has no place in the Character Guidance Program.

The Assistant Secretary of Defense (M&RA) met yesterday with senior representatives of the Chaplain Corps and representatives of the Military Departments and the General Counsel of the Department of Defense concerning the review which I have directed be conducted. Upon its completion, recommendations will be made to me.

AMERICAN CIVIL LIBERTIES UNION PRESS  
RELEASE

The American Civil Liberties Union today spelled out its objections to the Army's compulsory "religious indoctrination" of the troops. The clarification came as the aftermath of widespread public misunderstanding of both the decision of the Department of the Army to review its Character Guidance Program and the role played by the ACLU in prompting that decision.

The Character Guidance Program, controlled and implemented by the Corps of Chaplains, is intended "to strengthen in the individual those moral, spiritual, and historical truths which motivate the patriot. . . ." The program is compulsory for all U.S. Army personnel.

In a letter to Defense Secretary Melvin R. Laird, Lawrence Speiser, Director of the Washington, D.C. Office of the ACLU stated that the ACLU objects "not, as has been reported, to any and all references to God which might be made in the lectures and discussions which comprise the program but, rather to its overall religious flavor and mandatory character."

In support of the ACLU's contention that the Character Guidance Program violates the constitutional requirements of separation of church and state, Speiser cited the materials used in lectures. For example, a lesson entitled *The Moral Responsibility of Safety* states: "God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men." Granted that God may delegate that right to the State for the common good and to the individual to repel an unjust aggressor, it is obvious that He does not give that right to the motorist. If, then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings, conscious of our obligations to our Creator."

Mr. Speiser labeled many of the views set forth in these materials as "sermonizing" and pointed out that "the First Amendment is predicated on the assumption that there may be those who would not agree, and that it is not a part of the business of the government to foster this point of view, and, perhaps most importantly that no individual can be required to adhere to or even be exposed to this view.

"In spite of the impression given by newspaper headlines and outraged Congressional critics, the ACLU neither seeks nor desires to 'censor' all lectures or moral guidance given by military chaplains in order to eliminate all references to God or religion." Rather, he said, the ACLU seeks to separate the proper role of the military chaplain in voluntary counseling and guidance from the military functions which the chaplain performs for and in behalf of the Command.

"Certainly no Character Guidance Program could embrace an aim other than to build respect for law and individual liberties. That lesson is indeed lost when the government itself violates that law or makes light of those liberties."

The complete text of Mr. Speiser's letter is attached.

WASHINGTON OFFICE, AMERICAN  
CIVIL LIBERTIES UNION,  
Washington, D.C., April 2, 1969.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Department of Defense,  
The Pentagon.

DEAR MR. SECRETARY: During the past few days, a great deal of heat has been generated in the halls of Congress and the nation's press over what we feel to be a basic misunderstanding regarding both the decision of officials of the Department of the Army to review the Army's Character Guidance Program and the role played by the ACLU in prompting that decision. Because the central issue of the constitutional requirement of separation of church and state is one which excites the public interest and, more often than not, arouses emotional controversy, we welcome the opportunity to set the record straight afforded by your decision to review the entire problem.

In writing to the Under Secretary of the Army last April concerning the Character Guidance Program, the ACLU objected not, as has been reported, to any and all references to God which might be made in the lectures and discussions which comprise the program but, rather to its overall religious flavor. Of key importance was the fact that attendance at Character Guidance lectures was mandatory for all personnel, so that those who might find its religious aspects objectionable was compelled, nevertheless, to attend. While we did and do recognize the legitimacy of the Army's interest in the conduct and "character" of its personnel, it is our view that the program as conceived and conducted raised such substantial problems under the First Amendment of the Constitution as to make its continuation highly improper.

The all-pervasive religious flavor of the Character Guidance Program is perhaps best illustrated by the materials issued by the Department of the Army for use in the program. The legitimate secular purpose of the program is entirely lost, if not belied, by materials which often amount to texts for religious indoctrination. For example, the materials provided for a lesson entitled "The Moral Responsibility of Safety" state:

"God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men." Granted that God may delegate the right to the State for the common good and to the individual to repel an unjust aggressor, it is obvious that He does not give that right to the motorist. If, then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings, conscious of our obligations to our Creator.

"In creating us, God has a purpose for us; He intends that we will have a certain number of years in which to fulfill that purpose. When, however, someone is killed in a traffic accident, it would seem that the plan which God has in mind for that person goes unfulfilled. The driver responsible for the accident has violated the rights of God over human life; he has come between a man and his God; he has cut short the full purpose God created that man to serve. God's Will, for all intents and purposes, has been thwarted by man's will, and we have the intolerable situation of a creature telling the Creator that He cannot have His way about how long a man is to live here on this earth!"

Certainly the individual responsibility for traffic safety can be brought home without

resort to sermonizing of this kind which some find not only illogical and unconvincing, but, also offensive to their own religious beliefs.

Similarly, the materials on chastity state: "Chastity is connected with sex; and sex, I know, is a power implanted in me by the God Who made me. Therefore, the virtue by which I regulate that power and direct it to the ends assigned by God ought also to be referred to God. In prayer, I should seek God's help in developing, practicing, and preserving chastity."

While a majority of Americans well might agree with such a statement, the First Amendment is predicated on the assumption that there may be those who would not agree, that it is no part of the business of the government to foster this point of view, and, perhaps most importantly, that no individual can be required to adhere to or even be exposed to this view.

There are countless illustrations of this kind throughout the materials distributed in connection with the Army's Character Guidance Program. Leafing through the manuals at random one finds such statements as: "Without faith a person is like a man shut in a dark room suffering from amnesia, waiting for his memory to come back;" (Materials on the Hazards of Military Service), "The essential evil of blasphemy is in the fact that man takes his magnificent gift from God, his ability to speak, then he uses that same gift to try to show contempt or to be abusive to the One who gave it to him;" (Materials on Clean Speech), and, "It is God's law, dictated by the very nature of marriage, that men and women who marry stay married to each other." (Materials on Marriage).

We cannot emphasize too strongly that these illustrations are not mere isolated examples or references for which the training manuals were fine-combed. They are representative samples of the total nature and content of the materials involved. More lengthy excerpts are included in an appendix to this letter for your information.

There is no need at this time for us to reiterate the legal authority and reasoning which, in our view, compel the conclusion that the Character Guidance Program is in conflict with the Constitution, and which the Department of the Army found to be persuasive. These are set forth at some length in our letter to the Under Secretary of the Army, a copy of which is also attached for your information. There is need at this time, however, to make it perfectly clear that despite the impression given by newspaper headlines and outraged Congressional critics, the ACLU neither seeks nor desires to "censor" all lectures or moral guidance given by military chaplains in order to eliminate all references to God or religion. Even if this organization's well-known position against censorship of any kind would permit this, surely the First Amendment would not!

Rather we seek to separate the proper role of the military chaplain in individual and voluntary religious training and guidance from the military functions which the chaplain performs for and in behalf of the Command. We fully agree with the statement of the General Counsel of the Department of the Army in his reply that

"The Chaplain has an entirely proper role in dealing with the religious problems of those who come to him of their own volition for religious counseling and guidance, but it is quite important that he separate that role from the one involved in the Character Guidance Program." (Letter attached)

We are confident that a careful review of the Character Guidance materials and of the law involved will lead you to concur in the Army's conclusion that a re-casting of the Character Guidance Program to conform with constitutional requirements is both necessary and proper. Certainly no Character Guidance Program could embrace an aim other than to build respect for law and in-

dividual liberties. That lesson is indeed lost when the government itself violates that law or makes light of those liberties.

Sincerely yours,

LAWRENCE SPEISER,  
Director.

[From the Department of the Army  
pamphlet]

EXCERPTS, MORAL RESPONSIBILITY OF SAFETY  
EXPLANATION

*Why traffic safety is a moral problem*

It is precisely this indifference to the tragedies of "murder by motor" which we emphasize as we point out to you that it is morally wrong to endanger human life and health on the highway. As Harry F. Berlin, Traffic Advisor to the Provost Marshal, United States Air Force, expressed it, "In reality traffic safety is—more than anything else—a moral problem." Berlin was never so right. Driving is a moral problem. When a man is driving—no less than in any other activity—he has a personal responsibility to the Giver of Life. Authority over human life belongs to God alone and every human being is obliged to do all in his power to preserve and protect it both in himself and in others. Yet the terrible record of death on our highways seems to indicate that, at least when we are driving, we have little regard for God's dominion over human life. It is a frightful thing that we who pride ourselves on our concern for the dignity of the individual; we who profess that man is endowed by his Creator with certain inalienable rights, the first of which is the right to life—that we should accept so complacently that each year more than 40,000 persons are killed on the nation's highways.<sup>1</sup>

*Thou shalt not kill*

Life is man's most precious possession. While we have found substitutes for almost everything else, there is no substitute for human life—and it is upon this that the morality of traffic safety must ultimately depend. The question arises then, do we want to live as a civilized society, or are we content to live in a jungle? If the latter is the way we want to live, then we will continue violating the Commandment, "Thou Shalt Not Kill." But, in giving us that Law the Creator has emphasized that He and He alone has the right to determine the life span of a human being. As one writer on the Moral Law puts it, "God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men."<sup>2</sup> Granted that God may delegate that right to the State for the common good and to the individual to repel an unjust aggressor, it is obvious that He does not give that right to the motorist. If, then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings, conscious of our obligations to our Creator.

In creating us, God has a purpose for us; He intends that we will have a certain number of years in which to fulfill that purpose. When, however, someone is killed in a traffic accident, it would seem that the plan which God has in mind for that person goes unfulfilled. The driver responsible for the accident has violated the rights of God over human life; he has come between a man and his God; he has cut short the full purpose God created that man to serve. God's Will, for all intents and purposes, has been thwarted by man's will, and we have the intolerable situation of a creature telling the Creator that He cannot have His way about how long a man is to live here on this earth!

<sup>1</sup> *Accident Facts*, Chicago National Safety Council, 1957 ed., p. 41.

<sup>2</sup> Edwin F. Healy, *Moral Guidance*, Chicago, Ill., Loyola University Press, 1968, p. 170.

The careless driver, in effect, "plays God," in taking to himself a function which the Creator has denied him in the Commandment, "Thou Shalt Not Kill." The God Who created human life intends that those who share in it should regard it as something sacred. He intends that they should respect the dignity of human life—but there's not much dignity in a bundle of blood-soaked rags that once was a man. True, we aren't trigger men, or cold-blooded murderers, but, as J. Edgar Hoover expressed it, "To a grieving parent, is the loss of a child crushed by an automobile more bearable than the death of a loved one at the hands of a kidnapper? Is the plight of a victim crippled for life under the wheels of a speedy car less pitiable than the predicament of a person permanently disabled by a robber's gun?"<sup>3</sup>

In the final analysis, therefore, we must realize that the problem of safe driving is a moral problem. A man who drives in an unsafe manner endangers the security of the life and property of another. Speaking on this matter, Superior Court Judge Herbert Kaufman tells us: "It is grievous enough to endanger the well-being of a man's property, but he who drives in an unsafe manner is doubly guilty, for he also threatens his neighbor's health and life. In other words, the unsafe driver is a potential murderer, and killing is a heinous crime."<sup>4</sup>

WORSHIP

*The supreme object*

In the strictest sense of the term worship, God alone is its worthy object. The dependence of man and all things else, the fulfillment of man, personally, and the happiness and prosperity of the society in which man lives can be achieved only in accord with the will of God, which has brought all into being, and who supports by His providence all in its continuance.

In spite of the vast fund of knowledge at our command, we are still surrounded by mystery. Modern man is continually trying to understand more about the world in which he lives. Scientists examine, analyze, and explore the physical world. Philosophers ponder the nature and experience of man and try to relate them to the understanding of man. But the knowledge of science, the search for meaning in material creation, and in man himself does not fulfill the needs of man. He still faces the universe with wonder and awe, and, humbly recognizing his dependence, is moved to worship. Whether he thinks of the creator of all this mystery as Mother Nature or a Cosmic Force, The Law, The Supreme Being, or God, he still recognizes in himself the compulsion to pay honor and worship to the Giver of Life and the Source of Order in the world in which he lives.

CHASTITY

*Happiness*

We have tried to point out specific rewards that come to the man who has practiced chastity, but we know that the reward of all virtue—including the virtue of chastity—in the last analysis is happiness. Happiness is the real reason for a man's being born, for all his living and all his striving. The ideal is a healthy mind in a healthy body, that man achieves and builds within himself the wholeness that makes not only for happiness, but holiness. Carlyle remarked once that health had the same meaning as the word, "holiness." (Holiness comes from doing the will of God, obeying His law respecting the laws of nature, which means the correct use of the sexual power that God gave man. It is in this way that a man be-

<sup>3</sup> *Hollingsworth & Belknap, He Rides Beside You*, Stromberg Allen & Company, 1957, p. 84.

<sup>4</sup> *Ibid.*, p. 48.

gins to fulfill his own destiny and to know happiness in this life—as a prelude to the unending and everlasting happiness which God intends for him.)

CHARITY

*Measuring charity*

Few of us are intentionally unkind or uncharitable. We do not go about trying to find ways of being mean and cruel. If we are uncharitable, it is because we are thoughtless or so concerned with our own affairs that we do not see the need of others. How, then, can we know when we have acted charitably? Is there some way of measuring our actions toward other people?

First, we must ask ourselves a basic question, a question which deals with the entire matter of motivation: Is what I am about to do in conformity with the way God wants me to act?

God requires of all men that we love one another even as He has loved us.

Beyond this general principle, a simple rule of thumb to determine the charity in anything we think, say or do is to ask ourselves three simple questions—is it true, is it necessary, is it kind?

Strange as it may sound to you at first, even uncharitable thoughts are considered wrong in the eyes of God. Holy Scripture has a passage which states most sharply that out of the heart proceed all evil words and deeds. Modern psychologists recognize the fact that when an individual carries within himself unkindness, uncharitable thoughts, the thoughts of wrong deeds, then those unseen thoughts can eventually affect a person's words and actions.

Have you ever considered the damage that can be done by uncharitable words? Gossip is one of the deadliest of all evils. Gossip likes to have at least a small grain of truth to start with. From there, however, gossip snowballs, gathering size and momentum each time it is repeated until the original is hardly recognizable. That is why we must always ask the question, "Is it true?" before passing along information or talking about someone. We must have the facts first, and even after we are sure of them, we must ask ourselves; should I share them with others, and would it be kind to do so.

Consider this incident from the life of a noted British coin collector, Dr. Seltman. On one of his trips across the Atlantic, he brought along one rare coin of which he was especially proud. As far as he could determine only two such coins were extant.

On board ship one day he passed this coin to a group of friends. They handed it on, from one to the other, as Dr. Seltman explained the marks and inscriptions on the coin.

Suddenly the coin was missing. Obviously one of the members of the group had slipped it into his pocket. Someone suggested that they all submit to a search. Everyone agreed, except one passenger. He excused himself, without giving any particular reason.

Quite naturally the other passengers concluded that he had stolen the coin. For that reason they shunned this passenger for the rest of the voyage. They wanted nothing to do with the thief.

Shortly before the ship docked at New York, one of the mess stewards, reaching down to pick up a spoon that had fallen to the floor, found the lost coin stuck under the leg of a table. He immediately returned it to its owner.

At this point the supposed thief reached into his pocket and pulled out a coin identical to the one that had been lost. The uncooperative passenger had the only other specimen known to exist. Circumstantial evidence made it appear as though he had been guilty of theft.

He had excused himself from being searched, believing that, if the second coin, his own, were found on him, it would be mistaken for the first, and that he would not only lose the coin, but also be called a thief.

The passengers had passed on information which was untrue. What they said about their fellow passenger was harmful gossip. They had certainly not asked themselves our three questions before talking and before passing judgment.

Passing on rumors can be like administering deadly poison in many instances, for rumors are not based on knowledgeable fact. Often the results of rumors can cause terrible damage to individuals, to communities, to the Nation itself.

Even if gossip and rumors may be remotely true, one ought also ask the next question, "Is it useful?" Do you really have to say it? Will what you have to say help anyone?

More often than not somethings are better left unsaid. It is a matter of kindness, of love and charity, to keep one's mouth closed.

A good name, says the book of Proverbs, "is rather to be chosen than great riches."

Do you remember Shakespeare's famous lines:

"But he that filches from me my good name  
Robs me of that which not enriches him,  
And makes me poor indeed."

Since a man's reputation, like his life, is of primary importance to him, there is in the Moral Law one commandment which protects the reputation and honor of our fellow man. It reads, as you know, "Thou shalt not bear false witness against thy neighbor."

"Bearing false witness" sounds like the kind of thing you could do only in court. But this phrase refers to all forms of spreading gossip, slander, rumor, and idle tales which tend to drag someone's name down into the mud. Such destructive activity is forbidden by this commandment from God's Law.

Some things may be ever so true but very unkind to repeat. Therefore, we must ask ourselves the third question: "Is it kind?" Once an unkindness has left our lips, it cannot ever be recalled. "Four things come not back," says an Arab proverb: "Time past; neglected opportunity; the sped arrow; the spoken word."

Thus these three questions are to be applied to our thoughts and words. How about our deeds? Quite obviously our deeds of love must always be motivated by our love to the Creator. We should help people, not from a driven sense of duty, but with a fullness of love.

A study of the lives of men and women who have enriched human life discloses that they sought not the world's acclaim or gratitude but were concerned primarily with fulfilling their purpose in life and in winning the approval of God.

Dr. William Crawford Gorgas spent his life waging a relentless warfare against yellow fever. As he lay dying in London, he was visited by the King. In recognition of his conquest of this age-old disease which each year had taken thousands of lives, George V knighted him and pinned upon him the Harbin Gold Medal for his "services to mankind."

After expressing his appreciation to the King, Dr. Gorgas added: "I hope, however, that my real decoration will not be lacking when I pass on to the other world. My faith in God and eternal life is absolute." It is reasonable to assume that this was the real motive that sustained him in his long struggle against one of the worst enemies of mankind.

The charitable man goes through life sowing seeds; seeds of goodness, kindness, consideration, compassion, honor, decency. They are seeds of love; scattered abroad in every area of life, in thought, in word and in deed

they will invariably bring forth a golden harvest.

The hand that stretches out to help a brother in need who can never repay will be strengthened, the kindly words and actions which we pour out upon our brothers will return to us in a variety of forms. The charitable man has the inner satisfaction of a life lived in conformity with what God asks of us, and he experiences the deep enrichment which must come from the practice of the greatest of all the virtues.

No man can fall when he is genuinely concerned with carrying out the Great Commandment: "Thou shalt love the Lord thy God with all thy heart, with all thy soul, and with all thy mind, and thy neighbor as thyself."

APRIL 15, 1968.

HON. DAVID E. MCGIFFERT,  
Under Secretary of the Army, Department of the Army, the Pentagon.

It has come to our attention that all U.S. Army personnel are required to participate in a "Character Guidance Program," pursuant to Army Regulation No. 600-30. While we recognize the legitimacy of the Army's interest in the conduct of its personnel, it is our view that the program as currently conceived and conducted raises problems under the First Amendment to the Constitution of such a substantial nature as to make its continuation highly improper.

The Regulation governing this program states that its aim is "to strengthen in the individual those basic moral, spiritual and historical truths which motivate the patriot and which undergird the Code of Conduct." Although the program is said to be a command responsibility, it is specifically provided that "the chaplain normally will be the instructor for all Character Training," and that "training materials related to the objectives, and especially the moral aspects, of the Character Guidance Program will be prepared by the Chief of Chaplains." All personnel are required to receive Character Guidance instruction in amounts which vary with their enlisted or officer status and grade level. Our objection is not to the concept of a character guidance program as such, but to the religious flavor of that program as reported to us, and to the control and implementation of that program by the Corps of Chaplaincy.

Supreme Court decisions interpreting both the Establishment and Free Exercise Clauses of the First Amendment clearly proscribe programs of this kind. Moral and spiritual truths are matters about which men may greatly differ. A pluralistic society encourages and protects these differences and a free society allows all individuals to choose for themselves the religious views to which they will be exposed as well as those to which they will adhere. It is no part of the business of the government to interfere with or influence that choice. As the Court pointed out in *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943), "... no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion."

More specifically, decisions such as *Engle v. Vitale* 370 U.S. 421 (1962), and *Abington Township v. Schempp*, 374 U.S. 203 (1963) make it quite clear that the Character Guidance Program is a prohibited establishment of religion. Essentially it is a program under which Army personnel are compelled to attend lectures conducted by ordained ministers, dealing with subjects traditionally within the scope of the religious functions of such ministers. We are told that religious references and the use of Biblical texts as a part of these lectures is frequent. Even absent these sectarian materials or references, however, it is difficult to conceive of a program conducted by ordained ministers and embracing the aim of strengthening "moral

and spiritual truth" which can be other than religious in nature. The *Schempp* case in which the daily reading, without comment, of Biblical verses in the public schools was forbidden, makes it plain that state sponsored activities of a religious nature are proscribed even absent the compulsory participation which is present in the Character Guidance Program.

A proper secular purpose underlying the Army Regulation would not vitiate the impropriety of the program. In one of the cases involved in the *Schempp* decision, the State's purposes, which were "the promotion of moral values, the contradiction to the materialistic trends of our times, the perpetuation of our institutions, and the teaching of literature," were not questioned. Nevertheless, Justice Brennan in his concurring opinion said, "... the State acts unconstitutionally if it... uses religious means to serve secular ends where secular means would suffice." Furthermore, even if the Army could be said to have a greater concern with the character of its members than the government ordinarily has with individual character, it would be insufficient justification for so significant an infringement upon First Amendment freedoms. "The war power does not remove constitutional limitations safeguarding essential liberties." *Home Building & Loan Assn. v. Blaisdell*, 290 U.S. 398; *United States v. Robel* 389 U.S. 258 (1967).

In light of the demonstrated invalidity of the Character Guidance Program, as it now operates, we urge that prompt action be undertaken by the Department of the Army to review Army Regulation No. 600-30 with an eye toward eliminating the program or recasting it so as to conform with constitutional requirements, if, indeed, such a recasting is possible. During the period of any such review, operation of the program should be suspended, or at the very least, participation therein should be made voluntary, so that further violation of individual rights may be avoided.

LAWRENCE SPEISER,  
Director, Washington Office, ACLU.

DECEMBER 6, 1968.

Mr. LAWRENCE SPEISER,  
Director, Washington Office, American Civil Liberties Union, Washington, D.C.:

Last April you wrote Dave McGiffert regarding some questions about the Army's Character Guidance Program. You were particularly concerned about the presence in some Character Guidance materials of what you considered to be improper religious references. You may recall that shortly after your letter was received I spoke to you on the telephone and told you that we were undertaking a review of the program.

That review has now been completed, and it confirmed that there were a number of religious references in the prepared materials. While these religious references were, in terms of word count, a relatively small portion of all the materials used in the Character Guidance Program, I think it is fair to say that the number of such references indicated clearly that inadequate attention had been given in the past to assuring that the Character Guidance Program is wholly secular in its approach to training our personnel on matters of duty, honor and patriotism.

As a result of our review, we are revising all of the materials in question to eliminate passages with religious connotations. Furthermore, we have revised our control procedures to assure that materials prepared in the future will be reviewed in a manner which should prevent the problem from recurring. Finally, we have again emphasized that Army Chaplains, in conducting this program, are performing a military function on behalf of the Command, and are not to use the Program in any way as a religious training program. The Chaplain has an entirely

proper role in dealing with the religious problems of those who come to him of their own volition for religious counseling and guidance, but it is quite important that he separate that role from the one involved in the Character Guidance Program.

I appreciate your bringing this matter to our attention.

ROBERT E. JORDAN III,  
General Counsel, Department of the Army.

QUESTIONABLE USE OF CHURCH FUNDS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ASHBROOK. Mr. Speaker, as with other areas of our society, the high cost of living no doubt has had its effect upon the operations of the many churches throughout the land. An added burden which our churches can do without is the possible alienation of members of its congregations due to the use of church funds for questionable causes. Two articles from yesterday's issue of the New York Times and the Chicago Tribune illustrate the issue.

The "Trib" article by Ronald Koziol reports on the activities the Interreligious Foundation for Community Organization, as outlined by Police Sgt. Robert Thoms of the Los Angeles Police Intelligence division. According to Sergeant Thoms, the IFCO, an organization financed by 10 major church denominations, had contributed since late 1966 a total of \$774,514 to community groups involved in militant or disruptive activities.

The Times story is a followup on a more direct and unique attempt to latch on to church funds, namely, the demanding of "reparations" money from the Riverside Church of New York City by James Forman, an official of the Student Nonviolent Coordinating Committee and spokesman for the National Black Economic Development Conference. It will be remembered that the SNCC official disrupted services at the church on May 4 and demanded 60 percent of the church's income as "reparations" for past injustices to Negroes. Last Sunday he again appeared at Riverside Church and after the service he was joined on the church steps by none other than Rev. Lucius Walker, the executive director of the IFCO, who stated that Forman's National Black Economic Development Conference had the support of the IFCO. Whether officials of the 10 major church denominations who fund the IFCO concur with Reverend Walker and the Forman gambit would make an interesting query. At any rate, according to the Church Tribune article the IFCO is under investigation by Federal authorities for its contributions to questionable causes.

I insert the two above-mentioned articles by Ronald Koziol of the Chicago Tribune and George Dugan of the New York Times in the RECORD at this point:

[From the Chicago Tribune, May 12, 1969]  
POLICE FIND CHURCH FUNDS AID MILITANTS  
(By Ronald Koziol)

An organization financed by 10 major church denominations has donated hundreds of thousands of dollars to black militants in Chicago and throughout the nation. THE TRIBUNE learned yesterday.

