

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 fail 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.

One advertisement on page 15 is headed "Need Tax Advantages?—Want Good Income?—Citrus." The ad further reads:

Why do Doctors comprise the majority of absentee ownership of young citrus groves? Answer is because (1) it provides immediate tax relief, and (2) income for Retirement, Estate building, capital gains, etc.

The ad lists other tax advantages including depreciation, and investment credit. The ad follows:

NEED TAX ADVANTAGES?—WANT GOOD INCOME?—CITRUS

Why do doctors comprise the majority of absentee ownership of young citrus groves?

Answer—Because it best fits their requirements of (1) immediate tax relief, and (2) income for Retirement, Estate building, capital gains, etc.

Owner offers young groves in finest citrus area of Southwest. Assured supply of good quality irrigation project water. Our excellent soil and climate produces unusually high quality, and at low growing costs.

High annual income—Mature groves net about \$800 to \$1,000 per acre per year and sell for about \$4,000 per acre.

Tax advantages—Depreciation and investment credit, as well as grove care costs and supervision fees, are tax deductible. 20 acre grove—\$2,050 per acre, 29% down, balance 10 years. (10 acre grove also avail.)

For additional information, including tax, crop yield averages, market prices, etc., write: L. & L. FARMS.

YUMA, ARIZ.

The same issue of the American Medical Association News also lists a very exciting advertisement entitled "Scotch Whiskey for Capital Gain at Maturity."

The ad further says:

Attractive investment of unusual merit. Learn the exciting story of Scotch, from barrel to bottle.

The complete ad follows:

SCOTCH WHISKEY FOR CAPITAL GAIN AT MATURITY

Attractive investment of unusual merit. Learn the exciting story of Scotch, from barrel to bottle.

I would like further information:

Name _____
Address _____
City and zip _____
Residence phone _____
Business phone _____

BRIGADOON SCOTCH DISTRIBUTORS, LTD.
NEW YORK, N.Y.

The ordinary taxpayer who painfully pays income taxes on his ordinary income without this kind of tax trickery is certainly being taken for a ride to the poorhouse by the loophole manipulators.

TEXTILE IMPORTS AND UNFAVORABLE U.S. TRADE BALANCE

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, I was shocked to learn of demonstrations in Japan against Secretary Stans' herculean efforts to work out mutually advantageous trade policies. I was further shocked to hear of a resolution adopted by the Japanese Diet before Mr. Stans even arrived in Japan opposing any agreement for orderly trade in textiles.

Mr. Stans is advocating a mutually advantageous and long-overdue agreement on textile imports—an agreement which would cover manmade fiber, woolen goods and blends as well as cotton.

It is my understanding that the agreement with Japan proposed by Mr. Stans would provide for the Japanese to continue the 1968 level of textile imports into the United States plus a fair percentage each year of our market growth. This is the maximum that our country and Congress could possibly accept. Failure of our Japanese friends abroad to agree to such a reasonable approach could only lead to mandatory quota legislation and a general rise in protectionist and even isolationist sentiment in the United States.

Congress will bear in mind the facts. The facts are the United States has an overall \$1.1 billion unfavorable U.S. balance in trade with Japan. Japanese exports of cotton, wool, and synthetic fibers and apparel to the United States last year totaled \$400 million, or half the \$800 million unfavorable U.S. trade balance in these items and major portion of the overall \$1.1 billion unfavorable balance.

Mr. Speaker, my colleagues have been more than patient through the years. Mr. Speaker, in my 21 years in Congress, however, I have never seen the membership more concerned about the future of our industry and American jobs and balance of trade, than at this moment. Congress will support Mr. Stans' reasonable and fair approach to trade problems. Arbitrary and narrow attitudes on the part of any of our friends abroad can only lead to chaos and isolation in world trade.

Those of us who supported the Reciprocal Trade Act, unless reason prevails, are going to demand more "cip" in our trade policies for the American job holder.