The organization, the Interreligious Foundation for Community Organization, which is based in New York City, is now under investigation by the federal government because of its contributions to militants.

Founded two and a half years ago, the I.F.C.O. is bankrolled by agencies of Protestant, Roman Catholic, and Jewish churches.

DISCLOSURE EXPECTED

Disclosures of the link between the militants and the church-sponsored I.F.C.O. are expected to be made tomorrow by Sgt. Robert Thoms of the Los Angeles police intelligence division at a meeting of the International Security conference at the Sherman House. The three days of seminars are being held for security personnel and are sponsored by Security World Publishing company.

Thoms said that what began as a routine investigation of a Los Angeles group in January has turned into a comprehensive report which has been turned over to two federal agencies for a more detailed inquiry.

However, Thoms' investigation disclosed the names of many militant groups funded by I.F.C.O., including the Garfield organization in Chicago which received \$20,000. The group has participated in militant civil rights action against businesses, and in April, 1968, several of its officers were arrested and charged with conspiracy to commit burglary and arson. The arrests came in the aftermath of rioting and looting on the west side.

According to Thoms, I.F.C.O. has disbursed \$885,831 since it was founded on Nov. 11, 1966. He learned that \$774,514, or about 83 per cent of the total, was granted to community groups involved in militant or disruptive activities.

GROUP IS TAX EXEMPT

The I.F.C.O. was described by Thoms as a nonprofit tax exempt interfaith coalition created to coordinate development of community groups and to provide funds.

He explained that "this is an example of tax-exempt monies being utilized for non-charitable organizations bent on destroying what Americans believe in."

Thoms emphasized that his investigation was not attacking the churches. "But I would like to draw attention to the fact that church people may unwittingly be falling into sentimental traps and are not careful enough about where they are putting their money," he said.

Members of the I.F.C.O. were identified by Thoms as the American Baptist Home Missions society; Board of Homeland Ministries of the Church of Christ; Board of Missions of the Methodist Church; Board of National Missions of the United Presbyterian church; executive council of the Episcopal church; general board of Christian Social Concerns of the Methodist church; American Jewish committee; Catholic Committee for Urban Ministry; National Catholic Conference for Interracial Justice; and the Foundation for Voluntary Service.

SECRETARY DENIES ACTION

Thoms' investigation disclosed that six of the member groups are members of the National Council of Churches. He interviewed D. David Hunter, associate secretary of the council, who denied that the council ever gave money to support the I.F.C.O.

According to Thoms, Hunter also told him that the council has no control over member groups and the dispersal of its money.

Other groups receiving funds from the I.F.C.O., and contained in Thoms' files, include:

The Community Improvement Alliance of Jersey City, N.J., which received \$64,341. Alliance officers have also been identified as officers of the Black Panther party of Jersey City.

MORE ARE LISTED

The Los Angeles Black congress, which received a grant of \$35,000, and which has participated in high school demonstrations, walk-outs, and other disruptive activities in the south Los Angeles area. Thoms notes that its director has acted as chairman for several Black power rallies.

United Black Community organizations, Cincinnati, O., \$44,000. This is a coalition similar to the Los Angeles Black congress. Thoms described its director, Harold Hunt, as "the militant of all militants."

[From the New York Times, May 12, 1969]  
FORMAN STANDS THROUGH RIVERSIDE SERMON AFTER DENOUNCING CHURCH TRUSTEES AS "RACIST BUSINESSMEN"

(By George Dugan)

James Forman, the black militant leader, stood silently during the 20-minute sermon yesterday at Riverside Church, except for occasional whispered words of "peace, peace."

His demeanor was in sharp contrast to last week's visit to the church, when he interrupted a communion service by demanding "reparations" for Negroes for the deprivations he said they had suffered in the white capitalist system.

Before entering the huge gothic edifice, Mr. Forman read a statement from the church steps in which he described the Riverside trustees as "white racist businessmen." Then, with 15 of his aides, he marched down the center aisle and quietly occupied two pews up front. They remained seated as the more than 2,000 worshippers stood and joined in congregational singing.

But moments after the Rev. Dr. Ernest T. Campbell, senior minister of the church, began his sermon, the black leader rose to his feet and stood throughout Dr. Campbell's talk.

At least a score of plainclothes men were on hand to maintain order if required.

Garbed in a robin's egg blue African gown and with his hands clasped over a black, white-handled cane, Mr. Forman barely moved. Occasionally, he uttered the words, "peace, peace" in little more than a whisper.

Later, asked why he chose to stand during the sermon, he replied, "I guess the spirit moved me." When the collection plate was passed, Mr. Forman and his followers ignored it.

The bearded, 40-year-old black militant who organized and serves as chief spokesman for the National Black Economic Development Conference, and is official of the Student Nonviolent Coordinating Committee, arrived at the church at 122d Street and Riverside Drive shortly before the 10:45 a.m. service began.

He immediately mounted the church steps and read to the assembled newsmen a 1,500-word statement.

The document said the Black Conference, which is seeking the so-called "reparations," had no quarrel with Dr. Campbell but was only trying to "expose the board of trustees of this church as rich, white racist businessmen who are manipulating the church for their financial interest."

It called upon "all black people across this country, and especially our black brothers and sisters in the churches," to arm themselves with shotguns "to stop the violence of the racist white man."

A week ago, when he interrupted the service at Riverside, Mr. Forman read his "Black

Manifesto," demand that churches and synagogues pay \$500-million in "reparations" to black Americans because these institutions were representative of white society.

The statement also described a talk delivered by Dr. Campbell on Saturday night over Riverside's radio station WRVR as "totally inadequate and insulting."

#### CHURCH FOR AIDING POOR

The Riverside minister said the church had agreed to make a fixed percentage of its annual budget available to a responsible fund for the "rapid" improvement of all disadvantaged people.

Yesterday, a church spokesman made it clear that Riverside had no intention of giving money to Mr. Forman.

At a news conference held in the church's basement assembly hall following the worship service, Mr. Forman and Dr. Campbell engaged in a discussion on what would constitute a responsible black channel for the reception of funds.

The result was something of a stand-off, with Mr. Forman recommending his Black Conference, working through the Interreligious Foundation for Community Organizations, and Dr. Campbell professing inadequate knowledge of either body.

The Interreligious Foundation is composed of several Protestant, Roman Catholic and Jewish groups.

The Rev. Lucius Walker, executive director of the foundation, appeared at yesterday's news conference with Mr. Forman on the steps of the church. He later confirmed Mr. Forman's statement that the National Black Economic Development Conference had the foundation's support.

In a personal statement, the foundation's president, Rabbi Marc Tanenbaum, rejected the "revolutionary ideology and racist rhetoric" of the manifesto and repudiated the "tactics of disruption of churches and synagogues." Rabbi Tanenbaum said the foundation's constitution required him to step down as president at the end of his second term, June 10, but that he would probably remain a member of the board.

On Friday, the trustees of Riverside obtained a temporary restraining order enjoining Mr. Forman from creating further disruptions at the interdenominational church. Later in the day, the black militant burned a copy of the order on the steps of the chancery office of the Roman Catholic Archdiocese of New York after presenting his demands for "reparations" to the Catholic Church.

Some worshipers at Riverside saw the court order as the reason for Mr. Forman's less belligerent attitude yesterday. But several of the church officials interviewed after the service remained incensed at Mr. Forman's tactics on the previous Sunday.

R. L. Dickinson, clerk of the church, said he "hated to see anybody yield to blackmail."

The Rev. Dr. Henry Smith Leiper, a deacon and a former associate general secretary of the World Council of Churches, called Mr. Forman's tactics "a plain holdup" involving "threats and intimidation."

Dr. Leiper said he had always been a "keen advocate" of the Negro cause, but Mr. Forman's attempted "confiscation" of property "out-Marx Marx" and "smacks of Hitlerism."

He labeled the "Black Manifesto" as reflecting "out-and-out Communist doctrine."

#### NATIONAL POLICE WEEK

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BIAGGI. Mr. Speaker, this week of May 9-15 has, appropriately, been set

aside to honor the distinguished policemen all over the Nation who are this very minute protecting the lives and property of our citizens. We are indebted to these men for the work they are doing to make this Nation a safe and therefore better place to live.

Some of my colleagues know that in one way I am patting myself on the back when I compliment our law enforcement officers because I, myself, am a retired policeman. I am also proud to say that I serve as president of the National Police Officers Association of America.

From experience, I have learned the difficulties that the job of law enforcement entails—the challenges that every policeman faces. Among these are the problems concerning human relations—problems that arise out of the intimate contacts between the police and the community. The President's Commission on Law Enforcement and Administration of Justice has noted:

Policemen deal with people when they are both most threatening and most vulnerable, when they are angry, when they are frightened, when they are desperate, when they are drunk, when they are violent, or when they are ashamed. Every police action can affect in some way someone's dignity, or self-respect, or sense of privacy . . . As a matter of routine policemen become privy to, and make judgments about, secrets that most citizens guard jealousy from their closest friends: Relationships between husbands and wives, the misbehavior of children, personal eccentricities, peccadilloes and lapses of all kinds. Very often policemen must physically restrain or subdue unruly citizens.

Out of these situations there are bound to be contacts that will upset, or provoke or anger.

Perhaps the most important challenges the policeman faces today are the problems of patrolling and making arrests in black and other minority neighborhoods, managing a hostile or riotous crowd and protecting demonstrators. We have not yet found any easy solutions to these problems. But we have developed and encouraged what we call a community relations program in many cities whereby police and citizens are working together to reach a mutual understanding. Such programs involve long-range efforts to acquaint the police and the community with each other's problems. They are designed to stimulate action which will further the interest of the whole community.

To do an effective and worthwhile job, law enforcement officers need the support of the people they serve. A community relations program can go a long way toward reducing citizens hostility against the police as well as police indifference to or mistreatment of citizens.

Recognizing the needs of black people to have a high representation in the police force, many police departments in large cities are, today, giving high priority to the recruitment of black officers. They are also making a sincere attempt to deploy and promote them fairly. In these areas and in others many policemen are showing the willingness and ability to deal understandably and constructively with their increasing responsibilities. They are making serious attempts to adapt to the rapidly changing patterns of behavior in this country.

Realizing the threat that crime poses

to the peace and security of the Nation, the 90th Congress took steps to help State and local governments more effectively prevent and control it with the passage of the Omnibus Crime Control Act. Through this act, Federal funds are now helping States, in cooperation with local communities, develop comprehensive crime control plans. The act provides for financial aid to law enforcement officers pursuing college degrees. Federal funds granted to State planning agencies will be used for a myriad of projects such as public protection—that is, the development and implementation, and purchase of methods, devices, and equipment designed to improve and strengthen law enforcement and reduce crime; also the recruiting and training of policemen, public education relating to crime prevention, combating organized crime, training and educating law enforcement officers in prevention and control of riots, programs to train community service officers who would work to improve police-community relations and encourage community participation in crime prevention; in short, any activity which can best improve police capabilities in furthering public safety.

Great strides were made by the Omnibus Act; greater strides need still to be made if our local law enforcement officers are to receive enough Federal funds to meet the increasing demands we are making on them.

The police need our support badly. We must decide for ourselves just what we expect from our law enforcement officers and what duties we wish them to perform for the good of the community. And when they perform these duties we must rally behind them and give them the encouragement they so well deserve.

I urge all citizens to take advantage of this opportunity—National Police Week—to honor the police officers of your own community with a concerted effort to understand and appreciate the duties they perform for us all.

#### WAKE UP, PROFESSORS

### HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. QUIE. Mr. Speaker, the public demand for restoration of a learning environment on universities and colleges today matches the cry for an end to the Vietnam war and tax reform. The public will have its way.

Defying reason, representatives of the American Association of University Professors adopted a resolution attacking the statement of Attorney General John Mitchell when he called for resolute action by university administrators, faculty members, and apathetic students to clear their campuses of violence. The AAUP castigated the Mitchell statement by suggesting it was a policy which is a direct threat to academic freedom and autonomy.

Academic freedom may need definition. By implication, the AAUP statement suggests that academic freedom

condones student violence and the deprivation of education from the majority by the minority. This freedom is not academic freedom, but unlicensed and irresponsible action.

Academic freedom always meant in my mind the right to search for truth. The ultimate goal of this search was realization of the quotation, "The truth shall set you free." A subsidiary theorem was that right would overcome might through rational processes.

Academic freedom is not listed in the Bill of Rights, but it is by convention, generally accepted to be on a par with the rights in the Constitution. Very few would elevate this right above those specifically itemized in the Constitution. Yet, the AAUP statement appears to place its tortured definition of academic freedom above the rights of nonviolent students seeking an education.

Some student revolutionaries today believe they alone possess the truth. They believe they have the right to use violence to bring about the revolution to bring down the present establishment and allow their truth to fashion the new society. No one has yet, to my knowledge, defined the societal structure which will rise from the revolution. Their thesis needs to be examined in the processes of genuine academic freedom to discover what truth and what error is contained therein.

Academic freedom may be endangered. If it is, it is only because those who are responsible for guarding and nurturing this freedom have failed in their obligation.

Mr. Speaker, I submit editorials from the Rochester, Minn., Post-Bulletin and the St. Paul Pioneer-Press on the crisis in higher education. They speak for countless editors and citizens in our Nation today:

[From the Rochester (Minn.) Post-Bulletin, May 5, 1969]

#### WAKE UP, PROFESSORS

There are none so blind as those who will not see, wrote Mathew Henry in his "Commentaries" more than 250 years ago.

Surely that piece of wisdom is applicable today to members of the American Association of University Professors who approved overwhelmingly Saturday a resolution highly critical of President Nixon and Atty. Gen. John Mitchell for voicing strong disapproval of campus violence.

Meeting in Minneapolis, the professors said the statements by the President and attorney general present "a direct threat to academic freedom and (campus) autonomy."

Good God, professors, wake up! The threat to academic freedom comes not from the White House and the Justice Department; it comes from radical students who seize buildings and throw out deans, who throw fire bombs, who destroy equipment and records, who stand with rifles and shotguns in classroom buildings, who prevent the majority of students from attending classes, who terrify faculty and student body alike, who force the closing down of universities. Wake up, professors!

President Nixon, last Tuesday, said: "There can be no compromise with lawlessness and no surrender to force if free education is to survive." And although he welcomed peaceful dissent, the President added: "When we find situations in numbers of colleges and universities which reach the point where students in the name of dissent and in the name of change terrorize other students and faculty members, when they rifle files, when

they engage in violence, when they carry guns and knives in the classrooms, then I say it is time for faculties, boards of trustees and school administrators to have the backbone to stand up again this kind of situation."

The President of the United States is 100 percent correct in that statement and everybody but the professors must know it. Wake up, professors!

Atty. Gen. Mitchell, in a Law Day speech last Thursday, said: "I call for an end to minority tyranny on the nation's campuses and for the immediate re-establishment of civil peace and protection of individual rights. If arrests must be made, then arrests there should be. If violators must be prosecuted, then prosecution there should be. It is no admission of defeat, as some may claim, to use reasonable physical force to eliminate physical force."

The attorney general of the United States is 100 per cent correct in that statement and everybody but the professors must know it. Wake up, professors!

It's okay for these academics to be soft-hearted; that's part of the Halls-of-Ivy and Ivory Tower tradition. But out in the real world there can be no excuse for their soft-headed "grave concern" about threats to academic freedom by the President and attorney general.

The threats actually come from a hard core of militant "student" anarchists whose real goal is not reform, but destruction, of higher education. And these blind professors who will not see had better wake up or they will find their beloved ivory towers in rubble and ashes at their feet.

[From the St. Paul (Minn.) Pioneer-Press, May 4, 1969]

#### IGNORING REAL THREAT

Representatives of the American Association of University Professors engaged in some curious intellectual gymnastics when they called Atty. Gen. John Mitchell's call for an end to campus violence "a direct threat to academic freedom."

If these professors want to see the greatest threat to academic freedom in existence today, they have but to look at the gun-toting, building-burning, window-smashing, obscenity yelling students on many of their own campuses. These are the people who are tramping on the rights of others—students and faculty, alike—and who are rendering the universities helpless to teach.

Mitchell, in a Law Day speech in Detroit, referred to campus hell raisers as "nothing but tyrants" and had some harsh words for "others who share the blame by failing to act."

"University administrators must take firm and immediate action," Mitchell said. "Faculty members should stop negotiating under the blackmail threat of violence. Apathetic students should stand up for the rights of those who wish to pursue civility and scholarship."

"When people may be injured, when personal property may be destroyed and when chaos begins, university officials only aid lawlessness by procrastination and negotiations."

Some 800 representatives of the AAUP, who met in Minneapolis over the week end, replied with a resolution that said Mitchell's remarks "suggest a policy which is a direct threat to academic freedom and autonomy."

"The present tragic season in our intellectual life must not be made the occasion for premature or punitive intervention by public officials and law enforcement officers," the resolution said.

One gets the impression that these professors feel the campus is a sanctuary where people are free to practice barbarianism without fear of reprisal.

The fact is that in the United States it is just as illegal to burn a university building or attack a Navy recruiter on campus as it

is to bomb a barber shop or slug a little old lady on the street.

The bitter truth is that the faculties, more than anybody, are responsible for the "present tragic season." Their years of indifference to student unrest have been followed, in many cases, by an unwillingness to cope with or condemn student violence.

Indeed, some faculty members have joined the student advocates of violence and vandalism (which seems like a wholly irrational position for anyone dedicated to the triumph of mind over matter) and others have been willing to give away control of their universities to young militants under various threats of flames, fists and gunfire.

If American university professors want to avoid government arrests on their campuses, they had better set about the task of restoring order and administrative control at schools where the militants have gone wild.

The public is tired of seeing school buildings wrecked, people beaten up and guns carried on campuses in the name of academic freedom. It doesn't take a college degree to deduce that if the faculties and administrators won't act to stop the destruction of our universities, then society must.

#### THE WINN REORGANIZATION PLAN

#### HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. WINN. Mr. Speaker, on Wednesday, May 8, I offered the following statement as part of my testimony before the Subcommittee on Executive and Legislative Reorganization of the House Government Operations Committee. I wish to bring my remarks and the resolution of the Kansas Legislature to the attention of my colleagues:

#### THE WINN REORGANIZATION PLAN

Mr. Chairman, and distinguished members of the committee, first of all, let me make it perfectly clear that my views to be expressed in this hearing, or my views reported in the public press, are not intended to criticize the fine efforts being made by the administration in the proposed restructuring of Government service systems. On the contrary, I think that the administration should be commended for its work in this area, particularly Mr. Sam Hughes and Mr. Dwight Ink of the Budget Bureau.

I think, too, that we must concur in the administration's basic logic behind its reorganizational efforts. The organization of the Federal service has grown rather piecemeal—creating gaps in some areas, duplications in others, and general inefficiencies across the country. Unfortunately, each agency has its own set of regional boundaries and its own location for its regional offices making program coordination between these agencies on the local and regional levels almost impossible. The advantages of having the regional offices of the five agencies that provide important social and economic services within the same metropolitan area are obvious.

It is, then, in the spirit of our American traditions of open, honest, and forthright discussion that I offer my remarks and recommendations.

As I see it, there is one main problem with the newly proposed regions west of the Mississippi River. They are just too large geographically to allow effective utilization of the services which their centers must provide. For example, the proposed Region VII encompasses almost 25% of the land area of the United States. Travel by regional offi-

cial within this region would be extremely time consuming compounded by the fact that there would be 2 hours time difference between the eastern and western parts of the region.

This excessive size results in a couple of other problems. One is the lack of adequate transportation facilities within the proposed regions. The other is the lack of homogeneity between these states. The needs of the various states in the new regions are dissimilar in many instances. Plus the fact that for the most part, many of these states are not even in the same trade area.

Basically, my recommendations are that there be five regions west of the Mississippi River, excluding Minnesota, instead of the proposed three. This would bring the total number of regional centers in the U.S. to 10 instead of the proposed 8.

Let's examine the alignment in the regions that I am proposing, which, by the way, except for Minnesota, are already being used as the boundaries for the Regional Centers of the United States Civil Service. Also, three of the five proposed regional centers under this plan are proposed regional centers under the Budget Bureau's new reorganizational plan. Four of the five proposed regional centers under this plan already have regional offices of some of the five agencies being reorganized under the Administration's plan. For example, as we all know, Kansas City has the regional offices of Health, Education and Welfare, Office of Economic Opportunity and Department of Labor.

Region "A" would be comprised of North Dakota, South Dakota, Nebraska, Kansas, Iowa, and Missouri, with Kansas City as the Regional Center.

Region "B" consists of Oklahoma, Texas, Arkansas, and Louisiana, with Dallas-Fort Worth as the Regional Center.

Region "C"—Wyoming, Colorado, New Mexico, Utah, and Arizona with Denver as the Regional Center.

Region "D"—Washington, Oregon, Idaho, Alaska and Montana with Seattle as the Regional Center.

Region "E"—California and Nevada, with San Francisco as the Regional Center.

My proposed regions take many factors into consideration.

First, the matter of distance. All of the proposed regions would allow maximum feasible accessibility. The regional districts would be smaller permitting far less travel time between cities and greater personal contact between local officials and senior level regional officials.

I believe homogeneity of the states in my proposed regions is as great as can be developed without separating individual states, thus simplifying the administration of federal programs.

These are all important factors:

It is very important that I make the final point. The plan I have proposed is meant to be nothing more than an alternate to the Administration's original proposal. It is based on sound and tested reason. However, I have no pride or authorship in this proposal. I make no demands that it be met to the letter. My concern is that the Administration's recommendations be weighed against the many other factors available and that a proper decision be arrived at.

The Nixon administration has developed a program of re-organization that is outstanding. I don't feel that the flaw that I see will tarnish its good works. Let's be positive in our approach and let's examine all of the facts.

It will interest you to know that I have received favorable comment on this plan from many of the public officials in Kansas and Missouri, as well as a seeming unanimity of acceptance among the Kansas and Missouri Congressional delegations.

In addition, I have discussed this plan with members of the White House staff who said that every consideration would be given.

I think the concern of the citizens of the Great State of Kansas is best expressed by Senate Concurrent Resolution No. 36 adopted by the Kansas Legislature on April 15, 1969. The resolution endorses my plan but more importantly, expresses the sentiment that Kansas City should be designated as a Regional Center under the Administration's reorganization plan. I would request that SCR 36 be made a part of the record.

#### SENATE CONCURRENT RESOLUTION No. 36

A concurrent resolution requesting the President of the United States to reconsider his executive order transferring the regional offices of numerous federal agencies from Kansas City, Missouri, to Denver, Colorado, and further requesting that the cities of Kansas City and Denver be established jointly as centers for federal offices within prescribed areas of the region

Whereas, Richard M. Nixon, President of the United States, has established, by executive order, the city of Denver, Colorado, as the location for the regional offices of numerous federal agencies in an eleven-state region; and

Whereas, Said region includes the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; and

Whereas, The regional offices for many of the federal agencies which are proposed to be located in Denver are now located in Kansas City, Missouri; and

Whereas, The regional offices of the federal agencies located in Kansas City, serving the aforementioned mid-western states, serve a large territory and a large number of people: Now, therefore,

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the legislature and the people of the state of Kansas respectfully request Richard M. Nixon, President of the United States, to reconsider his decision to establish the regional offices of numerous federal agencies for an eleven-state region in the city of Denver, Colorado; and

*Be it further resolved:* That the legislature and the people of the state of Kansas request the President to give consideration to establishing two regional centers for federal offices within said eleven-state region: One center to be located in Kansas City, Missouri, to serve the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri, and the other to be located in Denver, Colorado, to serve the five remaining states in the rocky mountain area of said region; and

*Be it further resolved:* That the secretary of state be instructed to transmit a copy of this resolution to Richard M. Nixon, President of the United States; to each member of the congressional delegations from the states of Kansas and Missouri, to Mayor Ius W. Davis of Kansas City, Missouri; and to Mayor Joseph H. McDowell of Kansas City, Kansas.

#### NITROGEN FACTS AND FALLACIES

### HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SEBELIUS. Mr. Speaker, recently we have seen much in the news media and heard much from men of science and from concerned Americans in all walks of life regarding serious criticisms of

what agriculture and industry may be doing to upset our environment.

The upshot of all this, it seems to me, is that man should try harder to leave his environment a better place for future generations and I sincerely hope we can begin to make strides in this direction.

However, in our efforts to accomplish this goal, I wish to point out we should consider all of the scientific evidence available before we jump to any quick conclusions. Mr. Speaker, it is in this light that I would like to call attention to an article by W. H. Garman, vice president of the National Plant Food Institute in Washington, D.C., in the April issue of the *Agricultural Chemicals* magazine.

In his article, Mr. Garman makes some interesting comments about modern-day technology and its effects upon the nitrogen cycle so important to man's well-being. I might add this article is quite timely in that the end of this month marks the deadline when farmers in my district terminate grazing operations on excess wheat acreage. Dr. Harold E. Jones, the Kansas State University specialist on crops and soils, has underscored the importance of returning nitrogen to the soils by as much as 40 pounds per acre to insure adequate nitrogen for pasture and grain production.

Mr. Speaker, under unanimous consent I include these remarks and Mr. Garman's article within the Extensions of Remarks in today's Record:

#### NITROGEN FACTS AND FALLACIES

(By W. H. Garman)

In recent months, there have been serious criticisms of what agriculture and industry may be doing to "upset our environment." One individual in particular, Dr. Barry Commoner of Washington University, St. Louis, has made a concentrated attack on the nitrogen cycle, and what modern-day technology is doing to upset it. He says that "The nitrogen cycle is very vulnerable to human intervention. In the U.S., the over-all annual biological turnover of nitrogen amounts to about seven or eight million tons." Actually, the amount is vastly greater than that, as I will point out later.

He continues: "At the present time, technology and agriculture introduce into this cycle about seven million tons of nitrogen compounds from chemical fertilizers, and two to three million tons of nitrogen compounds generated by automobile exhausts and power plants."

While these quantities of nitrogen may have significance in the nitrogen cycle, I would like to suggest that they are very small in comparison with the total amount of nitrogen long present in our soils. He says that "The great bulk of the earth's nitrogen is represented by the nitrogen gas in the air." How wrong can one be? Actually, the nitrogen in our atmosphere represents only two percent of the world's nitrogen, and this two percent includes the 35,000 tons of elemental nitrogen that exists in the air over every acre of the earth.

Also consider that, through various biological means, 100 million tons of nitrogen are fixed annually over the world's surface, chiefly by algae in water and bacteria on land. Only about one-fourth of this amount of nitrogen is fixed annually by commercial means. But, this commercial nitrogen is very important because it represents the difference between survival and starvation for most of mankind.

The nitrogen I have discussed thus far does not include the amount excreted by livestock.

I do not have figures for other countries, but for the United States it is estimated that around 10 million tons of nitrogen are contained in the 1.7 billion tons of animal excreta which must be disposed of annually. How fortunate we would be if there were an economical means of getting this excreta distributed over the land where its nutrients could be utilized, and filtered through the soil for sanitary purposes. Unfortunately, the cost of doing this exceeds the value of the nutrients and the organic matter, thus most of the vast 1.7 billion tons go to waste through one means or another, with much of the soluble constituents entering wells, streams, and lakes. Indeed, disposal of manure is one of the biggest problems facing mankind, yet it goes unmentioned by Commoner.

Another accusation made by Commoner is based on the fact that nitrogen occurs in living things, usually in combination with hydrogen rather than with oxygen. He makes quite a point of the fact that nitrogen in combination with oxygen is a form that does not exist very long in nature, except when it occurs in inorganic mineral deposits, and he says that "It is precisely this slender span of the nitrogen cycle which is most affected by human intrusion, for nitrogen introduced into the environment by technology is almost entirely in oxidized forms."

Now, I must take issue with this statement because the nitrogen introduced into agriculture in the form of commercial fertilizers is largely in the reduced form. Only about one-tenth of the nitrogen added in fertilizers last year in this country was in the nitrate form. Thus, almost 90 percent of it was in the reduced forms of ammonia and urea.

Of course, he admits that the ammonium and the amino forms are readily oxidized in fertile soils to the nitrate form. Fortunately, this is so because all nitrogen must pass into the  $\text{NO}_3$  form before most higher plants can use it. The nitrate form, then, is very important to the nitrogen cycle because it is essential to almost all plant life on earth.

He makes quite a point of inferring that nitrogen "intrusion" in fertilizers is serious, when actually the quantity thus introduced into our soils is very, very small, indeed, in relation to what is already there. I'll give details of this a little later on.

Commoner states that:

"The maintenance of the naturally low concentrations of oxidized forms of nitrogen is essential to the integrity of the earth-life systems. Important hazards to this system are generated when the concentrations of these nitrogen compounds are artificially increased. One hazard is pollution of surface waters by excessive amounts of nitrate. When the normally low level of nitrate in natural waters is increased, the growth of algae may be sharply enhanced. The resulting 'algal blooms,' which soon die, overburden the water with organic matter, which on being oxidized by microorganisms, depletes the oxygen content of the water, causing the natural cycles of self-purification to collapse."

Here's what Dr. D. R. Keeney of the University of Wisconsin says about such observations:

"Dr. Commoner is making a grave oversimplification when he equates algae growth in surface waters with the concentration of nitrate in the water. In fact, algae are plants and must have all nutrients in sufficient supply before they proliferate. Most studies indicate that either or both N and P are limiting nutrients. Environmental contamination certainly has added to the phosphorus load of lakes and streams—particularly from municipal and industrial sources. Because some species of algae are N-fixers, there is a strong possibility that phosphorus has stimulated these growths, causing N to be fixed biologically. Biological breakdown of these algae would then add to the nitrate load of surface waters."

Nowhere does Commoner mention that 40-some species of algae fix nitrogen and that these algae have been very significant factors in providing the nitrogen required to change so many of our ancient inland seas and lakes into peat bogs, coal beds, and muck soils throughout the world, and that these same species will continue to fix nitrogen in years ahead.

Reference is made by Commoner to the work required by plants to take nitrate into their root system. He reasons that when nitrate content in soil water is low, plants somehow find the necessary "energy" to pull in the nitrate.

It seems just as logical to reason that unless plants have a mechanism to exclude the  $\text{NO}_3$  molecule, it will go wherever water goes. Whatever the processes involved, oxygen is required because every living cell respire. Don't forget that respiration can take place, and does, even under anaerobic conditions. Energy, likewise, is expended here. But, to supply the necessary oxygen in such instances the nitrate molecule itself is often the oxygen donor. So, here again,  $\text{NO}_3$  is necessary.

Seemingly, supernatural powers are attributed to organic matter and humus. Of course, nobody can deny that in a fertile, sandy loam soil, for example, organic matter and humus will impart desirable qualities, but not necessarily on account of making the soil more permeable for oxygen to facilitate nutrient absorption by plants. Instead, the more desirable qualities from a plant-growth standpoint are imparted through improved moisture-holding capacity, and, to some extent, by greater nutrient-holding capacity.

Barring toxic substances, any soil that is fertilized properly will grow huge quantities of top and root material, sufficient to keep the soil in optimum tilth. In fact, the best practical and economical way to get organic matter down into the soil is to grow it there through proper fertilization.

When plant nutrients are applied in proper amounts, and there is ample moisture for crop growth, very little nitrate or any other nutrient will escape the root zone by leaching. Frankly, I doubt if the amount of nitrate lost from any farming region where crops are harvested and where soil erosion is controlled, exceeds the amount being lost under virgin forest or grassland conditions. But, whatever amount is lost under native conditions, we should find out what it is as a benchmark for comparison with farming areas. Certainly, there has always been an appreciable quantity of nutrients in all waters prior to the days of man-made technology. Otherwise there would have been no marine life anywhere on earth, and there would have been no precivilization eutrophication.

The impression is given by Commoner that algal blooms are a result of man-made activities. Actually, algal blooms were in existence long before civilization reached this planet. Otherwise our vast areas of peat and muck soils would not have come into existence. Nourishment for the algal blooms that caused these deposits came chiefly from virgin forest, in the main, but also from prairies. Here's what Dr. Cecil Wadleigh of the USDA said about one aspect of eutrophication in a recent talk.

"The State of Minnesota is essentially a monument to the process of eutrophication. Seven and one-half million acres of the state are comprised of peat and muck. This is  $\frac{1}{2}$  of the surface area. Minnesota's known reserves of air-dried peat are estimated to be 6.8 billion tons. Think of the fantastic plant growth that must have taken place in the waters of Minnesota long before any farming or domestic animals came upon the scene!"

The 6.8 billion tons of peat in this one state alone fixed more than 340 million tons of nitrogen, or more than 50 times the amount of all nitrogen fixed by commercial processes in the U.S. since the beginning of the nitrogen industry. Even today, the Min-

nesota deposits contain at least 100 million tons of nitrogen, according to Dr. Wadleigh.

Nobody knows how much nitrogen from Minnesota's peat beds gets into underground aquifers, but, no doubt, thousands of tons a year move into water channels. And, after a period of several centuries, some of the nitrogen may now be showing up hundreds of miles distant.

#### FAIRYLAND PICTURE

Another interesting sort of fairyland picture painted by Commoner is as follows:

"In a balanced natural system, the amounts of organic nitrogen and nitrate dissolved in water remain low, the population of algae and animals is correspondingly small, and the water is clear and pure."

To me, the picture is quite different by reason of the pre-civilized conditions and natural situations I have already cited, but beyond those I wonder how one could say "clear and pure" under a natural system such as prevailed in the Midwest as recently as the days of the buffalo. From accounts I have read, there were millions of these creatures grazing the grass into the ground and wallowing in every stream and pond. Indians and settlers going through the area could never find a decent place to get a drink of water. Certainly, the Midwest has much more clear and pure water today than in the days of the buffalo. Just as an added note about our great prairies, I have been told by people who should know that trout never thrived in the central part of this continent, from Canada down into the United States, in the region of tall and short native grasses, because the nutrient content of the streams was too high.

When considering decline in productivity of soils as our ancestors moved westward in early USA, one key point is overlooked by Commoner. He gives all of the credit to the process of nutrient removal by crops, whereas the topsoil too often was washed away by rainstorms and floods, taking the nutrients downstream. Even today, with our advanced farming methods, heavy rains carry vast quantities of sediment into our streams, rivers, and lakes. These sediments (about four million tons a year, half of which come from farms and ranches) contain valuable plant nutrients, and should be kept on the land.

Cost of getting the soil out of lakes and streams is 20 times the cost involved in keeping it on the land in the first place.

But, we cannot deny that our agriculture, up until very recently, was one of extensive soil mining and nutrient depletion. It is only within recent years that farmers in the USA have given serious attention to replenishment of nutrients to their lands, and this has largely been forced on them by their struggle to maintain economic crop and livestock production.

Thousands of experiments around the world have firmly established the value of fertilizer in helping to provide man's basic needs. Essential production of food and fiber is becoming more and more dependent on man's ingenuity in devising ways and means to thwart the adverse effects of nature. Advancing technology, so vital for civilized progress, never has been, is not now, and never will be in accord with nature. These are not my words, but rather those of Dr. Cecil Wadleigh, USDA. Nature could not sustain the world's population—not in food—not in clothing—not in shelter.

#### THE FATE OF FERTILIZER NITROGEN

Although lacking knowledge to analyze or to criticize constructively the effects of agriculture on the nitrogen cycle, Commoner does make one authentic point when he says that we lack the data needed to draw a total balance sheet. Here we would applaud his suggestion that we need to find out more about these effects.

But, consider some of the following interesting aspects relating to the nitrogen cycle.

Each person in the U.S. consumes about 92 grams of protein a day, about two-thirds of which comes from animal sources. In terms of nitrogen, this is equivalent to about 14.7 grams per day, with 4.3 grams coming from plant sources and 10.4 grams coming from animals. For each gram of animal protein nitrogen, there must be supplied to animals 10 grams of nitrogen as plant protein or urea. Adding this all up means that, in the U.S., we are consuming 8.7 million tons of nitrogen per year from proteins in our food.

This 8.7 million tons does not include nitrogen ingested as amides or amino acids. It does not include nitrogen in foods exported to other countries. It does not include nitrogen consumed in production of fibers, such as cotton, wood pulp, and timber. It does not include nitrogen used on lawns or ornamentals. It does not include the high losses of nitrogen occurring by denitrifying processes in soils. These are the figures of Dr. Wadleigh, whom I have already mentioned, and those of Dr. W. H. Allaway, director of the U.S. Plant Soil and Nutrition Laboratory, Ithaca, N.Y. These individuals are among the world's authorities in soil chemistry and plant nutrition.

Since little of the 8.7 million tons of consumed protein nitrogen finds its way back onto our fields, we might say that the approximate seven million tons of chemical nitrogen used in fertilizers even fall short of balancing this outlet of nitrogen from the system.

Another internationally known soil scientist, Dr. George Staehford of the USDA, has calculated that cultivated soils in the United States over the past 100 years have lost 35 billion tons of organic matter from the surface 40 inches. This is equivalent to 1.75 billion tons of nitrogen. Most of this loss has occurred through mineralization and denitrification since the turn of the century. According to Dr. Staehford, this means that during the last 70 years of our agricultural history, loss of organic nitrogen has approached 20 million tons a year. How long will it be until we are applying enough commercial nitrogen to half-way balance such a loss? In any event, such a big annual loss of nature's own reserve of nitrogen casts doubt that the present use of seven million tons of it a year can be doing very much to inflate the nitrogen reserves in our soils. Also, consider that the total amount of nitrogen being removed by crops from soils in the U.S. now is about two million tons greater than the quantity applied in fertilizers.

Soils have tremendous natural processes for decomposing and nitrifying organic sources of nitrogen. Inorganic sources of nitrogen, such as ammonia and urea, when added to the soil, are likewise nitrified. The end product is  $\text{NO}_3^-$ , the most critical nutrient form limiting growth of microorganisms in the soil. Additions of nitrogen rapidly stimulate biological activity and multiplication of all life in the soil. This life has the capacity to "fix" large quantities of nitrogen every year. Of course, about the same amount is mineralized and made available during a favorable growing season as is fixed into bodily protoplasm, but during these processes plant roots must compete with the soil organisms for available sources of nitrate. Often, plant roots cannot find a sufficient supply for optimum plant growth because these organisms are assimilating most of the  $\text{NO}_3^-$ .

It is my belief, based on lysimeter experiments, that where plants are actively growing, little nitrate escapes below the root zone. But, when plants are not actively growing and absorbing nitrate, such as is the case in California where native vegetation in the valleys grows only part of the year, some of the nitrate will move deeper into the soil as water may move. It is interesting to observe that Drs. Stout and Bureau of the University of California found, from an exten-

sive study of uncropped soils, that there can be high nitrate concentration throughout the soil profile down to the watertable, at depths of 20 feet or more. Concentrations of more than 100 ppm were quite common in their studies. The source of this nitrogen is given as "biological conversion of plant residues and nitrogen fixation." They explain a mechanism by which the underground water reservoir receives percolating water containing 113 ppm of nitrate directly from the soil as a result of vegetative cover and climatic sequences, without any fertilizer contribution whatsoever within the last five years.

The work of these outstanding California scientists convinces me that legume stands can contribute nitrate to percolating waters, at least in a climate where growth is dormant part of the year, and thus I must disagree with Commoner's statements that under natural conditions, or under legume stands, practically nothing is lost to underground drainage. Actually, I believe such losses are probably far greater than under cultivated conditions where crop plants are harvested from the land. Remember, that cultivation stirs up the organic matter in soils and brings on faster decomposition.

In fact, the California scientists say that "tillage of native soils is probably one of the most significant factors in releasing nitrate to underground waters because of the enormous store of nitrogen in the organic matter of most soils and the speed with which nitrate is released from organic matter when oxidation is increased by tillage."

The points to be made here are (1) that the amount of nitrogen already in most soils is vastly greater than any amount now contemplated to be added for crop production, and (2) already in nature there is an appreciable loss to underground waters.

Although the soil is the best natural filtering system in nature, it is scientifically established that nitrate does pass through that medium, and that significant quantities have been doing so for ages prior to the advent of civilization. This is at least one reason why in the Prairie regions of the Midwest, long before the days of fertilizer use, there were rural health problems associated with nitrate in drinking waters. To our knowledge, this situation has not been accentuated due to the recent use of fertilizers in that area. Certainly, there are fewer cases of cyanosis or blue babies than was the case in the 1940's and early 1950's. This is evidence that better sources of drinking water are available now than was true in the 1930's and 1940's.

#### PLANT GROWTH IMPORTANT

While it is difficult for a soil scientist to see that normal and necessary crop fertilization can upset the "balance of nature," this charge has been dishd out to the public. Thus, a few more words regarding nature's vast stores of nitrogen may be in order here. Let's recall the statement by Commoner to the effect that combinations of nitrogen and oxygen are rare. Although numerically they may be, there certainly were many powerful forces in nature which gave rise to nitrates long before the advent of man. Large natural nitrate deposits are located in many parts of the world. For example, nature deposited about 250 million tons of nitrate of soda on the plateau of Tarapaca in Chile. There are significant deposits of nitrate in the Amargosa Valley, Inyo County, California. In fact, nitrate deposits have been found in soils or geological formations in all of the 11 western states.

Even Mr. Commoner likely will be surprised to find out, as I said at the beginning, that he is away off base when he says "The great bulk of the earth's nitrogen is represented by the nitrogen gas in the air." Actually, the reverse is true, and here I want to confirm it by quoting soil biochemist, Dr. D. R. Keeney, University of Wisconsin:

"The great bulk (about 98 per cent) of the earth's nitrogen is in combined form in the

lithosphere, the atmosphere contains only about two percent of the earth's nitrogen. The nitrogen cycle, where only a few inorganic forms exist in comparison to large numbers of organic forms, is certainly the rule rather than the exception in nature, as a brief look at carbon, phosphorus and sulphur cycles will attest."

(NOTE.—For those wishing further information on the 98 percent-two percent ratio, see page 4 of the book, *Soil Nitrogen*, by the American Society of Agronomy, 677 S. Segoe Road, Madison, Wisconsin.)

#### CONCLUSION

This is my preliminary report on what allegedly has been happening to the nitrogen cycle since man brought civilization to earth. Actually, man's impact to date has been quite small, and one might even say almost negligible in terms of nature's storehouse of nitrogen. Except for lack of population control and atmospheric smog, things, in general, look pretty good to me. At any rate, man is living longer than ever before, and I think he possesses the knowledge, or knows how to get it, in order to continue to maintain and even to upgrade his environment.

In my next report, I hope to analyze some of Dr. Commoner's observations regarding sources of plant nutrients in streams and rivers. Let me say just one thing, however, regarding water. Dr. Commoner implied in a recent talk that the town of Elgin, Minnesota, had to develop a new water system on account of fertilizer use in the area. Upon checking this with Dr. William P. Martin, head, Department of Soil Science, at the University of Minnesota, I found out that use of fertilizer was in no way associated with the new water system.

If we are to continue a fruitful discussion of basic issues, let's get all the facts, where we do not have them, and refrain from positive declarations until we have them. Even then, the matter of interpretation must be carefully scrutinized, else we will fall into grave error.

MISS NANCY BARBER—HEROINE  
FROM MONTROSE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. McDADE. Mr. Speaker, last Friday morning at 10 o'clock, Miss Nancy L. Barber received a gold medal presented to her by Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation.

The medal which Nancy received was the American Automobile Association's Gold Lifesaver Medal, and Nancy was one of only seven boys and girls who were so honored at that ceremony.

All of these young people are credited with saving the lives of schoolmates while serving as members of the Safety Patrol. In Nancy's case, she saved the lives of two small children who had walked into the path of an oncoming automobile.

I know I speak for all of my colleagues here in the Congress in commending these seven fine young people for their acts of heroism. In particular, I know I speak for the parents of two small children who will be eternally grateful to Nancy and who will always remember that soldiers are not the only ones who can be heroes—a 15-year-old girl can be a hero just as well.

ESSAY CONTEST WINNERS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DUNCAN. Mr. Speaker, I want to pay tribute to two fine young men from Knoxville, Tenn., who have won top place in oratorical essay contests sponsored by the local Optimist Clubs. Ronald R. Allen, Jr., of 5300 Bluefield Road, and Richard J. Smith, Jr., of 613 West Meadcrest Drive, each present a very important message, and I would like to place their essays in the Record at this point:

RESPECT FOR THE LAW

(By Ronald R. Allen, Jr.)

According to the title, respect for the law is the cornerstone of citizenship. However, respect for the law doesn't just happen. How is it brought about? I believe that respect for law is brought about by independence.

"Why independence? Well, if it weren't for independence, where would we be now? Obviously, we might still be part of the British Empire, what little of it there is left.

"How much independence should you have? Can you have too little independence? Can you have too much?"

"This question may be looked at in several different ways, but I think perhaps two main ways. One, you can say that our ancestors at the time of the Revolution had too much independence. They had no right to throw all that tea into the ocean.

OPEN TO DEBATE

"On the other hand, you can say, and I think it is the right thing to say, that if you believe something is wrong, then by all means protest against it, but do so peacefully.

"Let's look at the hippies. Are they too independent? If you think about it, you will realize that the key to whether you are too independent is how you dissent against something you believe is wrong. Providing that hippies believe in something, which sometimes may be open to debate, how do they go about protesting? Do they do it peacefully? No! They break windows, loot, riot, and generally make life miserable for other people.

"This only proves that they have no respect for the law, and they are very much abusing their right of independence. Nor do they prove anything by breaking into the dean's office, smoking his cigars and thumbing through his little black book. This merely means they want attention, and they are going to awfully juvenile lengths to get it. If hippies want to advance their cause, whatever it is, then that is their right, and good for them! But not by rioting and disruption of schools!

THE OTHER SIDE

"However, there is another side of the street. What happens when you lose your independence. Well, let's let a book by George Orwell be an example. The book 'Animal Farm' is a narrative of what happens on Mr. Jones' farm when the animals revolt. What happens, briefly, is that the animals on Mr. Jones' farm, in sort of miniature coup d'etat, kick him off the farm and set up their own government, based on the principle that all animals are equal.

"Unfortunately, the pigs, who have an intellect superior to the other animals, are soon able to set themselves up as rulers of the other animals. After several years, as sort of a crowning touch to their achievements, the pigs learn to walk on their hind feet. They change the Animal Farm slogan from 'Four legs good, two legs bad' to 'Four legs good, two legs better.' Also, the supreme

commandment is no longer just 'All animals are equal.' It is changed to 'All animals are equal, but some are more equal than others.' So that's what happens when you lose your independence—some body else becomes more equal than you.

"To summarize, I'd like to say that independence is the cornerstone—of the cornerstone—of citizenship. Do your own thing, but remember, your right to do your own thing only extends as far as the next person's right to do his own thing."

RESPECT FOR THE LAW

(By Richard J. Smith, Jr.)

"Ladies and gentlemen of the jury, our purpose here today is to determine whether respect for law is the cornerstone of citizenship.

"Since the earliest moments of recorded history, mankind has battled within his soul, heart and mind to determine those values, morals and laws by which he could best serve his country. Through the centuries his respect for law has been a cornerstone of citizenship. We hope to prove to you, the jury, that the cornerstone of citizenship could not have been formed without a known respect for the law.

"Now turn back the hands of time to study and review mankind, his struggles and his deeds.

"I call as the first witness for the defense a man from classic Greek civilization. Socrates, you questioned the principle on which Greek democracy was founded, never really doubting those principles. Yet your misled countrymen judged you guilty in an Athenian court. Guilty of what? Of teaching the youth to examine all the evidence, and to question the principles of democracy, knowing that the truth would prevail.

SEARCH FOR TRUTH

"Your optimism and your search for truth were your life; they guided your citizenship. Lesser men than you were respectful citizens of Athens, but this alone was not enough. They lacked your faith, indeed your courage, and were unable to reach their goal—that goal you dreamed for Athens and her citizens.

"Our next witness gave the last full measure of devotion for his beloved land. Abraham Lincoln, you stood at the head of a country divided by war. In the face of all opposition you signed the Emancipation Proclamation, for you knew that the principle of freedom for all was essential to this country's growth.

"You were one of America's most noble citizens. You are one of America's most remembered citizens. You promoted the founding fathers' hopefulness, one of which was based on the dedication to the proposition that all men are created equal. Even in the face of a conflict that would split your nation, you stood for what was right—right for your nation and its people—and a spirit of faith was rediscovered in the hearts of your countrymen.

ON CITIZENSHIP

"There have also been men and boys in this century that we could call upon to testify.

"As a young boy, you, Joe Citizen, were taught reverence and respect to the tradition and institutions of your country. You were trained to the habit of everyday joy in your citizenship. You decided that the student's role was one of learning, not once doubting it as franchise for the destruction of order, or the dismantling of authority. When your call for the draft came, you felt it an honor to serve your country, due to your respect for the law of the land.

"Ladies and gentlemen of this jury, you have heard the testimony of the witnesses for the defense. Hundreds of crosses in Arlington, and an eternal flame, shall be our silent witnesses. For they tell of men who

suffered hardships to protect your rights—yes, your rights—the Constitution of the United States, created by a group of men hoping at that time that future citizens would respect those laws of the land.

PROGRESS ON TRIAL

"Centuries of human progress have been on trial today, as they will be again on trial tomorrow, and in the years to come. If you asked these men how they would best guard their freedom, they would answer: by respecting their laws and their fellow man, through respectful citizens willing to serve, and to dedicate and give their lives for their citizenship, and their pride in their citizenship.

"If you asked them why, they would tell you that they were optimistic in believing that, through their efforts, and the efforts of those like them, they would promote a better and greater world for all men.

"The defense rests its case, knowing that you will concur with me in saying that respect for law is the cornerstone of citizenship, and indeed a greater sense of citizenship means a better world in which to live."

THE PHYSICIANS FORUM AND COMMUNITY CONTROL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROSENTHAL. Mr. Speaker, the Physicians Forum is one of the country's outstanding groups seeking the liberalization of American medicine. Composed of nearly 1,000 physicians, its members are leading teachers and practitioners of medicine. About half of its members are in New York City and the rest distributed throughout the country.

A good example of the work of Physicians Forum appeared this week in its statement on community control which stresses a new and enriched role for the progressive doctor when medical care is in the hands of the community it protects. The statement follows:

THE PHYSICIANS FORUM AND COMMUNITY CONTROL

In its "Statement of Principles," The Physicians Forum made the following indictment of medical care in the United States:

"Throughout the country several classes of medical care exist side by side. The prevailing basis for segregating patients is income status. Those who cannot afford medical care are segregated into public ward and clinical services. The charity medicine which they receive is generally piecemeal, inadequate, and provided with scant concern for the dignity of the individual. Furthermore, in many private practices and medical institutions in all parts of the country, more or less overt racial discrimination is superimposed on economic segregation."