SAVE THE GOLDEN EAGLE PARK PERMIT

(Mr. WALDIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WALDIE. Mr. Speaker, today I am introducing a bill calling for the repeal of the first section of the act of July 15, 1968, relating to the land and water conservation fund.

If enacted, this legislation would restore the provision for annual fee permits to our national parks, and forests which is scheduled to die as of April 1, 1970.

Mr. Speaker, many of our retired citizens have written to me and other Members asking that this annual permit be retained. In this day of mobility these retired persons are now able to tour this great land of ours and to partake in its great natural wonders. The annual fee permit has allowed them to visit our national parks and forests at a great reduction in cost.

To remove the "golden eagle passport," the name given this permit, would be to penalize those who most wish to visit our parks and who have long contributed to those parks.

The growth of the golden eagle passport since its 1965 inception has been remarkable. From 90,000 in that year to 700,000 in fiscal year 1968 shows its popularity with the people.

I would hope, Mr. Speaker, that the Members will share my belief that the worthwhile golden eagle pass shall be retained.

INCREASING AGRICULTURAL EXPORTS

(Mr. ZWACH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ZWACH. Mr. Speaker, I am introducing a bill today that results from a study on the need and ways of increasing agricultural exports. This particular bill concerns itself primarily with the exportation of beef. I am further advised that the study report on the practicality of beef trade expansion was reported in the 90th Congress in Senate Report 343, June 12, 1967.

The administration, starting with the President and proceeding through the Secretary of Agriculture, believes that greater emphasis must be placed on finding dollar and cash markets in an effort to improve farm income. In fact, a new division within the Agency of International Affairs and Commodity Programs, has been established to help accomplish this major objective. The division is properly named the "Export Marketing Service," and is headed by Mr. Clifford Pulvermacher.

This bill calls for an annual conference to ascertain the outlook in foreign countries for beef consumption, and explore the possibilities of fulfilling these needs by U.S. exports. The Secretary of Agriculture is empowered to call these conferences and to secure the assistance and representation of these agencies, along with producer representatives, to secure all the information needed to make these conferences meaningful in the form of expanded positive trade.

PERSONAL EXPLANATION

(Mr. FULTON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. FULTON of Pennsylvania. Mr. Speaker, on request of the gentleman from Michigan (Mr. FORD), the House of Representatives granted me an official leave of absence as a member of the Committee on Foreign Affairs to go to Italy and Israel. These countries, their institutions, civic and religious, have always been a special interest to me during my service in Congress. This is especially true under fast changing conditions and new developments as well as threats to peace in the Mediterranean area.

Had I been present on roll No. 53, on Thursday, May 1, 1969, I would have voted "yea" on passage of House Resolution 17, to create a select committee to conduct an investigation and study of all aspects of crime in the United States. I have cosponsored this legislation, by my bill, House Resolution 376,

filed April 28, 1969, so my position is plain on this legislation. This bill was not controversial and passed by the wide margin of 325 votes, 343 for, 18 against.

On roll No. 55 on Tuesday, May 6, 1969, I would have voted "yea" on passage of H.R. 5554, to continue Federal special milk programs for children. I have always strongly supported and voted for adequate Federal milk programs for all children.

PERMISSION FOR COMMITTEE ON JUDICIARY TO HAVE UNTIL MIDNIGHT FRIDAY TO FILE CERTAIN REPORTS ON HOUSE JOINT RESOLUTION 681

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight, Friday, May 16, to file certain reports on House Joint Resolution 681.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO PROVIDE FUNDS FOR THE STUDY AND INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 17

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 399 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 399

Resolved, That, effective May 1, 1969, the expenses of the study and investigation to be conducted by the select committee created by H. Res. 17, not to exceed \$400,000, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Select Committee To Investigate and Study Crime in the United States shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 3, delete "\$400,000" and insert in lieu thereof "\$375,000".

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. I was not aware that this resolution was coming up. Will the gentleman briefly explain it?