These inequities and failures of the health care system are now well documented and well known. There is a growing realization that the system will not be fundamentally altered by the groups now controlling that system: the American Medical Association and American Hospital Association; health insurance companies and fiscal intermediaries; government officials; large medical centers; and the drug industry. While individuals in these groups may be personally concerned about the poor medical care given many in the United States, the interests of these groups, in fact, determine the system of medical services.

Current demands for change come most strongly from consumers who are ill-used by

the system, particularly the poor and minority groups of the cities. Out of their personal experiences comes a desire for fundamental change and a sense of urgency not shared by providers of medical services and others who profit from these services.

The call for community control of health services is part of a broader movement for a controlling voice by the people in the public institutions which should serve them. Too often these institutions are remote and unresponsive to the needs of the people. This is true in middle class as well as ghetto communities. Medical institutions are dominated by bureaucrats, professionals, and the wealthy and are oriented to protecting their status, narrow interests, and pocketbooks. Medical care is too important to be contaminated by the profit motive or guild interests.

Community control of hospitals would result in boards of directors composed of a representative cross-section of the community served by the hospitals rather than the wealthy contributors and other "blue ribbon" personages who now compose hospital boards. All hospitals should be viewed as public institutions. Voluntary hospitals are supported to only a minor extent by private contributions; governmental and quasi-public third party funds make up the bulk of their support.

Community control of health services will help to counter the sense of powerlessness which develops in ghetto communities out of their experience with an unresponsive system. The creation of health facilities will provide an organizing nidus in the community. In all communities, middle class or poor, those who actually use the health facilities should have the decision-making power.

Community control can be valuable for several other reasons. Those who live in the community are in an important position to identify major health problems, to set priorities for attacking them, and to work to correct them. To again cite the "Statement of Principles" of the Physicians Forum:

*Medical care is not the total answer and may not even be the major part of the answer to improvement of the health of the people. Much poor health, disease and disability are the result of the total environment in which we live. Wars, slums, environmental pollution and hazards, racial discrimination, exploitation of human labor and other social ills, are, in a fundamental sense, appropriate concerns of health personnel.*

In the neighborhood health facility, neighborhood needs can be the focus of health planning: environmental health hazards can be identified, case findings and preventive services will be facilitated, and social institutions can be scrutinized in terms of their influence on biological and mental health.

Community participation in the planning of health facilities can result in their more rational distribution and location. When services are offered in a form responsive to the needs of the community, they should be more effectively utilized.

There is a spectrum in degree of community involvement in health facilities. At one end of the spectrum would be a facility owned by the community, a health cooperative. At the other end of the spectrum are facilities where there is a consumer board with only advisory powers. There are now a few health centers which were conceived and organized by community people who themselves sought and obtained funding.

Community control will inevitably raise the level of health consciousness of the community. The planning and running of health programs provides an on-going and relevant education in matters of health.

In the relationship between health care personnel and consumers, there will be mutual education and more honest communication. Physicians will be hired not only on

the basis of their technical knowledge and skills but because of their commitment to excellence in medical care for the community, their receptivity to consumer leadership, and their respect for their patients. Community members will be hired preferentially in neighborhood health facilities. As they assume staff positions and are trained to assume increasingly responsible roles as health workers, the dichotomy between provider and consumer will be lessened.

The concept that control of health services should be in the hands of broadly representative community groups requires an altered role for the progressive physician. It means the abdication of an elitist role in which physicians prescribe the structure of health services. It gives more explicit recognition that providers of health care are accorded the privilege to serve the community by the community and thus are always accountable to it. The physician, in a community controlled health service, is called upon to work cooperatively in a health team with consumer leadership, to respect the community's desire for self-determination, and to pay greater heed to the economic, social and other environment influences on health. This new concept will enrich the role of the physician.

#### SLEEPING BEAR DUNES NATIONAL LAKESHORE IN MICHIGAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DINGELL. Mr. Speaker, the board of directors of the National Conference on State Parks, a branch of the National Recreation and Park Association, recently adopted a resolution in support of the proposed Sleeping Bear Dunes National Lakeshore in Michigan.

I share the conference's view that creation of the Sleeping Bear Dunes National Lakeshore is of great importance.

So that my colleagues will be familiar with the conference's resolution, I ask unanimous consent that the text of the resolution appear at this point in the CONGRESSIONAL RECORD:

NATIONAL CONFERENCE ON STATE PARKS: RESOLUTION 3, PROPOSED SLEEPING BEAR DUNES NATIONAL LAKESHORE, MICH.

Whereas, the Sleeping Bear Dunes and adjacent fresh water lakes and glacial moraines with associated plant and animal habitats of interest to natural science on the eastern shore of Lake Michigan in the vicinity of Grand Traverse Bay, together with nearby North and South Manitou Islands, were identified in the Great Lakes Shoreline Survey of the National Park Service several years ago as the finest examples of sand dunes, other glacial phenomena and scenic grandeur remaining in relatively unspoiled condition and

Whereas, bills have been pending before the Congress for eight years to authorize the establishment of a portion of this magnificent scenic and natural area as the Sleeping Bear Dunes National Lakeshore, such bills having been passed twice by the Senate and having been favorably reported by the Interior and Insular Affairs Committee of the House of Representatives and

Whereas, the remaining opportunities to preserve this extraordinarily attractive area for public outdoor recreation and education are diminishing each year without the comprehensive, planned, conservation, management, and use that National Lakeshore status would provide; now, therefore

Be it resolved, that the Board of Directors of the National Conference on State Parks, a branch of the National Recreation and Park Association, meeting in Washington, D.C., March 21, 1969, expresses its wholehearted endorsement of this proposed National Lakeshore and urges the Congress of the United States to enact legislation this year authorizing establishment of the Sleeping Bear Dunes National Lakeshore.

#### PUBLIC FAITH AND TRUST IN GOVERNMENT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, if there is one date on the U.S. calendar of events that is viewed with wonder and awe by the rest of the world, that date must be April 15. On that date, millions of Americans, willingly and without overt coercion, give up a sizable portion of their year's earnings to underwrite the spiraling cost of Government. Implicit within this remarkable transfer of funds is an element of trust. To a very great extent, the Internal Revenue Service must rely on the integrity of the American people and over the years, the taxpayers of this Nation have, by their consistent honesty and good faith, more than justified the trust of their Government.

But trust is not a one-way street. The taxpayer has an absolute right to expect and demand that his hard-earned tax money is used honestly and efficiently. The taxpayer has the right to expect that each of his tax dollars will buy \$1 worth of essential Government services.

During the past year, the American people were asked to increase their already heavy tax burden in the form of the 10-percent surtax. It was reasoned that additional funds were essential to the maintenance of our national defense. I have no doubt that my constituents and the American people in general will support any truly necessary expenditure for this purpose. However, at a time when tax increase and tax reform proposals are again before the Ways and Means Committee, we see in our defense expenditures shocking examples of Government abrogation of the trust placed in it by the American taxpayer. Instances of astounding waste and mismanagement in Government procurement are becoming alarmingly common and there is now the very real danger that we, as servants of the public trust, may become so accustomed to waste that we unconsciously view it as inevitable. Misuse of public funds is neither inevitable nor tolerable in a society built upon trust.

One particularly outrageous example of this kind of cynical disregard for the public trust is the recent disclosure by the Congress of the manner in which the previous administration contrived to cover up the multi-billion-dollar C5A airplane fiasco.

The strange procurement history of this giant cargo aircraft and its bizarre

contract first came to public attention in November of 1968 when Mr. A. E. Fitzgerald, an Air Force management systems expert, revealed enormous overruns in the contract with the Lockheed Aircraft Corp. to the Joint Economic Committee of Congress. Much of the overrun, which has been put at \$2 billion, can apparently be traced to a system of contracting at the heart of which is a "repricing formula." In essence, this formula means it is to the advantage of the aircraft maker to be extremely inefficient on his first production run and extremely efficient on the second. As truly bizarre as it sounds, the greater the initial inefficiency, the greater the rewards. There can be little doubt that this unbelievable arrangement, which was highly touted by the previous administration as a cost-saving device, has contributed greatly to the huge increase in the cost to the Government of the C5A.

The resultant \$2 billion waste is staggering to be certain, but even more disturbing in its long-term implications is the cavalier manner in which the Air Force and Pentagon officials in the last administration conspired to conceal the enormous waste from the Congress and the American taxpayer. The entire procurement history of the C5A is marked by deceit of the most outrageous magnitude. Details of this deceit have been revealed only recently.

To be specific, the Air Force first uncovered discrepancies in the C5A program as far back as February of 1966, but as late as March of 1968, Air Force officials were still telling Congress that all was well. I can point to a December 19, 1966, memorandum from Col. Larry Killpack to Maj. Gen. Harry E. Goldsworthy, commander of Air Force Aeronautical Systems Division, which states:

Lockheed really busted Budget Number 1 in the engineering area. Numerous overruns, several in excess of 100% were observed.

Nevertheless, Air Force officials testified to the House Appropriations Committee 15 months later, that the program was progressing smoothly and coming in near the target cost.

Air Force Col. Kenneth Beckman has testified that high-ranking Johnson administration appointees directed that references to overruns be omitted from monthly contract reports because these officials were concerned that public disclosure of overruns might endanger the stability of Lockheed's common stock.

I cannot emphasize too strongly the danger inherent in this kind of calculated deceit on the part of public officials. There is a small, but vociferous minority in this Nation at this very moment which attacks the very core of our institutions of Government. There are those who would tear down the structure of government which has held the Nation together for nearly 200 years. Even though this assault comes from a small minority, it is incumbent upon those of us who have accepted positions of public responsibility to defend our system of order against this destructive element.

The erosion of public faith and trust in government is the greatest threat to the survival of any nation. The best way to confront that threat is to prove at every

opportunity that public faith in government institutions is wholly justified. If our form of democratic government derives itself from the consent of the governed, it must be remembered that implicit within the consent of the governed is the confidence of the governed. The American people must have absolute confidence that their elected and appointed officials have only the public interest at heart. Nothing can shake and ultimately tumble the pillars of government more rapidly than an environment of mistrust and deceit. The taxpayers of the United States have an inviolable right to know how their taxes are being used. Conspiracy to keep the public in ignorance about the use of tax moneys only serves the cause of those who would tear apart our institutions. We in the Congress, as direct representatives of the people, must take the first steps to insure that the C5A disaster will never be repeated.

I believe our new Republican administration has at this time a perfect opportunity to undertake a complete and thorough housecleaning in the Pentagon. The Department of Defense is directly responsible for the allocation of nearly half of our national expenditures and consequently, has an obligation to take the lead in making Government responsive to the confidence placed in it by the Nation.

The administration must be willing to go out of its way to restore credibility to the actions of its officials. The emergence of the so-called credibility gap was easily the most disturbing feature of the previous administration. To that end, the administration must take steps to insure that only conscientious and capable men are entrusted with the great responsibilities of public service. We need to make it absolutely clear that only those men who understand the nature and obligation of public service are allowed to rise to sensitive, high-level positions. I commend the positive statement of the Secretary of Defense, Melvin Laird on April 30, when he stated his determination to insure that the mistakes of the C5A would never be repeated.

However, I feel obligated to record some personal dissatisfaction with the administration's actions to date in utilizing the competent people available to them. I have recommended several highly qualified individuals who, I firmly believe, would assist our efforts to bring runaway spending under control. In many cases, I feel sufficient consideration has not been given these recommendations. I think the last election proved that the American people want a change. The mandate for a more efficient and less extravagant Government is clear. Now is the time for this administration to rid itself of the old and tired theories and individuals and breathe some real fresh air into the halls of the Pentagon.

The American taxpayer has served notice that he will no longer abide disregard for his interests. Now it is up to the new administration and the Congress to create the kind of environment in which men of imagination and initiative can restore complete confidence and faith in Government.

CITY OF WAYNE, MICH.

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, the city of Wayne in my congressional district—the 15th of Michigan—this year is celebrating its 100th birthday as an incorporated community.

The more than 20,000 residents of this fine community are making plans for a Wayne Community Centennial Celebration to mark this milestone of history.

I would like to briefly recite the story of Wayne's development over the past century, as an outstanding example of how a tiny crossroads hamlet grew into a modern, progressive city. Much of this material was gathered by Mrs. Mildred Hanchett of the Greater Wayne Historical Society.

The history of Wayne officially began on February 27, 1824, when the first known settler, George M. Johnson, purchased a tract of land from the Federal Government for \$100 and erected a log cabin home for his family. The following year, the Chicago Turnpike—now Michigan Avenue—was constructed between Detroit and Chicago, and Johnson found himself living beside what was eventually to become one of the Nation's busiest highways.

He responded by converting his home into a tavern, providing meals and overnight lodging for travelers on the turnpike. An 1825 map shows "Johnson's" as the only listed point on the pike between Detroit and Ypsilanti.

On December 2, 1825, Johnson sold the tavern and 80 acres of land to Stephen G. Simmons, who continued operating the tavern until 1829, when he was arrested for beating his wife to death. Two years later, his sons sold the tavern to Ezra Derby for \$1,000.

Derby became Wayne's first "land developer." He built a store near the tavern, and helped encourage several other families to locate in the area. The area became known as "Derby's Corners," and was shown on published maps of the day as "Derby's."

In 1836, Rufus Brown and Joshua Howard laid out and sold 169 lots on the south side of the turnpike, then called the Chicago Road. The name of the little hamlet was changed to Wayne, either in honor of General "Mad Anthony" Wayne of Revolutionary War fame, or possibly because it was located about the center of Wayne County.

The westward time of immigration during the 1830's and 1840's brought thousands of settlers to Michigan, and the little crossroads grew and prospered. The residents petitioned the State legislature and in April 1869, the village of Wayne was officially incorporated.

The first village officials were William R. Corlett, president, and five councilmen—Thomas Morrison, Jacob D. Bunting, Frederick Marker, Sr., Israel Bell, and John J. Palmer.

The industrial history of Wayne began with a sawmill and blacksmith shop built in 1832 or 1833 by Ezra Derby. The first

manufacturing plant of real importance was built by the Prouty and Glass Carriage Co. in 1888. They continued operations until 1915. The Harroun Motors Co. built about 3,000 Harroun cars in Wayne between 1916 and 1920, and then folded. The factory was later occupied by the Gotfredson Body Co., Graham-Paige Motors, Bendix Corp., and Gar Wood Industries.

The Congregational Church, built in 1849, was the first church in Wayne. It was used for a time by the Methodist and Universalist congregations until their own churches were erected. Today, the city is served by modern churches of many denominations.

The first school was a one-room log cabin built in the Derby's Corners days. A two-room frame school was erected in 1851, and a graded school was put up in 1870, with a 3-year high school course added in 1876. Today the city has two high schools, four junior highs, and 25 elementary schools, as well as a Catholic high school and elementary school.

In the years preceding the Civil War, Wayne became an important point on the underground railroad, which helped escaped slaves from the South on their way to freedom in Canada. An underground railroad station was operated by Globe Chubb in a small house on the south bank of the river at Michigan Avenue and Venoy Road.

During the mid-1800's, toll gates were located at each end of the community on the Chicago Road—now Michigan Avenue. Today, Michigan Avenue is a bustling modern highway separated into one-way streets through the heart of downtown Wayne.

The steady growth and development of the community led to a reincorporation movement which culminated in the incorporation of Wayne as a city on July 5, 1960.

Wayne officials are engaged in a far-reaching renewal program for the downtown business area, which is expected to revitalize an already busy shopping district.

Today, Wayne is a modern, progressive city, with fine homes, good schools, excellent shopping facilities, a sound industrial base, and forward-looking city and school officials.

The city of Wayne faces its second century with faith and confidence, and I am proud to represent this outstanding community as its Congressman. I ask my colleagues to join me today in extending birthday greetings, and best wishes for the next 100 years.

COUNCIL OF THE COUNTY OF HAWAII ADOPTS RESOLUTION OPPOSING THE ABM

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, May 13, 1969

Mr. MATSUNAGA. Mr. Speaker, like Americans elsewhere in the Nation, the citizens of Hawaii are deeply concerned

over the proposed deployment of an anti-ballistic-missile system.

This concern arises not only because of the probability that the Island State would become an ABM site, but also because of the conviction that the billions of dollars required for an anti-ballistic-missile system could be much better utilized for programs to combat hunger, poverty and disease, and, further, that such programs, at the international level, would accomplish much more in furthering world peace than the establishment and maintenance of the ABM system.

The council of the county of Hawaii expressed these sentiments most appropriately in a resolution adopted earlier this month. As we continue to study the proposed deployment of the anti-ballistic-missile system, I am sure that the Members would wish to take into consideration the views of the citizens of the big island of Hawaii.

I am, therefore, inserting in the CONGRESSIONAL RECORD at this point resolution 86, of the county of Hawaii, State of Hawaii, adopted on May 7, 1969:

RESOLUTION 86, COUNTY OF HAWAII, STATE OF HAWAII

Whereas the President and Congress of the United States are presently considering the establishment of an extensive anti-ballistic missile system to serve as a deterrent to nuclear attack from enemies of this country; and

Whereas according to eminent nuclear physicists, including Nobel prize winners, science advisors and scientists and Department of Defense personnel, no anti-ballistic missile system can adequately protect a country from sophisticated nuclear attack; and present United States superiority is already a deterrent to nuclear threats; and

Whereas the establishment of the anti-ballistic missile system, whether characterized by the United States as an offensive or defensive measure, will undoubtedly step up the nuclear arms race and will necessarily be an additional factor in the collision course being followed by major powers of the world which may lead to the very destruction of civilization; and

Whereas the many billions of dollars required for the establishment of the anti-ballistic missile system can be much better utilized for attacks against hunger, poverty and disease afflicting the peoples of this world and that such programs would accomplish much more towards world peace than the creation of the anti-ballistic missile system; and

Whereas the United States is a peace loving nation, a leader of the world, and a country that is completely devoted towards searching solutions for world peace: Now, therefore, be it

Resolved by the Council of the county of Hawaii, That it go on record opposing the creation and establishment of an anti-ballistic missile system; and be it further

Resolved, That the President and the Congress of the United States be and they are respectfully requested to explore all possibilities leading to reducing of all offensive and defensive nuclear missile systems among nations, a nuclear non-proliferation treaty and gradual multilateral disarmament, and expanded non-military efforts to alleviate hunger, poverty and disease at home and abroad; and be it further

Resolved, That the County Clerk be directed to forward copies of this Resolution to the President of the United States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Defense,

Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, and Representative Patsy T. Mink.

Dated at Hilo, Hawaii, this 7th day of May, 1969.

Introduced by:

IKUO HISAOKA,  
Councilman, County of Hawaii.  
DANTE K. CARPENTER,  
ROBERT M. YAMADA,  
FRANK DELUZ, III,  
JOSEPHINE R. YADAO,  
HERBERT T. MAYAYOSHI,  
Councilmen, County of Hawaii.

EDUCATION

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROGERS of Florida. Mr. Speaker, all Americans are concerned with the quality of education. I recently read an editorial by Mr. James Bignell from the quarterly bulletin of the Florida Industrial Arts Association dealing with this important matter. I feel Mr. Bignell's comments will be of wide interest, and insert them at this point in the RECORD:

EDITORIAL

Everywhere you go in education areas today, you run into new plans for teaching this or that. One reason is the huge amounts of federal money available for professors and colleges to develop such programs. About all one must do is to come up with some new idea or new way of teaching a subject and the federal government will fund the project. Whether the idea is good or bad or just mediocre has no effect. It goes on and on. The proponents write volumes, make speeches, become famous and collect federal pay for it. Educators all get on the band wagon and go on down their way with the seeming approval of all. Of course, when the sad end comes and they find out the idea was no good and millions of young, innocent children had been taught little or nothing at all and their education was a failure and their lives have been ruined—then all these educational band wagoners leave the wagon like rats leaving a sinking ship. One good example was progressive education which caught on so well in California. It went on for years to the disgust of many old educators, then when the poor ginny pigs of this idea got into high school they suddenly found out they had learned little or nothing at all and especially one all important thing which was the ability to discipline one's self to study and work for himself or as directed. Modern math is another and there are hundreds of others. In Industrial Arts it's the Ohio plan, the Wisconsin plan, and on and on; all government financed. FSU in Tallahassee has latched on to the space age idea and it's popular.

This may all look bad and bad it may be but now as it has been all through the ages in Education the pendulum swings to one extreme and then to the other, finally settling down to the middle of the road.

The good teacher is the answer to good education. You can have T.V. canned programs, push button programs and many others but in the end it's the good teacher that gets the results. If the teacher is good and is one who understands human beings, and every human is different, then there is a good learning program going on regardless of the many adverse conditions that we see over and over again which are blamed for our educational failures. Yes; it's the teacher, not the program.

What makes a good teacher? How do we distinguish a good teacher from a poor one? Is it college courses and degrees that make a good teacher? Are the good teachers paid more? We have rating scales, principles, opinions, et cetera, to determine the good from the poor but it's the final product that is the final proof. It's the student. All one must do to separate the good from the poor is ask a graduating senior who his good teachers were. His answer will not be the teacher who was easy, or the one with no discipline. No, his answer will be the one who taught him something. It'll be the one who taught not only subject matter but also taught self discipline and good working habits and the one who made him think as well as memorize facts. That's the good teacher. The answer to good education is not this plan or that plan funded by millions of dollars by the federal government, it's the good teacher.

JAMES BIGNELL,  
Editor.

## SOVIET AGGRESSION

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. RARICK. Mr. Speaker, the Soviet war machine continues to maintain a sizable number of spy ships off our east coast and missiles in Cuba.

There is no indication that the Soviet leaders have altered their plans for world conquest nor that they believe in peaceful coexistence except in those remote areas where they are not on the aggressive offense.

I include several local news clippings and an eyewitness report of Soviet missiles in Cuba from the March-April Conservative Journal:

[From the Washington Post, May 12, 1969]  
SOVIET SHIPS AGAIN SPY NEAR UNITED STATES  
(By George Wilson)

The Soviet Union has resumed spy ship operations close to American territory after a hiatus dating back to the Pueblo seizure.

U.S. intelligence officials, in reporting this full-scale resumption, theorized that Moscow figures the heat is finally off such operations.

Soviet spy ships kept their distance from our shores right after the Pueblo was seized on Jan. 23, 1968—apparently for fear of being harassed or seized in retaliation.

The Soviet ferret ships, however, continued to sail near American naval task forces at sea.

But last week the deployment of the Soviet electronic intelligence ships indicated they were back on their old stations close to shore.

One indication of this came when a Russian ferret sailed so close off Norfolk that it was believed to have intruded inside the three-mile territorial limit.

In the Pacific, the Soviet ocean-going eavesdroppers went back to old positions off Guam—like Norfolk, site of intense American military activity.

The Russians, as usual, are also expected to have their "trawlers" bristling with electronic equipment standing off Cape Kennedy to monitor Sunday's Apollo 10 launch. The Russians most likely will also stay around for the act slated to follow Apollo—another test of the Poseidon missile.

Poseidon is the many-headed missile scheduled to replace Polaris on 31 of our 41 nuclear submarines. The Soviets will try to determine with their radar the character-

istics of the dummy warhead when it is flown from the Cape in this next test shot.

American ships did the same thing to the Soviets when they tested their SS-9. An American destroyer, according to Pentagon officials watched the Soviet target practice on the Pacific test range.

The destroyer saw that the SS-9 fired a cluster of three dummy warheads. This was the basis, according to high defense officials, for Secretary of State William P. Rogers to declare on April 21 that the Soviets had made a longer shot with an SS-9 carrying three separate warheads.

Electronic monitoring at sea by both sides influences military decisions in Washington and Moscow.

Pentagon leaders figure the United States is ahead of Russia in MIRV—multiple-independently-targetable-reentry-vehicle. We have tested the MIRV concept, but apparently have not seen the Russians do likewise.

The three warheads on the SS-9 that Rogers talked about flew in a bunch—whereas a true MIRV amounts to sending the individual bombs to different cities hundreds of miles apart.

[From the Conservative Journal, March-April 1969]

#### EYEWITNESS SAYS MISSILES ARE IN CUBA

Eighteen-year-old Luis Hondares Vizozo was chauffeur for Cuban commanders at missile sites in Cuba. He escaped from Cuba on December 1 in a 15-foot row-boat. Accompanied by three others, all of whom were picked up in the Straits of Florida on December 4 by units of the U.S. Coast Guard, Vizozo granted an interview which was aired over Miami's Spanish-language station, W-QBA. It appears below in translation:

Oscar Angulo, interrogator: "You were in Castro's compulsory military service?"

Hondares Vizozo: "Yes."

Q: "What kind of unit were you assigned to?"

A: "The Havana Division of Missiles and Anti-Aircraft Defense."

Q: "And what was your function in this missile division?"

A: "I was chauffeur for a lieutenant and a missile technician who were administrators for the small missile bases in Cuba."

Q: "In what section of Cuba are these missiles that you refer to?"

A: "The ones that I know about and saw are installed along a stretch extending from Havana del Este to the town of Guanabo, also in El Chico, in Barboza and in bases near the Havana freeway. The Division of Missiles of Havana controls all of these bases."

Q: "Are Soviet technicians in charge of these particular bases in Cuba?"

A: "Yes."

Q: "Hondares, tell me how the missiles are camouflaged."

A: "Well, they are installed underground with holes on the top for them to come out of, and trees and grass camouflage the holes so they cannot be detected from the air or from afar—only right up on them at the base."

Q: "These installations are all along the north coast of Cuba?"

A: "Yes, all of them face north toward the United States. Their obsession is the United States."

Q: "Hondares, during the time that you were driving the jeep for the technician in the corps of missiles, did you hear comments that the missiles had a range which would reach the United States?"