Mr. HAYS. Yes. Some days ago the House voted to set up a Select Committee on Crime. Then a resolution was introduced to fund that committee to pay for staff work, and so on, which is this resolution, House Resolution 399. The chairman asked for \$400,000. The committee amended it to \$375,000. That is the amount we are asking to provide at this time.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, at that time I said I feared that it would probably cost a minimum of \$300,000. My worst fears have been realized in that it is up to \$375,000.

Mr. HAYS. That is only for 8 months.

Mr. GROSS. That is only for 1 year, as I understand.

Mr. HAYS. That is just for 8 months, for the balance of this year.

Mr. GROSS. Just for the balance of this year?

Mr. HAYS. That is correct. It is going to cost more than that next year, but the gentleman is against crime, is he not?

Mr. GROSS. Certainly I am against crime, but, as I said when that resolution was before the House to create this committee, we have crime statistics coming out of our ears. We are literally swamped with crime statistics. I do not know what this committee can contribute to what we already know about this situation.

Mr. HAYS. It came out of the subcommittee and the full committee unanimously, and they said they were going to come up with some legislative proposals.

May I say that the Member now addressing the gentleman is the chairman of the Subcommittee on Accounts. I questioned whether they were going to come up hopefully with some proposals about crime—and I call what is happening in the colleges crime, and their connections with dope rings and dope pushers in the colleges, and some other things that are going on. I was assured they would look into this.

I also questioned whether they agreed with me or with Secretary Finch, who was quoted on the radio this morning as saying rioting in the universities was not any of the business of the Federal Government. I am paraphrasing the Secretary. He said it was not the proper job of the Federal Government to do anything about law enforcement on the college campuses. I further questioned them because of the fact that the Federal Government is heavily subsidizing colleges and institutions of higher learning, and I asked them if they thought it was within their purview to look into this, and they said they did.

If they can look into this and can do something about it, it is worth 40 times the amount involved, in my opinion, at least.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I certainly

hope we get something more out of this select committee than the hiring of a costly staff.

I thank the gentleman for yielding.

Mr. HAYS. Mr. Speaker, I hope we will, and I believe we will.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATIONS FOR THE SALINE WATER CONVERSION PROGRAM, 1970

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 406 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 406

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes. After debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against section 2 of such substitute are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the minority, to the gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, S. 1011 is the 1969 authorization bill which provides for further research in the matter of converting salt water to fresh water.

This is a most important matter. It affects this whole country—not just one section of it—because of the growing scarcity of water.

This program was started in 1952, Mr. Speaker, and has been conducted with some exceptions since that time.

The bill authorizes \$25 million for a continuation of this study and investigation. The Committee on Interior and Insular Affairs in its wisdom has seen fit to cut the budget recommendation

down from \$26 million to \$25 million. As one who is interested in holding down these authorizations and appropriations as much as possible, I want to commend the Committee on Interior and Insular Affairs for making even this small reduction of \$1 million.

Mr. Speaker, I should also like in this connection to compliment the very able, the very distinguished, and the very sound chairman of this committee, the gentleman from Colorado (Mr. ASPINALL). Members will find, when he presents this matter in the Committee of the Whole, that he, as usual knows what he is talking about. I think he has brought to the House a sound bill.

I of course extend my congratulations also to his counterpart, the gentleman from Pennsylvania (Mr. SAYLOR), for the minority, and to the committee as a whole.

Mr. Speaker, House Resolution 406 provides an open rule with 1 hour of general debate for consideration of S. 1011 to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment, and points of order are waived against section 2 of the substitute. The waiver of points of order was provided because section 2 of the substitute constitutes a direct appropriation of funds heretofore appropriated but not utilized in fiscal year 1969.

The purpose of S. 1011 is to authorize appropriations for the fiscal year 1970 saline water conversion program, which is administered by the Office of Saline Water in the Department of the Interior. As amended, the bill authorizes the appropriation of \$25 million for fiscal year 1970. This amount is \$1 million less than the amount requested by the administration in its amended budget request, and is \$2 million less than the authorization in the Senate version.