A: "They are always thinking about that . . . and actually, I believe they did say that, but no one can tell until they hit the United States, I supposed."

Q: "What other type of weapon do they have—something that can turn U.S. missiles off course so they don't hit their targets in Cuba?"

A: "Oh, yes, they have some of those mechanisms. I don't know what their technical name is because they treat this with the greatest secrecy. However, they took me one night to drive a truck to the big base at Managua to pick up some of those mechanisms which are small boxes with some control buttons on them so that when missiles are shot at Cuba they can be thrown off course."

Q: "Exactly what type of missiles are installed on the north coast of Cuba?"

A: "Actually, I couldn't find out their true nomenclature, but I believe they were referred to as type 11-24. There are some with the noses on them that are flat (perhaps before nuclear nose cones are affixed: ed.). Then there are smaller missiles mounted on launchers that point toward the sky (surface-to-air missiles)."

Q: "Are some of the missiles movable?"

A: "Yes, they have those. But the ones I refer to are all in fixed bases."

Q: "You mean 'hardened' sites?"

A: "Yes."

Q: "What else?"

A: "Well, there is a great quantity of electrical equipment all around—radar and control equipment."

Several significant facts are evident in the testimony of Hondares. The first is that Soviet missiles on hardened sites are in Cuba. This type of installation is associated with medium or intermediate-range missiles, and certainly not the anti-air surface-to-air missiles which Hondares had identified as being mobile.

What this seems to add up to is that a considerable missile potential remained in Cuba following the missile crisis because, in Hondares' words, "their obsession is the United States." And the heavy stuff is commanded by Russians.

[From the Washington Post, May 12, 1969]  
UNITED STATES PLANS TO DISPERSE BOMBERS MORE WIDELY

Taking new precautions in the face of Soviet weapons advances, the Pentagon plans to spread its nuclear bomber fleet over twice as many bases as it now occupies.

The Air Force, under a plan scheduled for announcement soon, will redistribute its 538 B-52 and B-58 bombers over 70 airfields. The Strategic Air Command planes now are stationed at 35 bases.

Two changes in the Soviet weapons program prompted the decisions: Stepped-up deployment of submarines that could launch nuclear-tipped missiles 1500 miles from American shores and the new fractional orbital bombardment system—FOBS.

Either would sharply reduce the warning time and raise the possibility that an unacceptable number of bombers could be destroyed before they reach a safe distance from a nuclear burst.

Despite plans for the Safeguard anti-ballistic missile system to have radar looking toward the south and the sea to guard against attack from those directions, officials say that too many SAC bases are near coastlines where they could get at most two or three minutes' warning.

This would not be enough time to start the engines, get the planes off the ground and out of the danger zone.

Forty per cent of the SAC bomber force is kept on 15-minute alert, but 15 minutes is becoming too long to wait in the missile age.

"What we would like to do is to make sure that a critical number of B-52s will be able to take off in time with their tankers on their way to the Soviet Union," Dr. John S. Foster Jr., the chief Pentagon scientist, said recently.

The exact number is secret, but Foster said, "We plan to have many tens of airfields, and the idea is to make several tens of airfields survive."

[From the Washington Post, May 12, 1969]  
DEFENSE RESEARCH CHIEF ASSAILS ABM  
OPPONENTS

(By George C. Wilson)

The Pentagon's research chief made a frontal assault last night on scientists opposed to President Nixon's missile defense by declaring "one does not obtain a meaningful technical judgment by taking a vote of . . . Nobel laureates."

John S. Foster, Jr., in the same speech quoted President Eisenhower's warning about the dangers of public policy becoming "captive of a scientific-technological elite."

Foster's unusually blunt words appear certain to raise the temperature of the ABM (anti-ballistic missile) debate and widen the gulf between the Pentagon and much of the scientific community.

His speech—before the Aviation and Space Writers Association in Dayton, Ohio—was designed to rebut a book opposing the ABM. The 344-page book was written by Harvard Professor Abram Chayes, a former State Department legal adviser, and Dr. Jerome Wiesner, former presidential science adviser.

In urging approval of the Safeguard ABM, Foster said:

"There are some eminent scientists who, for one reason or other, claim it won't work. On that I'd like to say, first, that they have offered no problem which we have not long since addressed and resolved.

"Second," Foster continued, "I want to point out that one does not obtain a meaningful technical judgment by taking a vote of the scientific community—even of Nobel laureates."

It was at this point in his speech that Foster, Director of Pentagon Research and Development, quoted President Eisenhower's warning about the scientific-technological elite.

Foster called the Safeguard ABM "a minimum, necessary hedge" to protect the U.S. nuclear deterrent, adding that putting off approval until next year would delay its operational date until 1976 instead of 1974 as now scheduled.

Foster made these other points about the Safeguard ABM in disputing the Chayes-Wiesner study:

One of the three 5-megaton warheads on the Russian SS-9 ICBM could destroy an American missile site if it hit within "a reasonable quarter of a mile." He said the United States does not know how accurate the SS-9 is, however. But he rejected the book's assertion that "it would take at least, two attacking ICBMs" to be sure of destroying one of our Minuteman missiles.

The intelligence estimates themselves have changed since late 1968 about the Soviet rate of missile building. Foster said Defense Secretary Melvin R. Laird is not, as the book contended, putting a new interpretation on old intelligence by asserting that the Russians are building toward a first-strike offense.

It is "just not true" that the parts to go into the Safeguard ABM were designed for another type of defense.

Programming ABM computers to handle various types of attack can be done. Foster said the book picked out "horrible examples" of pioneer systems to cast doubts on this ability.

#### DDT QUESTIONS AND ANSWERS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DINGELL. Mr. Speaker, the Michigan Department of Natural Resources' publication, *Topics*, on May 8, 1969, car-

ried a most interesting article listing a series of questions and answers on DDT. So that my colleagues may have this information available, I submit the text of the article for inclusion at this point in the CONGRESSIONAL RECORD:

#### DDT QUESTIONS AND ANSWERS

Q. What is DDT, anyway?

A. One of a group of complex chemicals called chlorinated hydrocarbons. Its full scientific name is dichlorodiphenyltrichloroethane.

Q. How long has DDT been used, what for, and by whom?

A. Since 1942, to combat a wide variety of insect pests. Mosquitoes have been the main target on a world-wide basis. In this country it's been used for just about every bug-killing purpose. The U.S. Army in World War II was the first big user. Since 1946, housewives, home gardeners, farmers, business people, almost any group you can name have sprayed and dusted DDT. Our Department has used tons of the stuff in the past.

Q. If DDT is so useful, why are steps being taken to ban its sale in Michigan? What is the problem?

A. DDT is a broad-spectrum, persistent poison. "Broad-spectrum" means that it will kill anything if the dose is big enough, not just the insects it's aimed at. "Persistent" means that it doesn't go away after a short time but remains active for many years. It gets into the air, the water and living organisms. Traces of DDT are found everywhere in the world, even in places like the Arctic where none has ever been applied. Living things concentrate (store up) DDT in their bodies, sometimes in harmfully large amounts. There is solid evidence that DDT is interfering with the reproduction of or actually killing some fish and birds. It hasn't been proven harmful to larger animals and people, but there is worry that it may be. Many scientists have therefore concluded that use of DDT should stop.

Q. Just exactly what did the Agriculture Commission do when it approved cancellation of all DDT registrations in Michigan?

A. It ruled, in effect, that DDT may not legally be sold in this state for any purpose.

Q. When will the sales ban take effect?

A. Attorney General Kelley says mid-June. Procedures require that manufacturers and sellers be given 30 to 60 days to get DDT off store shelves and to exercise their right to appeal the ban if they wish.

Q. What about supplies of DDT that people already have on hand? Can they be used?

A. Yes. However, Governor Milliken has asked that they be surrendered voluntarily to the Department of Agriculture for safe disposal.

Q. Will it be illegal to use DDT in Michigan from now on?

A. The ban applies only to sales. Legally obtained DDT apparently could be used legally. It's hoped, however, that people will switch to recommended substitutes.

Q. How much DDT is there in the Michigan environment?

A. It depends upon what you mean by how much.

Actual quantities in any one place are very small, measured in parts per million (ppm). A part per million is a one-gram needle in a one-ton haystack. There is some DDT in every body of water in Michigan, in the air and probably in all living organisms, and that's the problem—not the amounts so much as the spread. Every time you breathe in, take a drink or swallow food, you are taking a tiny amount of DDT into your system. If you're an average adult, you have 12 ppm of DDT stored in your body fat and liver.

Q. I've read statements by health authorities that these DDT residues in the environment aren't human health hazards. If so, what's all the fuss about?

A. Health authorities have said there are no proven cases of human illness or death caused by eating food contaminated with DDT, and that is entirely true. Obviously, the last thing anybody wants is for people to start getting sick or dying from DDT. Therefore, steps have been taken to keep human intake of DDT as low as possible so a health hazard won't arise.

Q. Who decides when food has too much DDT in it?

A. The federal Food and Drug Administration (FDA). The FDA follows standards prescribed by the World Health Organization (WHO) and the Food and Agriculture Organization (FAO), both agencies of the United Nations. In Michigan, the Department of Agriculture enforces standards laid down by FDA.

Q. What are some of the DDT levels prescribed by FDA?

A. They range from .05 ppm in milk to 7 ppm in many fruits and vegetables and in the fat of beef and pork. Just two weeks ago FDA set an interim level of 5 ppm for fish.

Q. What do you mean by interim level?

A. A temporary standard, to be replaced by a permanent level, or "tolerance," later on after a full scientific study is completed. This will take about six months.

Q. Why did the FDA pick 5 ppm for fish, instead of 3.5 or 7 or 10 or some other number?

A. The interim level of 5 ppm is based on the assumption that, if you are an average American consumer, you eat one meal of fish every two weeks. If the fish you eat at that one meal contain 5 ppm of DDT and all the other foods you eat during those two weeks contain maximum allowable amounts, the total amount of DDT you take in will be one-fourth of what is considered the upper limit of safety.

Q. Is the permanent level likely to be something other than 5 ppm?

A. It could be, but it's impossible to predict because the scientific findings will determine the permanent level.

Q. Why hadn't a level for fish been set before?

A. Apparently because FDA had no reason to be concerned about fish until frozen Lake Michigan coho salmon, harvested last fall, were found to contain 13 to 19 ppm, much more than allowed in other foods.

Q. Why are the amounts of DDT in Lake Michigan Coho so high?

A. For several reasons. For one, Lake Michigan water has more DDT in it than the other Great Lakes or the oceans. For another, coho salmon eat lots of alewives, which contain 4 ppm of DDT. Salmon are fat fish, and they store the DDT from the alewives in their fat.

Q. Why does Lake Michigan have a relatively high DDT content?

A. Because it sits in the center of an urban-industrial-agricultural complex where lots of DDT has been used since 1946. Much of the chemical has drained into the lake, where it stays and builds up because the rate of water change in Lake Michigan is very, very slow.

Q. What can be done about the DDT in Lake Michigan?

A. The most important step is to stop putting any more in, right now. Once that's accomplished, DDT levels in the water can be expected to decline slowly, although it may take 5 or 10 years or more for any significant change. There's no known way to strain out or neutralize the DDT already there.

Q. Let's get back to fish. Will we have to quit eating Lake Michigan coho salmon?

A. Coho caught during the spring and early summer will contain less than 5 ppm of DDT. Those taken later probably will have more, but there's hope that changes in processing methods will eliminate enough of it so they meet the FDA standard for commercial fish. The sportsman who skins and fillets his coho, and discards the lower belly portion, will get

rid of most of the DDT. Cooking out as much fat as possible will eliminate still more.

Q. Suppose, despite all precautions, I eat some coho that contains more than 5 ppm.

A. One meal certainly wouldn't hurt you, nor in all likelihood would several. A steady diet of coho with high DDT content over a long period of time might. Common sense is the best guideline here.

Q. What about other fish?

A. The FDA has said that 90 percent of all commercial fish consumed in the United States have less than 1 ppm of DDT. In Michigan, almost all sport fish caught from inland waters apparently will have less than 5 ppm. Only exceptions might be very large trout, pike and bass from specific inland lakes with high DDT. Large salmon and trout, chubs and possibly whitefish from some areas of the Great Lakes appear to be the "problem" fish. An intensive testing program now under way will produce a lot more solid information than is presently available. We're frankly doing some guessing at this stage, although the guesses are pretty well educated.

Q. What does all this really mean to me?

A. The chances of your getting sick or dying from too much DDT are very remote, unless you accidentally swallow a large dose of bug killer. Too much aspirin, alcohol or even salt consumed at one time will kill you, too. That isn't the problem. There could be some subtle, long-term effects on human health that we don't know about yet. That's a cause for concern. We need a lot more research on this, and it's beginning to be done. Most important, we know that DDT is causing changes in the ecosystem, which functions in a state of delicate balance. Any changes in this balance affect everything in the ecosystem, directly or indirectly. We don't know what these effects are in many cases, and we don't understand perfectly much of what we do know. We can assume as a general rule, however, that changes in the ecosystem are not good in the long run, although they may seem to have short-term benefits. That, at least, has been the historical record. DDT and other persistent pesticides are by no means the only threat, of course. They are only one source of environmental pollution. Sewage, industrial wastes, noxious smoke, etc., are others. All endanger the ecosystem, and all therefore should be eliminated from it as quickly as possible.

FOREST RESOURCES LABORATORY,  
LEE COUNTY, FLA.

## HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROGERS of Florida. Mr. Speaker, I recently had the pleasure of participating, along with our colleague, the gentleman from Florida, Congressman JAMES HALEY, in the dedication of a new Forest Resources Laboratory in Lee County, Fla.

Proper development of our natural resources is one of the most vital concerns of all citizens. Certainly the effort being made by the U.S. Forest Service stands as a model for other agencies of Government and for private enterprise as well.

The Lee County lab came about through the untiring effort and cooperation of State Representative Ted Randell and State Senator Elmer Friday, local businessmen, and county and State offi-

cials, and of course Congressman HALEY, who as a senior member of the House Interior Committee has established a record of concern for, and interest in conservation.

Mr. A. W. Greeley, of the Forest Service, discussed the development of this particular project and its importance to the Nation in remarks he made at the dedication. We all appreciated his attendance and participation, and the support he has given to the program. I include his remarks on this occasion at this point in the RECORD.

DEDICATION OF FOREST RESOURCES LABORATORY,  
SOUTHEASTERN FOREST EXPERIMENT STA-  
TION, LEEHIG ACRES, FLA., APRIL 11, 1969

Congressman Rogers, Congressman Haley, and Distinguished Guests: We have just heard an excellent principal address for which we are most grateful. It is now my enjoyable task to extend the thanks and appreciation of the U.S. Forest Service to a large number of people who have made possible the construction of this laboratory, and the carrying on of the research program which it represents.

To Congressman Paul Rogers we owe a special vote of thanks. He has maintained a continuous and vigilant interest in forest resources throughout his legislative career. It was through his many efforts, and those of Senator Spessard Holland, both of whom worked closely with your State Representative, Ted Randell, that this laboratory became a reality. We are likewise greatly indebted to Congressman Haley and to other members of the Florida delegation who realized the need for this facility and worked diligently to attain it.

Your community and business leaders have also been most cooperative. The 10-acre site on which the laboratory is situated was donated to the Federal government by Lehigh Acres Development, Inc. Much of the research work done from this laboratory in the woods is conducted on privately owned lands, the use of which is made available by local business concerns.

Almost from the inception of our research program here in the early 1950's, the Babcock Florida Company and the Allico Land Development Company have actively cooperated by permitting us to use their lands for field work on integrated range and timber research. The Collier Corporation and the Agric Chemical Company were also among our pioneer cooperators. More recently, we have received significant help and cooperation from Lykes Brothers, Inc.

It is doubtful if the program could ever have been established in those early days had it not been for the Florida Board of Forestry. From this Board we have received encouragement, advice and counsel, and some important funding.

The Florida Forests Foundation, the University of Florida, and the Florida Game and Fresh Water Fish Commission are also important and welcomed cooperators. The Commission was especially foresighted, we believe, when it established the Cecil Webb Wildlife Management Area near here. The 62,000-acre tract will be invaluable for wildlife research for years to come.

I want to give a special word of appreciation to my long time colleague in the Forest Service, Dr. V. L. Harper, who is here today (now a member of the faculty at the University of Florida). He was in charge of the Forest Service research program for many years, and was the one in the Forest Service who guided our part of bringing these facilities into being.

I would also like to acknowledge that without the active help of the major timber land-owning companies, we would not have been able to carry on the useful and aggressive forest research program we have been doing

in this state. This has involved use of land for research.

You know, when a company gives over land for research that company gives up the use of the land. Sometimes the things that we do may seem a little "screwy" to you, but you have been willing to let us go ahead anyway. We could not have a research program if you did not do so—and I want the companies here represented to know that we are deeply grateful.

The shape of things to come clearly shows that we have no choice except to learn how to obtain more of the things people want from forest land and do it using a land base that will not get any larger.

Most people are truly amazed when they are told that forestry, through its products and related processing, contributes more than \$1.2 billion a year to Florida's economy. It is second only to tourism in dollar volume generated. In addition, more than 1.2 million beef cattle obtain at least a part of their forage from Florida's forests.

The demands on forest and range lands will continue to increase. There will be recreation pressures. There will also be continuing shifts in land use from forestry and agriculture to urban development and industrially oriented complexes. Large acreages will continue to go to highways, airports, and water impoundments.

In too many places man is boxing himself in with concrete and steel. To live we are going to have to learn to manage our resources more intensively and to utilize them more efficiently. This is the challenge that demands more "doing things together", as has been done with this lab—and learning the answers to many more "what to do" questions. That is what this laboratory is here for.

The research programs that have been conducted in Florida for these past 20 years, have shown that we can make better use of the land. Timber growing, cattle grazing, and wildlife management can be made to complement each other on the same acres.

Research here has proved that timber and cattle are not only compatible but complementary. When lands are planted at a density of about 450 trees per acre, they produce timber faster and cheaper than do the higher planting rates of the past and they permit the same acres to grow forage that gives real opportunities for variety in its uses. It can be for cattle, or for wildlife or for a combination.

Here in Florida, for example, there is an inter-zone strip between the temperate vegetation of northern Florida and the tropical vegetative zone of the southern tip. We need to know what species of trees and shrubs will adapt themselves quickly to conditions in this area? How can they be used to create islands of beauty and to help stabilize ecology of the land along highways, in parks, waysides, and other areas? What will grow here that will help man live?

This will be the province of researchers on the project on landscape management and land use planning. This is research in multiple-use of land, research to create an environment for much better living.

When we practice multiple-use management of land, we are in the truest sense cooperating with the land. We enter into a partnership with nature to help her do that which she can do best on each piece of the sometimes fragile fabric which is the soil layer on which all our living depends. It is imperative that we work knowledgeably to perform our end of that partnership.

So, now, to the dedication of this facility.

In the presence of Almighty God, and with this company of people as witnesses, I hereby dedicate this laboratory, the men and women who will work here, and the combined effort they will represent over the years that lie ahead to the betterment of living for all the people of this nation, and to the under-

standing and compassionate use of this country's total spectrum of renewable resources to the end that man may live well and do so in harmony with his environment.

### COURT REFORM

## HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. HALPERN. Mr. Speaker, reform of our court administration is being widely discussed at the present as part of the broad specter of the crime problem and as a vital step to assure equal justice for all. There is much concern for strengthening the integrity of our court system, and the discontinuing of popular elections of judges in favor of appointment by experts may well be a significant factor in restoring this integrity. An article that appeared in the Queens Bar Bulletin of April 1969 by the noted attorney Nat Hentel, former district attorney for Queens County and former president of the Queens County Bar Association, presents a particularly helpful and incisive proposal for reform which I would like to recommend to the Members of this Congress. Its significance far transcends the bounds of New York City and New York State.

The article follows:

[From the Queens Bar Bulletin, volume XXXII No. 7, April 1969]

PROPOSALS FOR IMPROVING JUDICIAL SELECTION IN NEW YORK

(By Nat H. Hentel\*)

I do not wish to labor the necessity for improving judicial selection methods in New York. From my own experience with the courts as a trial lawyer, as an activist in the field of politics and as an enthusiastic participant in the organized Bar activities of New York City and State, I believe that any lawyer knows that the present method of selection of judges is antiquated, and unresponsive to the needs of our society.

I will merely mention the following theorems which I believe to be self-evident as the truth of the situation:

1. There can be no question that justice can be served only where there is complete divorcement of the courts from the influence of the legislative and executive branches of the government.

2. There should not be the slightest hint or taint of suspicion with respect to the operation of the courts. If there is, then the validity of the entire structure collapses, for it is then viewed with cynicism and disrespect by the lay public and the legal profession. Otherwise, there can be no heartfelt feeling by the lay public that their courts are absolutely impartial and non-partisan. The political process involved in the selection of executives and legislators must not be permitted with respect to the election of judges. Otherwise, there will always be those who seek to jockey for a favorable court in which to try their case based upon their own prestige in the community or their political connections.

\*Nat H. Hentel, is a past president of The Queens County Bar Association, a former District Attorney of Queens County, in 1962 was one of the authors of The Queens County Bar Association plan for the selection of judges and is presently a member of the Judiciary Committee.

3. The so-called "popular elections of judges" are neither popular nor elections as we have come to know them. The public does not know the professional acumen or expertise of those it elects to judicial position. The Judicial Convention method of selecting judges is certainly the most undemocratic of processes.

4. An individual suffering from a brain tumor certainly would not entrust his life to a public referendum to determine which surgeon will correct his illness. Why is it then that the public selects the experts who will be charged with their lives and fortunes and liberties in the courts by popular referendum? It is true that it takes experts to know experts and the lay public by and large never is exposed to the courts or to lawyers or to judges. To elect the arbiter of the public's fortunes based upon political label and endorsement is a sorry way to find the best qualified to administer justice. Therefore, all political connection to the judicial selection process should be severed.

5. The public and its courts are entitled to the best expert talent available to man the courts—talent which, if necessary, should be recruited as a public service, and talent suited by training, experience, character and temperament. In other words, judicial experts should be selected by experts, and not subjected to the vagaries of how the public at large votes habitually, by historic predilection or by illogical divination.

6. Once judges are selected, then they should no longer be subjected to any political or societal pressure to make them conform to the popular feelings of the moment. Thus, the spectre of campaign for reelection should also be obliterated.

#### THE ISSUE

*How can the judicial selection process be reformed and improved to insure the nomination of the most qualified as judges, and attract to service on the bench as a full-time and life-long career those best suited for judicial calling?*

The following is proposed as the basis for legislative and constitutional reform in this area:

#### CREATION OF JUDICIAL SELECTION COMMISSION

The so-called "popular election of judges" should be abolished, and a Judicial Selection Commission of the State should be created.

Judges throughout the State should be recruited, screened and selected by such a Judicial Selection Commission which will recommend nominees to fill vacancies to the Governor with respect to State judicial office including the Court of Appeals, the State Supreme Court, the Court of Claims, the Surrogates and County Courts and the Family Court; and to the Mayors of cities, towns and villages and to the County Executives for the filling of vacancies in Municipal and District Courts and for the Civil and Criminal Courts within the City of New York.

The Commission to be instituted should consist of nine members appointed for nine year terms (initially three for three years; three for six years; and three for nine years). The Chairman shall be appointed by the Governor of the State initially for nine years and should be paid a salary of \$45,000 per annum. The Vice-Chairman should be appointed by the Chief Judge of the Court of Appeals initially for a six year period. Four distinguished lawyer members should each be appointed by the four Presiding Justices of the four Appellate Divisions within the State. One distinguished lawyer member should be designated by the New York State Bar Association. One distinguished lay member should be designated by the Speaker of the Assembly with the approval of the Assembly. One distinguished lay member should be designated by the Lt. Governor with the approval of the Senate. The Vice-Chairman and each of the members of

the Commission should be paid salaries of \$40,000 per annum.

#### ESTABLISHMENT OF APPELLATE DIVISION SCREENING COMMITTEES

Judicial screening committees should be established in each Appellate Division of the State initially to recruit, screen and pass on the names of qualified judicial candidates to the State Judicial Selection Commission for its ultimate consideration and recommendation to the appropriate appointing authorities.

The Appellate Division Judicial Screening Committee shall consist of five members each, all of whom are distinguished lawyers, and all of whom should serve as a public service without salary. The Chairman of each of these committees is to be appointed by the Presiding Justice of the Appellate Division in each instance and should be a senior member of that Appellate Division's Committee on Character and Fitness. The other four distinguished lawyer members of each of said committees should be designated by the County Bar Associations within each Appellate Division by a method devised to rotate the selection of these members on an equitable basis based upon the size of the various Bar Associations, their number within the Appellate Division, etc.

#### STANDARDS FOR JUDICIAL QUALIFICATION

The Judicial Selection Commission when instituted, should have as its first order of business the establishment of minimum standards for Judicial Qualification.

It is recommended that no judicial candidate should be considered for judicial office unless he has actually served as an attorney for at least fifteen years with respect to District Courts, Family Court, Municipal Courts, Justice of the Peace Courts and the Civil and Criminal Courts in New York City; for twenty years for the Supreme Court of the State, the Court of Claims, the Surrogates and County Courts; and for twenty-five years for the Court of Appeals.

A system should be devised to evaluate the experience of attorneys aspiring to the judiciary which would fit them particularly for the type of work conducted by that type of Court appointment being sought.