The conversion program authorized in section 1 of the bill is divided into four categories, as follows:

For research and development.....	\$16,233,000
For design, construction, operation and maintenance of saline water conversion test facilities	5,355,000
For design, construction, operation and maintenance of saline water conversion modules	1,450,000
For administration.....	1,972,000

Section 2 permits the Secretary of the Interior to utilize, in addition to the funds authorized by section 1, any funds previously appropriated but not obligated during fiscal year 1969. However, these funds are subject to the dollar limitations by categories applicable to the fiscal year 1969 program. In other words, carryover can only be used for the purpose for which it was appropriated.

Federal research activities in the field of saline water conversion date from 1952 when Congress authorized a modest research program calling for the expenditure of \$2 million over a 5-year period. Through a series of amendments, the program has been expanded in scope and extended in term. Consistent with the

practice followed by Congress on other major research undertakings of the Federal Government, annual authorizations have been required since 1967, which procedure enables Congress to stay abreast of the progress being achieved and the emphasis being given to the several alternative categories of saline water conversion research and development.

This is a very important program which was established to develop practicable, economic means of producing fresh water from saline and brackish waters suitable for municipal, industrial, agricultural and other beneficial consumptive uses. It is a part of our national effort to find the means of meeting the future water needs of our Nation. The most remarkable achievement of the program is the incentive it has inspired causing the growth and development of a desalting industry in the private sector of our economy. However, the need for a Federal program will certainly continue until private industry is capable of producing low-cost water without passing on to the consumer the full burden of the additional costs of basic and applied research.

Mr. Speaker, I urge the adoption of House Resolution 406 in order that this important legislation may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my friend from Missouri.

Mr. HALL. I appreciate the distinguished chairman of the Committee on Rules yielding.

I rise to query, for the information of the Members of the House, why this Rule House Resolution 406 makes it in order to waive all points of order against section 2 of the committee substitute printed in the bill S. 1011?

Mr. COLMER. Mr. Speaker, I am glad the gentleman asked that, because it gives me an opportunity again to explain that the Committee on Rules has abandoned the practice of just granting broad waivers of points of order to all the provisions of bills generally. The committee chairmen, including the able gentleman from Colorado, have acceded to the request that they justify all requests to waive points of order.

So the Committee on Rules waives points of order only on the particular provisions that are necessary. In this case it provides for the use of unobligated funds heretofore made available in this connection and to be used only for the matters specified in this continuing program.

I hope that answers the gentleman's question.

Mr. HALL. In other words, Mr. Speaker, this applies only to section 2 of the committee amendment, which in turn applies to what we commonly call "carryover funds" from fiscal year 1969 to be used subject to the dollar limitations applied in that fiscal year. Is that correct?

Mr. COLMER. That are unobligated. Yes, sir.

Mr. HALL. I thank the gentleman.

Mr. COLMER. Mr. Speaker, at this time I should like to yield such time as he may desire to the gentleman from

New York (Mr. CELLER), chairman of the Committee on the Judiciary.

I would add, also, if it is in order, that I think what he has to say will be important to all of us.

(Mr. CELLER asked and was given permission to speak out of order.)

ASSOCIATE JUSTICE FORTAS

Mr. CELLER. Mr. Speaker, obviously I have been much concerned with matters involving Associate Justice Fortas. I am aware also of the statement made this morning by our distinguished colleague, the gentleman from Minnesota (Mr. MACGREGOR). The ranking minority member of the Committee on the Judiciary, the gentleman from Ohio (Mr. McCULLOCH), and I are conferring and shall propose such steps as are appropriate at the proper time. I ask the Members of the House to have patience. Patience is bitter, but sometimes it bears rich fruit. I am going to ask Mr. McCULLOCH to say a few words on this same subject.

Mr. McCULLOCH. Mr. Speaker, the chairman of the Committee on the Judiciary has made a correct report, as all of his reports always are correct. We are in complete agreement on the course of action stated by the chairman of the Committee on the Judiciary of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am as much in the dark as anyone could be about the procedure that is being talked about here and the patience that is being asked for. What does the distinguished chairman of the Committee on the Judiciary have in mind that we ought to know and upon which we should use patience?

Mr. CELLER. I hope that the gentleman will not insist in his interrogation in that regard. We are very concerned, as I said before, and at the proper time a statement will be made and proper action will be taken.

Mr. GROSS. Can the gentleman give us no better time frame than that with respect to dealing with the case of Associate Justice Fortas.

Mr. CELLER. I do not wish to promulgate any judgment on that score at this moment.

Mr. GROSS. Can the gentleman give us any time when further information on this subject will be forthcoming? In other words, does the gentleman expect to address the House again today or tomorrow, or to give us some indication of what he has in mind?

Mr. CELLER. I am sure that the gentleman will be satisfied with the action that may be taken in the not-far-distant future.

Mr. GROSS. Well, I am not at all sure that I will be satisfied, I will say to the gentleman, but I thank the gentleman for yielding.

Mr. COLMER. Mr. Speaker, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Mississippi, the chairman of the Committee on Rules.

Mr. COLMER. Mr. Speaker, I must confess that, perhaps, I had anticipated too much when I yielded to the gentle-

man—and, of course, I would have yielded to him anyway. I am just not quite clear myself about what the gentleman from New York (Mr. Celler) and the gentleman from Ohio (Mr. McCulloch) have in mind. But may I just say to my friend from New York, the able and distinguished chairman of the Committee on the Judiciary, that while Members of Congress generally have been patient and, perhaps, reluctant to even sound off about this matter, that maybe the country is becoming impatient about this situation that reflects upon not only the Justice in question but upon the Court and upon our entire Establishment of Government which seems to be under constant attack today. However, I do want to commend the gentlemen for the statements which they have made which are indicative of the fact that possibly we may have a solution of this matter in a very short time.

I thank the gentleman for yielding.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 406 provides for 1 hour of general debate on S. 1011, a bill authorizing appropriations for the saline water conversion program for fiscal year 1970.

The original proposal requested \$27 million for 1970. However, after its budget review was completed, the Nixon administration adjusted the request to \$26 million. The committee has further reduced the authorization to \$25 million and it believes this cut will not damage the program. In addition, there may be somewhere in the neighborhood of \$1 million of carryover funds available.

Mr. Speaker, this is a tremendously important program and I want to commend the chairman and the members of the Committee on Interior and Insular Affairs for this fine piece of legislation which they have brought to the floor today. I am very happy to note that the total authorization is under the budget request for this year.

Mr. Speaker, I support the rule and the legislation.

Mr. COLMER. Mr. Speaker, I have no further requests for this time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1011, with Mr. TIERNAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. JOHNSON) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. JOHNSON).

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may consume to the chairman of the full committee, the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Chairman, this is the only bill that the Committee on Interior and Insular Affairs has to pass during this session of Congress.

This is an annual matter, as we now handle it, and it must be taken care of before the appropriation for fiscal 1970 can be taken care of.

Naturally, Mr. Chairman, I am most appreciative of the remarks that the gentleman from Mississippi (Mr. COLMER), the distinguished chairman of the Committee on Rules, and the gentleman from Nebraska (Mr. MARTIN), had to say about the chairman, the ranking minority member of the committee, and the members of the committee.

We try to bring before the body legislation that is in good order. The order of presentation at this time will be the statement which I shall make, then the statement which the gentleman from Pennsylvania (Mr. SAYLOR), shall make, then the gentleman from California (Mr. JOHNSON), then the statement which the gentleman from California (Mr. HOSMER), shall make, and then the gentleman from New York (Mr. RYAN), has a statement.

We hope that our presentation will be such that there will be but few questions left in the minds of the Members as far as this program is concerned.