Methods to determine qualitatively the ephemeral characteristics of good judges should also be established as guide lines with respect to temperament, candor, honesty, integrity, industry, experience, knowledge, community involvement, freedom from bias and prejudice, education, reputation in the profession, activity in the organized Bar, devotion to ethics, and freedom from arrogance, sloth and loquacity.

#### JUDICIAL RECRUITMENT

The method of recruitment of judicial candidates should follow the pattern recommended herein:

The Appellate Division Judicial Screening Committees should, via appropriate publicity, welcome and encourage the submission of names of judicial candidates by civic groups, Church groups, Bar Associations, and even by those individuals who are interested in serving in a judicial capacity.

The Judicial Screening Committee should then initially interview in person those who are nominated after the nominee has executed a detailed questionnaire in writing pertaining to background, education, legal experience, legal specialties, public offices held, community and civic activities and involvement, a definitive description of the type of practices engaged in, and wherein he sets forth the names and addresses of at least twenty members of the Bar of the State of New York with whom he has had dealings, litigation and office practice, and thereafter sets forth the names and addresses of at least ten lay civic, community and religious leaders who know him personally as references. All names given as references should be corresponded with and asked to submit

confidential written evaluations of the candidate.

The Judicial Screening Committee will then orally interview the candidate and initially evaluate the questionnaire. If, by majority vote, the Judicial Screening Committee shall determine that the candidate is qualified for the particular court vacancy under the minimum standards enunciated by the Judicial Selection Commission, then that candidate's name, credentials photograph and any other appropriate documents shall be forwarded to the Judicial Selection Commission headquarters.

#### SCREENING PROCEDURE

The procedure of the Judicial Selection Commission after receipt of a candidate's name from the Local Judicial Screening Committee should be as follows:

The forwarding papers from the local Judicial Screening Committee should be dated, recorded and filed.

A State and local Police investigation should then be instituted into the background of each candidate and the criminal investigation report in writing on each candidate should then be received and filed.

Each candidate should then be required to submit medical reports in writing as to his current state of physical and mental health, which should be received and filed.

Each candidate should then be required to take an examination into his knowledge of the law and the operation of the court in which he seeks to sit in two parts: written and oral, much as the candidate for a doctoral degree is examined. For this operation, the Judicial Selection Commission should establish two subcommittees of its membership to supervise the foregoing steps—the subcommittee on the State courts and the subcommittee on the lower courts.

Those candidates who pass the physical, mental and judicial knowledge examinations and who are found to be qualified according to the standards of the Commission and who are free from any taint of criminal activity or disciplinary punishment by the Appellate Divisions, should then have their names and addresses published throughout the State as being candidates for the indicated judicial offices for at least thirty days before any nomination to an appointing authority is made.

After the names have been published for the thirty day period, then public hearings should be held by the Judicial Selection Commission at designated times and places to receive testimony from any member of the public interested in the judicial selection process with respect to any candidate.

After the public hearings have been held, then each judicial candidate may then qualify to have his name submitted to the appointing authority only after two-thirds of the whole Judicial Selection Commission have voted approval.

Thereafter, the Judicial Selection Commission shall submit to the Governor (for State judicial office) or to the Mayor or County Executive (for lesser judicial office) the names of three individuals for each judicial vacancy who are found to be the most qualified for that particular vacancy. These nominations by the Commission shall be kept in strict secrecy and confidence as between its office and the appointing authority. Within thirty days thereafter the Governor or the Mayor or County Executive must select one of the three nominees to fill the existing vacancy or vacancies. In the event that the appointing authority fails to do so, then the Chairman of the Judicial Selection Commission shall make the appointment by default.

#### THE JUDICIARY AS A CAREER

Inasmuch as service on the bench should be a full-time career, the permanence, prestige and security of the office should be attractive.

The appointment by the Governor to State judicial position should be for the judge's life.

The appointment by the Mayor or County Executive to the lesser courts should be for an initial term of ten years subject to re-appointment for life after the Judicial Selection Commission evaluates the ten years of service in that particular court and makes its recommendation for a lifetime appointment to the appointing authority.

Judicial salaries should be scaled as follows:

1. Chief Judge of the Court of Appeals—\$50,000.

2. Associate members of the Court of Appeals and Presiding Justices of the various Appellate Divisions—\$45,000.

3. Chairmen of the Board of Justices within judicial districts of the State Supreme Court—\$42,500.

4. Justices of the State Supreme Court—\$40,000.

5. Surrogates and County Court judges—\$37,500.

6. Court of Claims judges—\$35,000.

7. All other judges—\$32,500.

With respect to judges to fill State judicial vacancy, their appointment should be provisionally made for two years initially. At the conclusion of the two year trial period, if their record is good, their promptness, courtesy and demeanor satisfactory according to evaluations in writing by the local Judicial Screening Committees, then the Governor shall make the appointment for that vacancy for life.

The legislature shall provide sufficient and appropriate funds to pay the salaries of all judges within the state and to pay the expenses of administering a unified court system and a unified judicial selection procedure as outlined above.

#### REMOVAL FROM THE BENCH

The removal of any judge during the term of his office shall be made only by the appointing authority once the recommendation for removal has been received from the Judicial Selection Commission.

Removal may be prompted by physical or mental ill health once this is certified properly to the Judicial Selection Commission or by a record of Judicial misconduct properly proved before and determined by the Judicial Selection Commission.

With respect to judicial misconduct, either willful or caused by physical or mental ill health, complaints in writing and signed by the complainant or complainants must be filed with the Judicial Selection Commission. The Judicial Selection Commission shall then designate one of its members to make an initial investigation, and based upon the investigating Commissioner's written report, a hearing will then be held by the Judicial Selection Commission sitting as a court.

If the Commission determines that the judge complained of should be removed from office, then it must so notify that judge in writing of its determination and shall then suspend that judge from the performance of his duties pending any appeal which that judge may initiate within thirty days of the receipt in writing of the Commission's determination.

The appeal by any judge shall be to the Court of the Judiciary which shall be composed of the Chief Judge of the Court of Appeals, the four Presiding Justices of the Appellate Divisions or the senior trial Supreme Court Justices designated by the said Presiding Justices to sit for them from each Appellate Division. The determination, of the Court on the Judiciary in confirming the Commission's judgment of removal or in reversing the Commission's finding or in directing a new hearing, shall be final and binding upon all concerned.

The hearings by the Commission or by the Court of the Judiciary shall be public.

#### REVIEW OF CONDUCT AND PERFORMANCE

The Judicial Selection Commission shall be required constantly to review the conduct and performance of each judge within the State.

It is recommended that the Commission require each judge within the State to submit medical recertification as to physical and mental health every three years.

The Judicial Selection Commission shall be empowered to establish the office of Administration of the Courts and to appoint an Administrator thereof who will be responsible to oversee the attendance, work assignments, and appeal records of each judge within the State. The Administrator shall be required to make quarterly reports on these matters for the review and analysis of the Judicial Selection Commission.

#### JUDICIAL ADMINISTRATIVE INSTITUTES

The State should establish grants to one designated law school within each Appellate Division of the State to establish and maintain Judicial Administration Institutes.

The designated Law School shall organize an Institute of Judicial Administration on the graduate level. It shall conduct annual two week seminars at repeated times during each school year to which each judge serving on the Bench within that Appellate Division shall be required to attend at least once a year on a rotating basis. The Institutes are to be staffed by senior judges and expert professors in the various fields of law. The purpose of these Institutes will be to upgrade continually the knowledge and performance potential of the expert judges to be selected to man the State's courts.

#### QUASI-JUDICIAL OFFICES

Not only should the Judicial Selection Commission recruit, screen, evaluate and recommend to the appointing authority those for judicial position but also those who would occupy quasi-judicial office so fraught with the public interest.

By virtue of all the foregoing, it is my recommendation that the District Attorneys of each county also be removed from the elective arena for the exact same reasons. The District Attorneys should be appointed by the Governor of the State of New York upon the recommendation of the Judicial Selection Commission following the same procedures as for judicial candidates, except the appointments should be for five year periods and thereafter for as long as that officer performs admirably and well and desires to continue in that job. This would follow the federal pattern of the appointment of U.S. Attorneys by the President of the United States.

All Assistant D.A.'s throughout the State should be lawyers appointed to the various positions involved from State Civil Service rolls after the passage of appropriate Civil Service examinations. This follows the eminently successful procedure and method now in practice in the Los Angeles County District Attorney's Office.

#### CONCLUSION

No one can honestly state that our democratic society will be made less democratic by taking the power away from the people to select and elect their judges. Right now, the people in effect do not select and elect their judges. It is done for them by political leaders.

It certainly cannot be said that the United States has been made less of a democratic republic because federal judges from the U.S. Supreme Court down to federal district judges are appointed rather than elected. The federal method of appointing judges has by and large worked to much better advantage to the public and to the courts than have the State elective methods.

Amongst practicing lawyers, there is far less criticism and cynicism about the federal

courts than about state and local courts. Federal judicial candidates are, after all, put through a rigorous screening procedure involving nominations by United States Senators, screening by the American Bar Association Federal Judiciary Committee, screening by the U.S. Attorney General's Office and the FBI, and then the nomination of the President to the United States Senate for its "advice and consent."

After all, the Governor and the Mayor and the County Executive are elected by the people. The Judicial Selection Commission recommended above will operate in the full glare of public scrutiny and publicity and will be selected on a representative basis by the Governor, by the Chief Judge of the State, the Appellate Division Presiding Justices, by the Bar Associations and by the elected legislative bodies of the people—all of whom are ultimately responsible to the people and must answer to them at successive periodic polls. This is not less democracy but more enlightened democracy, providing for experts to select experts.

JOSEPH L. EICHLER

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. EDWARDS of California. Mr. Speaker, Joseph L. Eichler is considered by many as the most creative builder of homes in the United States. I have a special appreciation of Mr. Eichler's genius because during the past 20 years my family and I have owned two of these marvelously exciting "Eichler homes."

In addition to his outstanding success as a homebuilder and developer, Mr. Eichler is an astute observer of American life and of world politics in general. He also is one of our age's most delightful human beings. I am proud to call him a dear friend.

On May 1, Mr. Joseph L. Eichler addressed a Housing Conference at Washington University in St. Louis. I commend to my colleagues his remarks to an appreciative audience:

ADDRESS BY JOSEPH L. EICHLER

According to the agenda, I am supposed to talk about my experiences, make an assessment of the present, and express my hopes as a developer. This sounds like an assignment to sermonize a capability which I don't possess.

I do feel, however, that I did play the part of a crusader. I entered the field in 1947 with the idea that I would build single family houses in the Frank Lloyd Wright manner as a result of having lived in one of his houses.

Subdividing, orientation, lot coverage requirements, setbacks and dealing with authorities were factors that never entered my mind. My concern was that of the building itself. Having no knowledge of construction, I acquired a small home building firm and learned some of the techniques and practices while building conventional houses.

As soon as I had made some progress, I began to search for a qualified architect and in 1948 became associated with Anshen & Allen. An off-shoot of that firm, Claude Oakland, is still doing my work. In 1951, feeling the need for an additional firm, A. Quincy Jones and Fred Emmons, became another associate who have remained to this day.

The aspects of the crusade (if that is a proper term) are twofold:

First, the creation of houses that have architectural integrity and never to repeat them unless they could be improved upon, and to make sure that they always made sense.

Second, to battle what I have long called the numbers game. Whether you build a custom house or a subdivision, you encounter rigid rules which usually were formulated to meet some imagined but remote disaster or fitted in with someone's dormant dream of what an ideal neighborhood ought to be like. Usually this fitted the requirements of a distant locality (both in time and place) where conditions were entirely different.

Third, to create subdivisions that utilize the land more rationally than could be done under the legal prescriptions. My architects felt that environment was just as essential as the design of houses. I think I can truthfully say that especially in Northern California, this idea was instrumental in considerable change in subdivision ordinances.

The first community to adopt such an ordinance was the City of Palo Alto which legislated a PC ordinance which provided that where a property was more than a certain minimum size, a developer could submit a plan for a community which would stand on its own merits disregarding existing rules. This has since been adopted by other progressive cities under various names.

I guess my batting average is somewhat better than average, but I am still haunted by the memories of bleary-eyed sessions that lasted till the wee hours where scores of irate neighbors all but threatened me with bodily harm and the result was failure.

From the standpoint of a man with considerable business experience extending over a period of 50 years, I wish to state that residential construction is the most complex industry in this country.

You start with the acquisition of a piece of land which can be a simple transaction or most complicated.

You then face the problem of its use and prepare a tentative map trying to meet the laws or rules of the local authority bearing in mind the requirements of your lender and/or the FHA.

You present it at a public hearing held by a planning commission frequently attended by hostile neighbors. Often it takes more than one meeting, usually held at night. If you succeed, you have to do it all over again with the City Council.

When you have overcome that hurdle, you employ a Civil Engineer to prepare the plans for development of the property in whole or in part. At long last, these plans are completed and are again reviewed by the local authority and/or the FHA. Usually there are conflicts to be reconciled.

Now you place houses on the lots and you run into a spate of rules concerning front, rear and side yard setbacks, lot coverage requirements and height limits.

By this time all of the ideas you had about sales prices are obsolete. While all of the foregoing is unfolding, you are making arrangements for construction and takeout financing, as well as planning a sales program preparing literature and deciding how to furnish your model homes.

After your model homes are completed, you start selling and deal with people who move in and register complaints. It should by now have become obvious that a home builder has to be a hardy soul indeed.

Our industry is undergoing considerable change in that large outside enterprises have been acquiring many of our more successful developers, but I see little change in the end product as far as single family houses are concerned. Also, in the past few years, far greater activity has occurred in multi-family housing which was predictable. In this field, as far as quality is concerned, the change has been far greater and for the better.

Even before the merger trend began, big name corporations embarked on large scale land acquisitions with results that are not yet apparent.

In the past year considerable propaganda has been launched about ambitious housing goals for the ensuing decade. I view these with considerable skepticism because of the following roadblocks most of which are inter-related:

1. The war in Viet Nam.
2. The conservative political climate.
3. The high cost of financing and the uncertainty regarding its availability.
4. Inflation. The ever continuing rise in the cost of materials. In some case, particularly lumber and copper, the rise has been violent.
5. Labor. The shortage of manpower and skill besides the built-in contractual rate raises without any discernible increase in productivity.
6. Shortages of materials. For example, on several occasions in the past few months we have had to delay occupancies because of lack of toilets.
7. A concomitant of the foregoing is that the developer, builder, supplier and subcontractor all need far greater capital requirements, lack of which in itself creates shortages.

A substantial change that has occurred in the last few years has been in the resale or used house market. Resales used to sell at or about the same price as comparable new houses, and sometimes even higher. Lately, the prices range about 15 to 20% below.

Thank you. I shall be glad to answer any questions as best I can.

SENATOR MUSKIE'S GOOD SENSE

### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. EILBERG. Mr. Speaker, a few short weeks ago at a dinner marking the opening of the 1969 Anti-Defamation League Appeal in New York City, Senator EDMUND S. MUSKIE received the Anti-Defamation League of B'nai B'rith Human Rights Award from Dore Schary, national chairman of the ADL.

Senator MUSKIE delivered an address which was marked by the good sense and honest judgment which have become hallmarks of the Senator's conduct, performance, and statements.

We in the Democratic Party are fortunate to number the gentleman from Maine among our leaders. The Nation is fortunate that the people of Maine had the good sense to elect Mr. MUSKIE to the Senate.

The Senator's speech did not go unnoticed in the daily press of my own city, Philadelphia. The Evening Bulletin, in an editorial "The Spirit of Moderation," applauded the Senator's call for the "moderate majority of blacks and whites" to end the racial divisions in this country.

For the RECORD, I insert Senator MUSKIE's speech delivered March 31, 1969, at the Waldorf Astoria Hotel and the Bulletin editorial which appeared April 5, 1969:

REMARKS BY SENATOR EDMUND S. MUSKIE

Three hundred years ago the vessel *St. Charles* brought a small band of Jewish peo-

ple to the shores of what was then the Dutch colony of New Amsterdam.

They were refugees fleeing from the Inquisition. Their arrival was inauspicious, but the event was meaningful—not only to the Jews of America, but to Americans of all faiths and national origins, who were to follow.

For on that day there came to these shores 23 people whose ancestors had given new dimensions to the concepts of liberty and justice, kindness and understanding, brotherhood and trust—ideas and ideals which were to flourish on this continent.

They were descendants of a people dedicated to the principle of human dignity; and they came to a land which would flourish because it would foster that dignity among its citizens in the years to come.

This is the tradition which motivates the Anti-Defamation League today.

I have followed your work with great interest. I have admired your legal and educational efforts to stamp out discrimination wherever it occurs.

I know that from the very beginning, you have practiced what you preached—that as a Jewish organization you sought an end to discrimination against Jews but wrote into your original charter that you sought "justice and fair treatment for all citizens" because you understood that in a democracy the fate of all people is intertwined.

It is obvious to anyone who has followed the enviable and inspiring record of the League, that you have faith in your cause because you have faith in your nation.

And in large measure, the history of the Jewish people in America is the history of America itself. In your aspirations, frustrations and successes are reflected the attempts of all Americans to realize that high degree of individual worth which the Declaration of Independence and the Constitution set forth as the democratic ideal.

When my father came to America from Poland, he wasn't driven by a burning desire for wealth or fame. He came so that he, and his children after him, could have an equal chance for fulfillment in freedom. I have had that chance; my children are having that chance; and to the extent that I have any role in America, my commitment is to insure that every young American gets that chance.

I think this is what we all feel.

But democracy is a difficult business. Someone said that man's perennial struggle to govern himself is the most trying of human endeavors. This is as true today as it was at the time of our nation's birth.

There is always a testing ground in a democracy.

From time to time in our history, certain segments of the population have been subordinated to the lowest rung of society's ladder. Their attempts to attain economic, social and political equality have provided the challenges which have pulled us on to greatness.

Three hundred years ago, every human right the Jews of Dutch New Amsterdam achieved, they earned dearly, by invoking law and justice. They had to fight for the privilege of owning houses, of trading with the Indians, of engaging in retail trade, and of worshipping their God in the manner they were taught by their fathers.

Fifty years ago, the struggle for human rights was called a class conflict and the testing ground was in the factories—where laborers fought to make a place for themselves in American life.

Now the testing ground has shifted. The arena is the inner city, and the issue has become one of equal treatment for all Americans, regardless of irrelevant considerations of ancestry.

The strength of our democracy lies in its traditional capacity to correct its own faults and rectify its own injustices.

The election of John F. Kennedy as Presi-

dent is a far cry from the terrorizing of Irish Catholics by the Ku Klux Klan.

The Wagner Act is a far cry from the sweat shops of the 1920's where women and children worked 14 hours a day.

To our generation falls the historic task of bringing full justice and equality to all citizens of this nation.

The efforts—and the progress—that the disadvantaged have made over the past 15 years have been called the revolution of rising expectations.

But their expectations are no more revolutionary than those things which you and I have come to take for granted.

They want decent jobs. They want their children to be taught to read and write. They want their hungry to be fed, and their sick to be treated.

In this respect, the issues raised by this revolution are no different than the problems raised by poverty and the inner city, and we attempt to solve them in the same way—by the model cities program, low-rent housing, medical care and better educational facilities.

But money alone is not enough to carry through the revolution of rising expectations.

Talk to a young Black who has "made it"—who hasn't missed too many meals lately. You'll find he isn't talking about poverty alone.

He wants to know why empty taxis speed past him on cold nights.

He wants to know why his street is the last to be plowed after a snowstorm.

He wants to know why he has never been asked to serve on a jury.

He wants to know why he couldn't find housing near the campus when he attended college.

Money can buy better schools, better health care, better training for jobs.

But money cannot buy human dignity. People everywhere are as hungry for respect as they are for bread.

Asser Levy led his band of Jewish Pilgrim Fathers to New Amsterdam because they had to find a country where they could put into practice their belief in the dignity of man.

In this respect, they were no different from the scores of groups who have struggled to attain the same end since then.

Through unpredictable conditions democracy has worked in this country because we have welcomed all peoples, many of whom were different and unfamiliar—when our first reaction to them might have been hesitation and even fear.

Now in 1969 we are again challenged to make democracy work.

Unfortunately, the task is made more difficult by extremists on both sides. Some people have suggested that the old answers are no longer good; that they can no longer be pursued safely; and that at this point in our history we must begin to build walls between people.

The follow-up study recently released by Urban America and the Urban Coalition tells us that the nation is increasingly in danger of dividing into two societies; that blacks and whites remain deeply divided in their perceptions and experiences of American society.

Unless the movement apart is reversed, we are in for difficult, emotion-ridden times, and it is idle to pretend that they will go away.

The problem will be resolved not by hatred and bitterness, but by a determined effort on the part of the moderate majority of blacks and whites.

Americans must demonstrate again that reason can rule passion, communication can replace separation.

I think that one of the greatest barriers to progress is our failure to talk to each other enough—or rather, we don't listen to each other with understanding.

The creation of effective, continuous dialogue among different communities will

require patience and imagination. At times, the excesses of extremists may discourage moderates.

But what must be understood is the principle to which the Anti-Defamation League has dedicated itself since its founding 56 years ago—that what effects one segment of the nation, effects all.

We are all Americans with a common problem. We must work it out—all together and each alone.

Because our government is nothing more than the sum total of the people it serves, the choices that we personally make and the courses that we personally follow will finally determine the true character of this country.

I have faith that the day will come when human rights awards will be a thing of the past, simply because all Americans will be judged on their merits, not on their origins, the spelling of their name, their beliefs, or their color.

#### THE SPIRIT OF MODERATION

Receiving the Human Rights Award of the Anti-Defamation League of B'nai B'rith, Senator Edmund Muskie of Maine said, with his usual good sense, that it would take a determined effort by America's "moderate majority of blacks and whites" to end this country's racial divisions.

He also said that one of the greatest barriers to progress "is our failure to talk to each other—or rather, we don't listen to each other with understanding."

Perhaps it would help if there were less blind contention and more conversations, less clamor and more civility in dealing with each other. Extremists on both sides, to be sure, do not really wish to communicate but to dictate.

This is not to suggest that the urgent needs, the unfulfilled rights, and the decent aspirations which are the source of legitimate strivings today should be swathed in the cotton wool of mere politeness. That often leaves the mind unreached and the heart untouched.

It is to say that the spirit of moderation holds a democratic society together, and that when it is riven from a people no force can bring them cohesion.

"People everywhere are as hungry for respect as they are for bread," Senator Muskie told the audience. Giving one another respect and getting it in return can only be a product of moderation; extremism presses to the bitter end without regard for others.

The spirit of moderation, Judge Learned Hand once said, feels a genuine unity between all citizens, recognizes their common faith and common aspirations, has faith in the sacredness of the individual.

Moderation, in short, humanizes; extremism polarizes.

Senator Muskie said "the day will come when human rights awards will be a thing of the past simply because all Americans will be judged on their merits, not on their origins, the spelling of their names, their beliefs or their color."

If that day is to come, it will be because the American majority asserts itself as militant moderates.

#### INDIANA STATE REPRESENTATIVE HARRIET BAILEY CONN SPEAKS OUT ON COLLEGE EDUCATION

#### HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BRAY. Mr. Speaker, the impression is sometimes given that not enough

funds are being allotted for State schools, by State legislatures, and the end result is that students will have to drop out as a result of higher tuition fees.

This charge has been made lately in Indiana, at both Purdue and Indiana University, and members of the Indiana State Legislature have come under attack for what they did or did not do at the last session. State Representative Harriet Bailey Conn, Republican, of Indianapolis, has refuted this charge, and in the following story from the May 8, 1969, Indianapolis News, she makes the point:

**THE POOR CAN GO TO COLLEGE**

(By Margaret Moore)

"The poor can go to college," Rep. Harriette Bailey Conn (R.), Indianapolis, said in answer to university students who write and telephone her challenging action of the Indiana General Assembly on funds allotted for state schools.

"We made very sure that allotments for regional campuses of both Indiana University and Purdue University were increased," Mrs. Conn said. "We wanted to make it possible for all students to attend college, if they really want an education."

She said funds from taxes were not available to meet the complete requests from state universities.

"We did not believe that taxpayers would put up with another increase in taxes," she said. "And, too, we had to think seriously about the many other obligations of the state—mental health, highways and other vitally important areas."

Mrs. Conn pointed out that "when I say the poor can attend college, I mean that any young person who is serious about an education can find a way—even today."

"In my own family one of my sons dropped out to work and will return to pay his own way," she said. "I know hundreds of young people who are going to evening school and working during the daytime, or visa versa."

There are also scholarships for working students."

She said that the overall budget for Purdue was slightly smaller than that for Indiana University, but that the budgets for both regional campuses were greater in 1969-70 than in 1968-69.

"I see no reason for a special session of the legislature at this time," she said.

Mrs. Conn, an attorney, obtained her law degree by going to school at night and working during the daytime.

observations while here in the Capital City. One of his recent columns was a tribute to Dwight D. Eisenhower which, under leave granted, I now include as a part of my remarks:

**WASHINGTON COMMENT**

(By William A. Grace)

"The death of President Eisenhower takes from our midst a great American, a great statesman and military leader who served our country in peace and war with sound judgment and outstanding courage."—Speaker of the House John McCormack.

In Washington tonight, the heart of Dwight David Eisenhower is still. He passed gently from us at 12:25 this afternoon. President, General of the Army, Chairman of the Joint Chiefs of Staff, Supreme Commander of N.A.T.O., author, and former President of Columbia University; all prove an inadequate measure of the man. For Dwight Eisenhower was the embodiment of an American dream.

Only history can judge the ultimate significance of the "Eisenhower Years". It will have much to assess; implementation of containment, the peaceful uses of atomic energy, establishment of coexistence, the first enforcements pertaining to civil rights, the ending of the Korean conflict, and the espousal of the Eisenhower Doctrine, but perhaps most the fact that he moderated the fury of our domestic politics. Only time can validate whatever judgment we hold.

Official Washington, as well as the world, has paid profuse tribute to this great American. Richard Nixon spoke of his "unique place in American history". Lyndon Johnson declared him "A giant of our age". Truman praised his military acumen, and Hubert Humphrey his international foresight. Ted Kennedy cited his "quiet dignity" and Earl Warren stated that he felt an illustrious chapter in world history had closed. Everett Dirksen, the Republican Senate Minority Leader, had the most definitive comment: "The World Liked Ike."

Yet the significance of Dwight David Eisenhower lies not in the world of Washington's movers and shakers. It lies in the genuine and sincere affection with which he was held by his fellow citizens. Of all the beautiful tributes paid to this former President the greatest was given by an anonymous negro woman who, when asked, stopped before the local television cameras and said: "I think he was a nice man. I'm sorry he died, and I hope he goes to heaven." Dwight Eisenhower's spirit lives in the hearts of those who knew him. There was no facade. His intense humanity has not been lost upon us.

**THE LATE EUGENE KINNALLY**

**HON. JOHN J. ROONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ROONEY of New York. Mr. Speaker, the House of Representatives is a poorer place today for the passing of Eugene Kinnally. I join with my colleagues in sharing the grief for Gene who for more than half a century devoted himself to serving this body, its Members, and our beloved Speaker. It is not possible in a few pale sentences to sum up the measure of this rich human being; for to try and do so is to try to define in mere words his warmth, dignity, goodness, and sincerity. He was friend, confidant, and so much more to all of us; we shall never again see his like. May he rest in peace.

**IS ULTIMATE POWER VESTED IN COURT?**

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DERWINSKI. Mr. Speaker, while individual members of the Supreme Court are in the headlines these days, we are constantly faced with the problems caused by adverse court decisions and the impact that they have on local and State governments as well as our National Government.

Therefore, it was with great interest that I noted a very pertinent and effective article by Illinois State Senator Terrel E. Clarke, of Western Springs, questioning the philosophy of court decisions.

May I point out, Mr. Speaker, that Mr. Clarke is an outstanding member of the Illinois Legislature and a keen student of government, and therefore his comments appearing in the La Grange, Ill., Citizen, May 8, are extremely relevant:

**IS ULTIMATE POWER VESTED IN COURT?**

(By Terrel E. Clarke, State senator)

Is ultimate power in this country from the top down: judicial decisions of the United States Supreme court are the law of the land; or is the power from the people up, as in the elected representatives of the people?

The recent decision of the Supreme court that several students at a Des Moines high school have the right to wear black armbands in school raises some interesting questions.

Based on the reasoning in this case, the local "dress codes" in our high school would seem to be in danger of being out the window.

The Supreme court is now going to become the school board for the most local function in our governmental set-up. School boards are locally elected, and yet their powers are becoming increasingly regulated by Washington, whether by the Supreme court or some federal agency edicts tied to federal monies.

The Illinois senate recently passed a bill saying teachers have the right to observe a moment of "silent prayer" in their school rooms.

This bill really means nothing, for certainly teachers now have a right to observe silence in their classrooms, but when it is designated for "prayer" they may be in trouble with the Supreme court. Yet, the state legislature, and the federal congress, start each session with a spoken prayer. I wonder what the Supreme court does?

Several years ago the Illinois voters passed a constitutional change for redistricting legislative districts. A few years later the Supreme court decided that Illinois voters did not have this right, that they must conform to their decision of "one-man, one-vote".

Due to this federal ruling, a number of state senators were cut off in mid-term, including such outstanding men as Arthur Sprague of LaGrange and David Davis of Bloomington.

It appears obvious that if the federal court can decide that a state senator is illegally elected, despite the decision of our state that he was legally elected, they could do likewise to a governor, or a U.S. senator, or possibly even a President!

After all, United States senators least of all conform to the "one-man, one-vote" rule, with each state having two senators regardless of population.

**TRIBUTE TO DWIGHT D. EISENHOWER**

**HON. HOWARD W. ROBISON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROBISON. Mr. Speaker, William A. Grace—of Freeville, N.Y., in my congressional district—has been a participant here, these recent months, in a study group of State University of New York students and others examining "The American National Governmental Process," during which time he has had considerable contact with my office.

I have come to know and appreciate Mr. Grace who also is a contributing reporter to the Inter-County Press, of Dryden, N.Y., writing a column of "Washington Comment" based on his

Our founding fathers envisioned the ultimate power residing in the people. For this reason we have the elective process known as representative government. These elected representatives are supposed to be a check on the judiciary, as well as on the executive branch of government.

In the light of recent decisions of the Supreme court, a serious question arises as to whether the congress is performing its function as a check and instead has forfeited its primary role in government.

The people do have the ultimate power, and they should be letting their elected representatives know what they are thinking!

#### THE TEACHER CORPS—SUCCESS IN DETROIT

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CONYERS. Mr. Speaker, in recognition of the need to find new and creative ways to strengthen the educational opportunities available to children in low-income areas, the Teacher Corps was formed. This program, as you know, brings college and high school students into action as tutors in core-city schools. Its primary goal is to unite the teacher to the cultural orientation of the child. The Corps has been highly evaluated and one of its most remarkably successful programs operates in my congressional district from Wayne State under the dedicated and able leadership of Mrs. Margaret Ashworth.

Her sensitivity to the goals of the program and the needs of the community has contributed to the meaningful role which the Teacher Corps is playing in its efforts to solve the teacher shortage in the ghetto and in rural centers across this Nation.

It is my privilege to bring to your attention the following article about an outstanding educator and leader in the Detroit community. The article appeared in the May 1969 issue of the Tuesday magazine:

#### THE TEACHER CORPS: LEARNING LIKE IT IS (By Ernest Tidyman)

A 20-year-old teacher-trainee walks into the office of a middle-aged, highly experienced school administrator and announces that the school's teaching program for black children is worse than no program at all. Somebody will have to get Margaret Ashworth on the phone about the explosion that follows.

A group of militants decides to protest a vigorous, carefully defined approach to teaching Negro history in one school system because the program is integrated rather than all-black in tone and theme. Better get Margaret Ashworth to come over and deal with that one.

A subtly regressive school board figures it can duck its responsibility toward funding a full inner city schooling plan simply by pleading poverty when it comes time to buy equipment, hire teachers, reorganize classes—since everybody knows that school systems never have enough money. Get Margaret Ashworth involved in the study group there to see where the funds are tucked away and how they can be pried loose.

These are among the constant round of events that make it almost impossible to find Margaret Ashworth in the small,

cramped quarters she calls an office at Wayne State University in Detroit. She's always on the move, always on the run, constantly confronted with another problem that must be considered.

Mrs. Ashworth, a tall and attractive middle-aged woman—who is at once soft-spoken, gracious and imposing in that she imparts an air of authority based on both understanding and determination—is director of the Teacher Corps in the Detroit area. The problems that were enumerated above may not have been the ones she dealt with directly last week or this, but they took place somewhere in the Teacher Corps operations in 32 states, the District of Columbia and Puerto Rico. They are typical problems, just as Mrs. Ashworth is somewhat typical of the administrators who run the federally sponsored program.

What she does—and what the administrators like her do throughout the country—is guide teams of experienced teachers and teacher-trainees (or interns, as the Corps calls them) into learning how to teach the child of low-income groups.

This may mean the white children of Appalachia or the red children of the Indian reservations—but most of all it means the children of any urban ghetto . . . and that mostly means working with black children. The path of this effort leads directly to problems the child may have in understanding himself, the inadequacy of the curriculum or the school administration, the question of the youngster's pride and belief in himself as a learning, learnable human and the whole essence of education.

"Those interns aren't afraid to confront anybody to do this," Mrs. Ashworth states. "The other day I was talking to a principal from one of our schools who said he couldn't believe that one intern had the gall to come right to the principal and criticize a certain white attitude.

"This is a new breed. They're just beautiful. They do confront the bureaucracy and we encourage them to do it. Some schools may feel threatened by their presence—not open confrontation, but isolated incidents where the principal feels uncomfortable with an intern, because he wears a natural hair style or because he wears his hair long.

"This is not to say that our interns are characteristically identifiable by their hairdos."

But, she added, the natural hairstyle has raised problems among black and white parents who wanted one teacher intern removed because of it, finally admitting that they automatically thought the style meant that the young man was a militant separatist, and these particular black and white parents were alike in not subscribing to such a view.

"He had been accused of teaching hate in a black history course," she said. "Now what I did was drive over to that school and talk the issue over with the principal and the parents who have been objecting."

She seemed confident that the teacher-intern would stay on the job as a result of the talk. She was just as confident that things would be working out as well for the 1,950 men and women in other Corps situations—1,625 college graduates and undergraduates working with 325 team leaders.

The Teacher Corps, which will receive about \$20 million this year from the federal government, was set up in 1965 under a proposal to Congress by Senators Gaylord Nelson of Wisconsin and Edward Kennedy of Massachusetts.

It was part of the Higher Education Act of 1965 and placed the Corps under the aegis of the Department of Health, Education and Welfare, although the Corps' operation is less federal than community. Local school systems really run it in cooperation with a nearby university and with the approval of the individual state departments of education.

Corps workers now serve in 150 school systems and study at 45 university training centers.

"We have intense interaction with the community people," Mrs. Ashworth says. The community involvement component is very important.

"The interns do surveys of the neighborhoods to become acquainted with the community. Some teach adult black history courses, sewing, modeling and other extra courses in the evenings.

"The interns are on campus two afternoons a week with course work specially designed for them. Each university designs its own courses for the interns, which must include, according to state requirements, certain courses in sociology, child psychology, etc. In addition, we develop our own courses in language-arts methods, science methods. We're unique because we choose the instructors for the courses.

"They are all Wayne people. We choose only those instructors who demonstrate an interest and understanding of the problems confronting the inner city teacher. In fact, last semester the students boycotted their sociology class. They claimed that this professor was involving himself in certain stereotypes that both the blacks and whites were rejecting. He didn't want to continue with the course, but I went and talked to him, telling him it was as much his challenge as it was the interns."

The interns get \$75 a week for their work of carrying a double load of teaching, learning and frequently battling the school system for improvements and innovations. If they are married, there is an additional \$15 for each dependent, with the local school systems providing 10 per cent of the salaries, the federal government the rest.

The Health Education and Welfare Department thinks of the Detroit program as by far the most ambitious of any across the country and a pacesetter for the others. Last summer, Mrs. Ashworth and the Detroit group set up a curriculum development laboratory, and the intensive instruction in Afro-American history in the lab resulted in a package of materials and new ideas for working black achievement, culture and awareness into every subject in the school curriculum—art, literature, music, science, social studies and, of course, history. It began as a program for the local Pattengill Elementary School, but soon spread to five school districts.

Black children in the fifth grade were startled by some of the work material that evolved—pictures of contemporary Africans working in factories and boarding planes, doing a hundred other professional and social things that would show modern Africa as more than a great jungle continent across the sea. The results, the teachers feel, is pride of race, pride of identity.

"The area of curriculum innovation is very broad and important," Mrs. Ashworth says, "in that we can use it to get to other problems such as the negative self-image of the black child or certain teacher attitudes."

Teacher attitudes can hardly be stressed too strongly, Mrs. Ashworth feels, for they are both the greatest help and the worst problem. The difficult confrontation that the Teacher Corps intern most frequently faces is with the school administrator or fellow teacher who is traditional minded and stereotyped in his concepts of the black student and the black teacher.

It is not the white teacher alone who suffers this problem, Mrs. Ashworth points out, for many of the identity and pride difficulties that beset the black child also trouble the black adult who may happen to be a teacher. This is one reason she feels so positive about the confident, even aggressive approach of her "new breed" in the Teacher Corps, ready for any confrontation to help themselves learn and to teach others.

In addition to Wayne State, several other colleges or universities attended by Teacher Corps workers have initiated courses dealing with black history or black culture. Among them are Temple University in Philadelphia, the University of Miami, East Tennessee State, Xavier in Cincinnati, Prairie View A & M College in Texas and many of the black universities.

Other colleges are putting together relevant courses and teacher interns try to exert pressure wherever possible to move in this direction.

The pressure is passed on along the educational line. Many school districts have incorporated black culture into the study programs. For example, at the Harry Wood School in Indianapolis, black history and culture are treated as an integral part of other studies.

"We think what the community wants is integration into the total society," says Tom Fine, a Teacher Corps team leader there. "And that is why we are considering establishing a course of study identifying social units of people based on income, religion or race, and defining what makes each one different. We will ask where each unit came from, why they left, where they settled, what problems they dealt with and what their contributions were. In this way, the Negro will be studied as one of many groups, but not as an entity apart."

In Indianapolis, however, the calls for basic Negro history study have been answered by the school system's adoption of a policy of integrating it into all elementary, junior high and high schools.

At Crispus Attucks School there, Cliff Robinson and his Teacher Corps interns found that small groups of poor readers, some of them two, three and four years behind their age level in skills, could be brought up to higher levels more rapidly when the reading matter was such as Richard Wright's *Black Boy* or *The Autobiography of Malcolm X*. The material, along with its obvious relevance, proved to encourage verbalization and this, in turn, aided reading.

Since each Teacher Corps unit is more or less autonomous within its area of operation, there are differences of approach in theory and practice. In Akron, for example, there is evidence that some reservations are held about going ahead with such material as an approach to black culture.

Glen A. Childs, associate director of the Teacher Corps at Akron University believes that Akron's slower, more cautious approach is right. He tells of the Teacher Corps intern who prepared an Afro-American history course to teach those children who specifically requested it.

The material was offered on the student's own time and was presented in two ways—first, as propaganda with discussions of "Black Power" and, second, along with other studies in social concepts, language arts in the customary manner of teaching. Childs reports that it was the second approach that had the greater impact.

Childs is not certain that children who do not like history will automatically like black history any better. He is hoping that a direction will be found in the community research study the Teacher Corps interns will conduct to determine exactly what and how much of anything the community itself wants in the schools.

Still another pattern for teaching any minority group studies has been formed in Chicago at Northeastern State College with the inauguration of the Center for Inner City Studies.

The Center, which is funded through the Experienced Teachers Fellowship Program of the Office of Education, was intended to give background to teachers working with the Spanish-speaking disadvantaged and Southern white migrants as well as inner-city blacks. Northeastern State is one college of

the group known as the Chicago Consortium that includes six colleges or universities within the area.

Four courses on black culture are offered at the Center. History and Culture of Black People; Culture of Poverty; Literature of Minorities; and Pathology of the Ghetto. Teacher Corps interns may elect two of these. There are two courses offered on the culture of each of the other groups.

As part of the Center program, social workers, nurses, policemen and others were invited to join an evening course to educate themselves about the people they worked with, and 500 signed up for the courses. There is also a Prospective Teacher Fellowship Program at the Center, largely a linguistic curriculum with emphasis on English, to assist in translating, understanding and making more intelligible the various dialects of the disadvantaged.

At the McCorkle School in Chicago, an elementary school adjacent to a low-rent housing development, Afro-American history was used to bring the parents closer to the school. Timuel Black, coordinator of community activities with the Chicago Teacher Corps, grew up in the area around the school and he called upon parents in the area to reconstruct recent history by recalling the many illustrious people they knew who had come from the same area. They remembered Nat King Cole; Welton Taylor, the biologist; Lou Rawls, the singer, and others. "Current" history—and pride—thus became introductory steps to broader studies.

In Pittsburgh public schools, new Afro-American materials pertinent to every subject in the curriculum have been offered to the teachers, which has spared the Teacher Corps interns the problem of initial groundwork in introducing such changes.

Interns studying at Temple University in Philadelphia have been busy teaching black history to adults as well as to children. For example, one evening a week intern David Bell teaches adults attending the Little Fellowship House, an intergroup center, and another evening he teaches at Calvary Settlement in South Philadelphia. Meanwhile, several team leaders and Corpsmen, who are members of the Association of Afro-American Education, are concerned with developing new materials for the inner-city schools.

At Temple, historians and community residents are also finding themselves invited to address interns who are involved in such activities as Negro Culture Week and Black Youth Leadership conferences.

"It is interesting to see," a Philadelphia team leader commented, "how Teacher Corpsmen develop respect for the black community and its achievements. The next step is for the Corpsmen to talk realistically to the youngsters and help them to live through the many frustrations of the black community."

While most Teacher Corps activities are concentrated in urban areas, there are some that deal with equally urgent problems outside the ghettos. These are represented by the pockets of poverty in rural America where blacks and whites alike share the same misery.

One of these areas is in eastern Tennessee, in Carter and Washington counties. There, the Teacher Corps is based at Eastern Tennessee State University and the team consists of three white and one black interns. They conduct classes for whites and blacks, children and adults.

The approach to both young and adult is part of the work in Compton, Calif., where a black teaching materials center has parents helping with the materials development, leading classes in social studies and participating in a workshop where teacher can learn to use the materials.

In the Willowbrook area, near Watts, famous black individuals are brought into the classes for a day—Marian Anderson and O. J.

Simpson among them—to persuade youngsters that the black world is not simply the ghetto and its problems but an outer circle of possible achievement.

And, again, leading the most dynamic program of this widespread effort is Mrs. Margaret Ashworth in Detroit, who came to her vital post with a broad background in educational and racial motivation work.

"I've been in the Detroit school system since 1950," she says. "I came with five years experience in Tennessee, where I taught elementary home room and grades one through six. In 1965, I took a leave of absence and worked with the Desegregation Advisory Committee, which was a federal program in Wayne County authorized by Title IV of the Civil Rights Act of 1964.

"As members of the committee, we went to 43 school districts setting up workshops where de facto school segregation could be discussed.

"I worked for the committee for one year. I was then assigned as assistant to the principal to Pattengill School where I used to teach and where my children went to school. I was assistant principal there for a year and a half until the director of the Teacher Corps asked me to join the Teacher Corps staff."

From this point forward, it is a difficult choice for Mrs. Ashworth: Back to teaching with the Detroit Public Schools at a time of their greatest change or continuing on with the Teacher Corps as its "beautiful" young people continue to effect many of those changes.

This choice—which in various ways will confront many others in the Teachers Corps—has one built-in blessing. In either case, she and the others will remain at the heart of an impressive effort in which they have gained in their own human and professional stature as they have contributed to opening others to their own vast possibilities of growth.

## BLACKMAIL IN THE CITIES

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. RARICK. Mr. Speaker, Daniel Moynihan, chief urban affairs adviser, seeks an additional \$20 billion in Federal funds supposedly to fight city problems—where those to be aided only "seek to build and control every institution that operates in the ghetto," not to improve life for the poor, but for the "acquisition of power."

Mr. Moynihan's proposal is thus doomed by the erstwhile leaders of those he would use taxpayers money to help. People who do not want help, cannot be helped. But this should come as no shock to Mr. Moynihan, who as a social scientist is charged with knowledge that mere environmental change has little, if any, effect on character, and ability.

I include a clipping from the Washington Evening Star, a letter of May 5 from Mr. Carleton Putnam to Mr. Moynihan, a report from Barrons, and Victor Riesel's "Now Hear This" following my remarks:

[From the Washington (D.C.) Evening Star, May 13, 1969]

MOYNIHAN ASKS DOUBLED AID TO CITIES

Daniel P. Moynihan has called for a new national urban policy designed to give vital-

ity to cities through more federal funds and recognition of their elected officials.

Moynihan, President Nixon's chief urban affairs adviser, told the U.S. Catholic Conference Task Force on Urban Problems yesterday that federal aid to cities and states should be doubled—adding about \$20 billion to the present distribution of aid.

He also urged federal authorities to give more attention to dealing with the elected officials of the cities rather than the leaders of special groups within urban areas and encouragement of state participation in solving urban problems.

Before Moynihan spoke, two black militants told the 100 priests and laymen attending the conference that the goal of the black revolution is "acquisition of power."

C. Sumner Stone, vice chairman of the Black United Front of Washington, and Rev. Franklyn D. R. Florence, president of the FIGHT organization in Rochester, N.Y., agreed that whites have relied too much on the advice of Negro leaders who no longer represent the black masses.

"The problem of the black man in America and the world is powerlessness," Florence said. He said the answer was not in listening to "rhetoric that means nothing," but "to build and control every institution that operates in the ghetto."

Stone said that violence has become accepted by blacks. He predicted there would be more "rebellions," including disorders in Washington, within a few years.

MCLEAN, Va., May 5, 1969.

HON. DANIEL P. MOYNIHAN,  
Special Counsel to the President on Urban  
Affairs, the White House, Washington,  
D.C.

DEAR MR. MOYNIHAN: Forgive the delay in acknowledging your reply of March 20, through Dr. LaVeck, to my note of February 28. When it reached my office I had just left for our annual cruise through the out-islands of the Bahamas—you may advise the Boss that if he ever wants isolation I can find him a harbor in the Exumas—and since my return my desk has been swamped.

Your comments were greatly appreciated, and with most of them I agree. I have never disputed the fact that environment plays an important part in the realization of potential ability and character, and no one is more anxious than I to see social injustices corrected and environments improved. Environment does not, however, alter potential. I would say that the most profound, damaging and dangerous misunderstanding in our society today is the assumption that poverty and inequality are primarily the result of social injustice. This is simply not the case. The primary cause resides in genetic differences in potential human capacity, both individually and racially.

The preaching of the opposite of this truth over a period of forty years by our scientific hierarchy, our educational establishment, our religious leaders, our politicians and our mass media is at the root of most of our national and international problems today. It has given the Negro an imaginary grudge against the White man, and the White man a false sense of guilt toward the Negro with its related attitude of appeasement and permissiveness, which in turn has spread intra-racially throughout our homes, our schools and our courts.

The emphasis has been totally wrong, and the consequences are approaching a national disaster. The essence of the American dream was a fluid society in which ability and character at the bottom could rise to the top; it was never intended to be a society in which the bottom, regardless of either ability or character, could permeate and dominate the top, lowering its standards, flouting its laws, draining its substance and initiating the obvious current decline in our civilization.

Everything therefore which tends to further the fallacy—such as Nixon's statement that intelligence is largely formed by the environment—is to be regretted. The best evidence today, as you know, is that 80 per cent of the final product is inborn. Moreover, when you speak of Dr. Jensen you must realize that his racial presentation involves only the field of psychology and genetics. All the available data from other areas such as anatomy, histology, physical anthropology, electroencephalography, kinesthetic maturation studies and world history reinforces and confirms Jensen.

Beyond this, in reply to your remark that there still is "a good deal of controversy" about these issues, I must point out that while we indeed hear debate about an exact measurement here, or a fine point there, no controversy can be sustained as to the side on which the overwhelming preponderance of the existing evidence falls, nor can there be any justification whatever for basing all our public policies on the assumption that the opposite of this evidence is true. Human societies cannot act solely on mathematical certainties. Civil cases at law are decided on the balance of the credible evidence, and criminal cases on proof beyond reasonable doubt. That we should be making all our decisions on domestic and foreign policy in the human field in defiance of these rules would be an amusing farce were not the consequences so tragic.

Finally as to this matter of hope. I, too, see hope but I do not see it in continuing either the farce or the tragedy. I see the first, faint glimmerings of it in Nixon's and Mitchell's references to the need for backbone on the part of college administrators. If the same exhortations could be directed to the National Academy of Sciences in regard to the proposals of Dr. Shockley, the glimmer would become a distant light. The one thing our people need most today is to be led out of this slough of fawning self-abasement in which we wallow and in which excellence feels forever obliged to surrender to its opposite. It is destroying moral courage throughout our society.

And I might add that nothing is more certain to increase trouble than cowardice toward the troubles you already have.

Sincerely,

CARLETON PUTNAM.

[From the Baton Rouge (La.) Morning Advocate, May 1, 1969]

NOW HEAR THIS

WASHINGTON, D.C.—It does appear that the Black Panther ambassador to Communist China is "Prime Minister" Stokely Carmichael. It's more a matter of accommodation than accreditation. Mr. Carmichael has passport—does travel. In recent weeks he has been accommodating his Maoist supporters by jetting to Dar es Salaam Tanzania, central meeting ground for Peking agents and the violently extremist coalition of neo-black revolutionists.

Mr. Carmichael does not go hat in extended hand as a mendicant. He has money. So do the Panthers, whose headquarters lodge is in Oakland, Calif., as well as those swiftly spreading units which steal their name from the home office.

This money, in fact, has been pouring in from the U.S. government through the seemingly helpless Office of Economic Opportunity (OEO) and a string of other cabinet level antipoverty agencies. And not just in petty cash—but by the millions of dollars.

In addition to the Panthers, who are terrorizing many a black community and now even some large industrial plants, others have raked in this dollar harvest. Money has gone to gangs, thugs, bands of "bully boys" and just plain racketeers. Some of them wear the Panther uniform—the black button-studded beret, blue denims, black jacket and

black boots. Some strut about with openly visible side arms.

Some actually are the original Black Panthers, who attempt to control their national organization. Their Oakland people claim some 44 to 46 branches in as many cities. Authorities believe the more realistic count is 24 to 26. The California Panthers try to screen their members and have been rejecting applicants. But this hasn't stopped the roving squads in many cities from donning their uniform.

It's all in the OEO's controversial confidential records, closely guarded by its one truly efficient professional unit, the Office of Inspection. In those files are the grim, sometimes ghoulish stories of efforts to buy "the cool" in big cities—and how money was intercepted by this very tough crowd which sees the poor as ghetto-chained chattel.

For some time now, the OEO staff philosophers have been split over the policy of paying off to criminals or street gangs such as Chicago's Blackstone Rangers (who, according to OEO records, got some \$600,000). The battle was finally won by those strategists who fought "piecing off" the underworld.

There seem to be particularly horrendous stories in these reports involving Panther and allied activity and terror in Minneapolis, Boston, New York, Detroit and here in the District.

Many of these OEO reports now are in the hands of the investigation staff. Other reports will follow—but not until the OEO's inspection office's veteran investigators remove the official federal and local sources and names of private informers from the documents. This is understandable. The inspection people don't want their contacts floating in the Hudson or Mississippi Rivers. Nor do they want to breach that desperate secrecy which covers the activities of the best informed sources—the local police departments.

The Permanent Subcommittee on Investigations staff people have been trying to pry these reports from the OEO. They have had no luck because the antipoverty headquarters has been determined firstly, to keep it all secret, and secondly, to protect its own investigators and informers. They wanted neither their loosely operating two-billion-dollar-a-year headquarters wiped out by Congress nor to work with the committee.

OEO had been operating on its own until the new administration. President Johnson did not direct them to keep their files closed. Neither did he pressure them to open the reports of gangster and extremist looting of poverty money.

However, not long after the inauguration, the White House pressured the OEO and the confidential dossiers have been going over to the committee office.

There will be a few routine hearings on riots, burnouts and poverty. Then, late in June, a kleig light hearing on Panther (or reasonable facsimiles) terror, muscling of the poor, diversion of funds and subsidy of the newest of underworlds.

Most tragic in all this are the ghetto poor. In New York, the schools still are terrorized. Parents, principals (including Negro educators) and union leaders have been threatened with brutal beatings. Positions paying upward of \$22,000 annually (to \$30,000) are simply seized. Thugs threaten the oppositionists of all races and creeds with death—just like that. Oversized goons follow the opposition leaders home.

In one city, the so-called Panthers have moved in on the model cities program. In another, the hustlers have mulcted Labor Dept. and HEW programs.

In many metropolitan areas, especially New York, Washington, Detroit, Boston and northern New Jersey concentrations, the poor are discouraged from involvement. They had not been coming out to vote for their one-third of the boards of Community Action

Agencies, anyway. Now in many ghettos they rush home, lock their doors and stay in at night.

When his hearings open, it will be a short hot summer for a lot of those who have betrayed their race—the human race.

[From Barron's, July 31, 1967]

**POVERTY WARRIORS: THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED**

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larceny. This month Marion Barry acquired gainful employment. He was hired as a \$50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got \$115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted \$700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on Un-American Activities recently documented Mr. Zippert's association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The so-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smoldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devastating riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham

called Watts a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitated and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life Magazine describes its reporters' "clandestine meeting with members of the sniper organization." Finally, SNCC's Stokely Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of violence, and ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from \$246.5 million in fiscal '66 to an estimated \$500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll. Mrs. Scheibla cites other horrible examples: John Ross, member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harowitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J., accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours. On the federal level, the country should call to account the Office of Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President

Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization; they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

**SUPPORT FOR H.R. 8654**

**HON. MICHAEL A. FEIGHAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. FEIGHAN. Mr. Speaker, I urge support of H.R. 8654, a bill to provide members of the crew of the U.S.S. *Pueblo* with the same tax benefits for 1968 as enjoyed by the serviceman stationed in a presidentially designated combat zone.

Under this bill, enlisted members of the crew will be entitled to exclude from income tax, all pay received as a member of the Armed Forces during their period of imprisonment in North Korea. Officers will be permitted to exclude up to \$500 from their income. This exclusion will continue to apply after 1968 for any member of the crew who was hospitalized as a result of wounds, disease or injury incurred while he was detained in North Korea.

In addition, this legislation provides all U.S.S. *Pueblo* personnel with an extension of time for filing their tax returns, paying taxes, or filing a claim for credit or refund of tax. A waiver of unpaid income tax and a waiver of Federal death taxes is provided for the member of the crew who was killed.

Mr. Speaker, in recognition of the fact that severe hostilities are no longer confined to Vietnam, recently I introduced legislation which would provide American servicemen in the Korean area with the same tax benefits enjoyed by servicemen in Vietnam. The capture of the U.S.S. *Pueblo* and the recent fatal attack on an American EC-121 by the North Koreans are strong indications of the growing perils faced by our servicemen in and around Korea.

The hardships, inhuman treatment and constant threat of loss of life suffered by members of the *Pueblo* crew are well known to every citizen of this country who has carefully followed the proceedings of the naval court of inquiry. The terrible punishments and consistent torture inflicted on the *Pueblo* crew by their captors are in some measure comparable to the sufferings endured by U.S. servicemen engaged in combat in Vietnam. Moreover, this intense pain and suffering was not confined only to the *Pueblo* crew but was shared by their loved ones here at home who were burdened with the grief, the sorrow, and the whisper of death. These people could only hope and pray that their men would return home safely.

We can never repay these men and their wives and children and fathers and

mothers for all they have gone through. The least we can—and must do—is to approve this legislation, which will afford them some deserved tax relief. I urge my colleagues to join me in voting for passage of this worthy legislation.

GRANT APTHORP: EAST CLEVELAND DYNAMO

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. VANIK. Mr. Speaker, on May 18, 1969, the city of East Cleveland in my congressional district is paying tribute to its first citizen and retiring city manager, Grant Apthorp, for 46 years of unequalled service to this active and progressive community.

During Mr. Apthorp's long and distinguished career of service, he has become known as Mr. East Cleveland. He provided exemplary leadership during a period of dynamic change. He has endeavored to provide plans for the decades ahead.

Grant Apthorp graduated from Glenville High School and Case School of Applied Science. Upon receiving a BS in civil engineering, he was hired as assistant city engineer in East Cleveland. He became the city's finance director in 1934, and city manager in 1962.

His 46-year career in East Cleveland was broken only by World War II when he served 2 years in Europe and North Africa. He was awarded the Bronze Star and the French Croix de Guerre.

During his distinguished career as a public servant, Grant Apthorp became known throughout Ohio, as one of the State's most knowledgeable finance men. He served on a committee in 1955 that completely revamped the pension system of public employees.

Married September 18, 1923, Grant Apthorp and his "bride" of 46 years, Mike, have three married sons—Grant, Thomas, and Barney. Mrs. Apthorp, also a native Cleveland, taught in the Shaker Heights and East Cleveland school systems, and at the YWCA.

Grant Apthorp is a member of the International City Managers Association, an executive committee member of the Cuyahoga County Mayors and City Managers Association, and past president of the Ohio Municipal League.

In addition, he is active in several civic groups including the Exchange Club and Kiwanis; is on the board of trustees of Blue Cross of Northeastern Ohio, and has been especially active in the YMCA.

During his long career, Grant Apthorp's duties have ranged from supervising the building of city sewers and streets to development of Forest Hills Park. But, most importantly during his 7 years as city manager, he has met the challenge of a changing community facing urban decay by maintaining good schools, excellent city services, and enforcing a strict housing code.

I wish to extend to Mr. and Mrs. Apthorp a very happy and healthy future

together in whatever endeavors they plan to undertake. My pledge goes to Bill Gaskill, executive assistant to Grant Apthorp, who will become city manager. The city of East Cleveland remains in very capable and creative hands. I will continue to offer every possible assistance to assure the continued revitalization of East Cleveland.

I wish to insert at this point a very fine editorial which appeared in the Cleveland Plain Dealer on Thursday, March 20, on the retirement of Grant Apthorp. The editorial is as follows:

APTHORP AN ASSET

It is fortunate for East Cleveland that City Manager Grant T. Apthorp will remain in the community and serve as a consultant—without-pay to the administration after he retires June 1.

We hope the East Cleveland City Commission will continue to profit from Apthorp's complete knowledge of municipal affairs, his special talent for fiscal management and his long experience in dealing with the state legislature on matters of interest to his own and other cities.

Apthorp has given of his skills and know-how to East Cleveland's government for nearly 46 of his 68 years. In the county and in the state he is recognized as an authority on city problems and an effective spokesman for municipal rights.

East Cleveland is fortunate to retain the valuable resource it has so long possessed.

DANGER FROM OVERKILL IN SPENDING CUTS SHOWN

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. McFALL. Mr. Speaker, an inherent danger from the unwise use of an oversharper economy paring knife is the subject of a recent newspaper article deserving close attention.

McClatchy Newspaper correspondent Leo Rennert related the story based upon testimony of Bureau of Reclamation officials who appeared before the Senate Public Works Appropriations Subcommittee April 30.

A Federal investment of almost \$9 million now must be written off because of inadequate funding and repeated cutbacks and stretchouts preventing completion of an important high-voltage electrical line, Rennert reported in the May 1 issue of the Modesto, Calif., Bee. Utility companies in the Southwest finally were forced to obtain power elsewhere, causing a loss of potential sales for surplus Northwest power and a project investment of more than \$8.7 million, because customers could not wait endlessly.

Bureau officials cautioned in their testimony that a similar Federal "customer" loss may be in the making because of the drastic reduction by the new administration in the budget request for construction of the proposed Folsom South Canal in the San Joaquin Valley of California.

Because of the danger from overkill in the zeal for reduction of Federal expenditures on projects of great value to

the public, it is especially important to note the contents of Mr. Rennert's article. I, therefore, commend it to the attention of all Members of Congress. It follows:

BUDGET FORCES KEY CUT IN POWER LINK (By Leo Rennert)

WASHINGTON.—Budgetary cutbacks have forced the federal government to plan cancellation of a major segment of the Northwest-Southwest electric intertie and to figure some way of writing off a useless \$9 million investment.

Involved is a 750-kilovolt, direct-current line which the Bureau of Reclamation planned to build from The Dalles, Ore., to Lake Mead behind Hoover Dam to bring surplus northwest power to Arizona and Nevada.

The line was to be a key feature of the \$700 million intertie, which was conceived as a giant electric power exchange grid linking federal hydroelectric facilities with private and public utilities in the West.

The federal line from The Dalles to Lake Mead would have made available 1 million kilowatts of electricity to customers of the Bureau of Reclamation in the Southwest and three major utilities—Arizona Public Service, the Salt River Project and the Nevada Power Co.

Repeated delays caused by budgetary reductions in recent years, however, finally prompted the three utilities to look elsewhere for new power supplies—leaving the bureau without enough customers to justify building the line.

Adding to the bureau's problems is the fact that it has entered into contracts for transmission facilities and equipment in preparation for construction of the line.

Officials told the Senate public works appropriations subcommittee yesterday losses from ending the contracts and being saddled with all kinds of unneeded equipment probably will exceed \$8.7 million.

MAY RAISE RATES

Reclamation Commissioner Floyd Dominy said the government may have to raise rates to the other electric power customers to cover the loss.

Subcommittee Chairman Allen Ellender, D-La., criticized the government's handling of the deal and said its partners in the intertie should not be permitted to walk away without assuming any financial responsibility.

But Sen. Alan Bible, D-Nev., said Congress and budget cutters in the executive branch are the real culprits who should be blamed for economizing the transmission line out of existence.

Dominy also took this view.

"This is the result of inadequate funding, constant cutbacks and stretchouts," he said. "The potential users couldn't wait any longer. So they have made other plans to meet their power needs."

Dominy said the bureau, while still reviewing several alternatives has concluded there now is no need to complete the line.

If it is revived, he said, its earliest use would be in 1977 and costs may be too high then to resume work.

"I don't know whether it will ever be built," he remarked.

R. B. Bennett, assistant commissioner for power, said the bureau initially recommended that contracts for the line be tied to firm purchase agreements with prospective users of the power.

AT WHAT LEVEL

But this condition, he said, was not made part of congressional authorization for the project.

Sen. Ellender instructed the bureau to show exactly at what governmental level the protective clause was deleted.

Dominy said the ill-fated project involved a major breakthrough in electric power transmission—the first federal direct-current line from one region to another.

Other aspects of the intertie, including segments in California, are proceeding according to plan, he said.

The basic concept underlying the intertie is to take advantage of seasonal differences in power demands to move surplus electricity from the Northwest and the Southwest—and vice versa.

The Southwest's peak demand is in summer, while the Northwest's is in winter. Instead of having to build expensive new generating plants, the intertie offers these western regions a less expensive source of extra power for peak periods.

Bureau officials consider their intertie setback an object lesson for other projects which also are faced with budgetary cutbacks.

Bennett said a parallel story could develop with the Folsom South Canal which is expected to carry cooling water to the upcoming Rancho Seco Nuclear Power Plant of the Sacramento Municipal Utility District.

If the canal fails to reach the plant in time for its scheduled start in 1972, SMUD has served notice that it will build its own pipeline—again raising the prospect of depriving the bureau of a major customer because of budgetary cutbacks.

**MORE PEOPLE PAY MORE TAXES**

**HON. HENRY C. SCHADEBERG**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SCHADEBERG. Mr. Speaker, in Elkhorn, Wis., Mr. Walt Sands continues to keep close tab on the affairs of the Nation. He recently sent a letter to the editor of the Elkhorn Independent which is worthy of our consideration:

To the Editor:

Today, in Wisconsin more people are paying more in social security taxes than they are paying in federal or state income taxes.

In 1969, a man with a wife and four children earning \$108.65 a week will find that his employer must withhold from his pay these taxes:

Social security .....	\$271.20
Federal income .....	166.40
Wisconsin State .....	119.60

A man with a wife and four children earning \$91.50 a week—

Social security .....	\$228.40
Federal income .....	46.80
Wisconsin State .....	78.00

A man with a wife and six children earning \$104.50 a week—

Social security .....	\$260.80
Federal income .....	( <sup>1</sup> )
Wisconsin State .....	93.60

<sup>1</sup> No tax.

Since more people are now paying more in social security taxes, those covered by social security should receive 50 per cent more retirement and/or survivor benefits.

The social security board will tell you that if you can't live on social security—public welfare will make up the difference. Why should this embarrassment be necessary? Having saved for a rainy day and having paid taxes for our retirement, why should we be penalized for thrift—while those on public welfare in Wisconsin pay nothing to receive up to \$133 per month on OAA, and a family with children of legiti-

mate or "illegitimate" parents may collect up to \$500 per month on AFDC?

Public welfare payments are based upon the cost of living index issued by the US Bureau of Labor Statistics (June 1968) which reveals "It takes \$4,200 a year for a retired couple's needs."

By comparison in January 1969—the average monthly social security benefit to a retired worker was \$98.41, the average couple's benefit \$149.46, and the average widow's benefit \$86.10.

Also in January 1969—Congress raised our President's salary 100% (\$100,000 to \$200,000) and their own salaries 42½% (\$30,000 to \$42,500) due to the ever-rising cost of living.

If President Nixon needs an extra \$8,333.33 per month, and Congress an extra \$1,041.66 per month due to the ever-rising cost of living—Congress can well afford to raise present social security benefits by 50%.

Too many people, including our legislators and the social security board, erroneously believe that present social security taxes would have to be increased to provide an increase in present benefits.

This is a pure unadulterated hoax. The social security fund is now \$47 billion in the red. All taxes collected for the social security fund beyond "current payments of benefits and operating expenses" have already been spent for general operating purposes of the government. This \$47 billion, now in Treasury IOU's belongs to the very same people who have paid social security taxes in the past before inflation began to snowball.

As FDR said "We IOU it to ourselves." The present Treasury deficit amounts to some \$361 billion. Of that deficit \$47 billion belongs to the social security fund. The government can charge off a 50% hike in our present benefits to the present Treasury deficit of this \$361 billion.

The present cost of all social security benefits amounts to \$2 billion per month. A 50 per cent hike in all present benefits would amount to \$1 billion per month. Since we IOU it to ourselves, let's pay it back to ourselves. This would give our shaky economy a financial shot in the arm, and at the same time circulate most of that \$1 billion right back to the government. Those now on social security would have to spend it to survive.

Our federal government is 100% "responsible" for inflation due to endless deficit spending which is no fault of our senior citizens.

If Congress can raise the President's salary 100%, and their own salaries by 42½%—due to the ever-rising cost of living—for this very same reason, Congress can well afford to raise social security benefits by 50%.

WALT SANDS.

ELKHORN, WIS.

**TRIBUTE TO GENERAL M. R. ŠTEFÁNIK AND SLOVAK CHOIR LÚCNICA**

**HON. RICHARD L. OTTINGER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. OTTINGER. Mr. Speaker, when Czechoslovakia was invaded last August by Soviet military forces, the free world sympathized with the people whom we learned to call "Yankee's of Europe." These people produced great leaders and Sunday, May 4, was the 50th anniversary of the tragic death of one of the great sons of the Slovak nation, Gen.

Milan Rastislav Štefánik, scientist, military genius, and a cofounder of the first Republic of Czechoslovakia.

General Štefánik was a close collaborator with the Slovaks of my district, namely, the late Rev. John Kubasek, signer of the Pittsburgh Pact, who labored in Yonkers, N.Y.

In this year of the 50th anniversary of the tragic death of General Štefánik observed on May 4 all over the world where the Slovak people live, no better tribute could be paid to him in the opinion of Mr. John C. Sciranka, American Slovak journalist, than the tour of the Slovak University Choir Lúcnica from Bratislava, capital of Slovakia, which appeared in concerts in various American universities and colleges.

The Slovak American Cultural Center of New York City sponsored a concert for this Lúcnica Choir on March 29 and gave a dinner in its honor, at which it especially thanked Mr. James R. Borge, director of the International University Choral Festival of the Lincoln Center for the Performing Arts, Inc., of New York City and Dr. and Mrs. German McVeigh for their splendid cooperation.

In order to appreciate the great mission of this Lúcnica Choir, which represents the famous Bratislava University, originally founded in A.D. 1467, or as Mr. Sciranka puts it—25 years before the discovery of America by Christopher Columbus, and revived after the establishment of the first Republic of Czechoslovakia in 1919 and named in honor of the famous scholar Jan Amos Komensky, known to the world as Comenius; I am pleased to insert into the RECORD the article which appeared in the Good Shepherd-Dobry Pastier, official organ of the Slovak Catholic Federation of America.

This article is most interesting and shows to the world that the Slovak people are true to their heritage as a singing nation, as they could not be crushed during the thousand years of oppression because of great leaders like Gen. Milan Rastislav Štefánik, to whom I also wish to pay tribute on this, the 50th anniversary of his tragic death in the new established and liberated country of Czechoslovakia.

The article follows:

**"LÚCNICA" SLOVAK UNIVERSITY CHOIR FROM BRATISLAVA ACHIEVES GREAT SUCCESS IN AMERICA**

The University Choral, known as Lúcnica appeared on a concert tour in various American universities. It appeared with great success on Saturday, March 8, at the Lehigh University in Bethlehem, Pa., singing compositions of renown Slovak composers and popular folk songs. The Lúcnica was invited to this country to participate in the International University Choral Festival, which was presented for the second year at the Lincoln Center in New York City from March 28 through Sunday, March 30, at the Philharmonic Hall.

Lincoln Center's First International University Choral Festival in 1965 was a unique event that thrilled the thousands who filled Philharmonic Hall for each concert. For this second Festival 600 students from 16 universities in 14 countries on five continents gathered for another week of jubilant songs, presenting the world's great choral music as well as popular folk music from each country.

The choruses performed separately during the week and then on Sunday evening, March 30, all 16 choruses joined in a special program of great choral music with orchestra, under the leadership of the Festival's distinguished Music Director, Robert Shaw.

On the opening night, Sunday, March 23, at 8:30 p.m., the Lúcnica Choir from Bratislava University performed. It was followed by choirs from Japan, Chile and the United States.

On Tuesday, March 25, the choruses from the Republic of Korea, Switzerland and Finland performed. On Wednesday, March 26, the students from Australia, Federal Republic of Germany, Ghana and Brazil exhibited their talents. On Friday, March 28, the choirs from Austria, Argentina, Philippines and Morehouse College of Atlanta performed.

On Sunday evening, March 30, a gala closing concert performed with choruses of 600 voices, which was thrilling. The Slovaks had their special concert by the Lúcnica Choir on Saturday, March 29, at St. John Nepomucene Auditorium, 66th St. and First Ave., in New York City at 4 p.m.

This was the first time that such great ovations were given to the Slovak singers from the Republic of Slovakia, which was declared as such 30 years ago and again on January 1, 1969 officially proclaimed by the Czechoslovakian Parliament in Prague.

The name "Lúcnica" derives from lúka, which means meadow. The Choir achieved great success in Prague, Moscow, England, Italy and other countries before its U.S.A. tour. Many American Slovaks, especially students in various American Colleges and Universities, were thrilled to hear "Lúcnica", which is a genuine Slovak University students choir. God bless them.

#### THE DEFENSE OF MATERIALISM

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DERWINSKI. Mr. Speaker, it is necessary and logical to emphasize the positive on occasion, and I believe the editorial, "In Defense of Materialism,"

in the Thursday, May 8, Wall Street Journal, makes a very proper and practical point in evaluating the basic virtues of our society.

The editorial follows:

#### IN DEFENSE OF MATERIALISM

What's basically wrong with American society today is that it is too materialistic; such is the charge leveled by many young people, both the militant and the quiet ones, as well as many of their elders. It is an ancient complaint, of course, but in the current context of violent dissent it is worth another look.

While a lot of youngsters are imbued with genuine idealism, it may be noted in passing that not a few others are themselves fairly hedonistic, with their emphasis on pot and sex. True, that doesn't make the SDS types tolerant; they are utterly intolerant of the behavior and rights of others. Nothing, at any rate, in the militants' own activities and thinking—which is muddled if not nonexistent—equates with idealism in contradistinction to materialism.

As for the charge of excessive materialism in this country, we would say, if we had not grown to hate the word, that it is irrelevant. What society is not materialistic?

Some may argue that India and other parts of the supposedly contemplative East are far less acquisitive-minded, but it is a myth. The unhappy fact that individuals and nations are poor does not make them more spiritual; if anything it makes them more materialistic, for their very poverty forces them to spend most of their time and energy grubbing for a subsistence existence. To those in the underdeveloped world who are aware of America, its abundance still represents the great dream.

In a similar way, the advanced nations of Europe and Japan, recovering from World War II, lost no time in importing U.S. goods, techniques and manners. And in the Soviet Union, one of the big problems has been communism's failure to provide the people with many of the good things of life. The world, in short, scolds America, including its materialism, but the criticism does not seem to deter emulation.

Nor does the past offer much support for the belief that the U.S. today is unusually materialistic. For most men most of history has been a grinding existence, bound to the earth, and the elites of ages past were not commonly noted for their freedom from

mundane concerns and fleshly pleasures. Even the spirituality manifesting itself in the spires of the Middle Ages could not have meant much to the exhausted serf.

Our materialism in this age is highly visible because for the first time the average man is not condemned to back-breaking labor but instead has the means to indulge his tastes. Certainly it is a good, not an evil, development that people have been able to pull themselves out of abject poverty and serfdom or actual enslavement and reach a stage where they can lead a more decent and civilized life.

Just as poverty perforce induces to materialism, so a general affluence can permit the luxury of higher values. Perhaps the interest of many Americans in the arts and culture and philosophy is not particularly profound; nonetheless, it is there and it has been growing. Paradoxical as it may seem, our materialism is reflected not only in material abundance but in matters of the mind and soul.

It seems to us that what accounts for the famous malaise of the age is not the materialism as such but a number of other factors—a realization that affluence alone is not enough, the unending violence of this century at home and abroad, a vague or not-so-vague sense that the future may be swamped by forces that could get beyond man's control. Obviously even in a time of economic well-being there is plenty to be annoyed by, to worry and be unhappy about.

But the real point, in an age that is everywhere materialistic and a world that has always been so, is not materialism but freedom. It is easy to sneer at the average American's purported addiction to his car or to suburbia or whatever; it must not be forgotten that it is his right to do what he wants with his money and his life, whether his tastes be mean or elevated, so long as he does not intrude on the rights of others.

That is just what the youthful militants (and a fair amount of professors and other adult critics of American society) are forgetting or somehow never learned. They emphatically do want to take away that man's right to his property and way of life. They loudly proclaim that their intent is to destroy first the university and then the society.

And they fall to realize the grim irony: That their determination to destroy a materialistic society could only lead to the worst kind of materialism, the chains of material poverty and of political authoritarianism.

## HOUSE OF REPRESENTATIVES—Wednesday, May 14, 1969

The House met at 12 o'clock noon.

Rev. William G. Burrill, St. Martin's Episcopal Church, Davis, Calif., offered the following prayer:

Almighty God, ruler of all the peoples of the earth; forgive, we beseech Thee, our shortcomings as a nation; purify our hearts to see and love the truth; give wisdom to our leaders and our counselors and a steadfastness to our people; guide, we pray Thee, all those to whom Thou hast committed the Government of this Nation, and grant to them at this time special gifts of wisdom and understanding, of counsel and strength; that upholding what is right and following what is true, they may obey Thy holy will and fulfill Thy divine purpose; and bring us at last to that fair city of peace whose foundations are mercy, justice, and good will, whose builder and maker Thou art; through Thy Son, Jesus Christ, our Lord. Amen.

#### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

#### PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on

Appropriations may have until midnight tomorrow night to file a privileged report on the second supplemental appropriation bill for the fiscal year 1969.

Mr. SHRIVER reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### NEW TAX LOOPHOLES

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, today while we are considering tax reform proposals before Congress, it is shocking to see new loopholes come to light every day.

The May 5, 1969, issue of the American Medical Association News lists several advertisements which promote the use of tax loopholes.