Now, Mr. Chairman, if I might refer to my manuscript, I would like to say that the management of our public water supply becomes no simpler and easier as our population grows and our citizens require more and better supplies of water consistent with their increasing affluence and sophistication. While public water supply has been and remains largely a local responsibility, there are clearly some things which the Federal Government must undertake for the public good. This is particularly true with respect to research in untried concepts and procedures which, by the nature of the risk factors involved, cannot safely be left to local levels of government or to the private sector if reasonable progress is to be expected on a timely basis. The saline water conversion program first initiated by the Congress in 1952, is the way in which the Federal Government has undertaken to assume the financial risks associated with developing the processes and technology required for the successful augmentation of our usable water supply from saline and brackish sources.

S. 1011 would provide authorization of the appropriations required for fiscal year 1970 to continue the work of the Office of Saline Water in the Department of the Interior. The practice of authorizing annual appropriations for

this program is consistent with the manner in which most other major federally supported research matters are handled, although it has not always been the practice followed for this program. In the earlier years of the program, when the amounts involved were small, appropriations authority was granted by lump-sum amounts covering several years of operations. As the program grew in size and cost, this system did not afford Congress an opportunity to stay well informed, on a continuing basis, with the emphasis and trends in program administration. Since fiscal year 1968, the annual authorization process has enabled the committees and the Congress to stay up to date on progress, observe trends, and to participate more actively in the formulation of policy guiding the program.

Since the outset of the program in 1952, the saline water conversion program has been the vehicle for research efforts into promising processes for the conversion of unpotable water to a useful product. The agency charter extends to sea water as well as to brackish water supplies found both on the ground and underground in many interior locations. Principal emphasis has been given to sea water conversion and some progress has been noted in developing methods for reducing the cost of water by the distillation processes. My colleagues would be advised, however, that the progress has not been as dramatic as the publicity would have us believe, and that the utopian breakthrough is nowhere on the immediate horizon. It is also important to note that the state of the art for processes other than distillation are still embryonic in terms of their availability for commercial application in anything except the most unusual situations.

Despite disappointment with the rate of progress toward the goal of low-cost water, the program is important and in the public interest. This is particularly true in the field of basic research and in the environmental testing of the results of this research, and these are the purposes for which S. 1011 is recommended.

Somewhere along the line, since the program started in 1952, Mr. Chairman, the Department, as sometimes happens, began to operate in a manner not intended by Congress. There developed a tendency for the Department to use its latitude to exchange scientific data and information with foreign countries and institutions as a pretext to conduct business relations with sovereign nations. Congress has very wisely, in my opinion, put a stop to this aspect of the Department's activities, while at the same time preserving its latitude to converse with the scientific community throughout the world.

Perhaps, Mr. Chairman, the most important contribution which we may expect from the saline water conversion program is the development of a self-sustaining desalting industry. There has been some notable progress in this area. Along with this growth has been a growth in the capability of the industry to carry applied research to an increasing degree without Federal support. It is likely that

we shall see the day in a few years when the Federal Government can phase itself out of this field of activity. That time has clearly not arrived, as yet, and for that reason we should support S. 1011 as a proper and necessary measure to fulfill the public interest in the search for continuing sources of water for the decades and generations ahead.

MULTISTAGE FLASH DISTILLATION

This is the most advanced of the processes under development by the Office of Saline Water and is the process involved in the well-known Point Loma plant which was transferred to Guantanamo Bay during the water crisis at that military installation. It makes use of the tendency for water to boil at progressively lower temperatures as pressure is lowered. This is similar to the phenomenon observed when boiling water at high altitudes.

Sea water is heated and introduced into a vessel where vapor "flashes"—this is the same as boiling—and is condensed on coils which have been cooled by the incoming feed water from the sea. The act of vaporization lowers the temperature of the feed water. It is then passed to another vessel where the pressure is slightly reduced allowing another boiling effect or flash to take place. This process is repeated through many stages until the feed water temperature is reduced to approximately ambient levels. In this process the condensation of distilled water takes place on the outside of metallic tubes through which the sea water coolant flows. Apart from representing a substantial part of the cost of a multistage flash plant, the tubes and their performance present the principal area of research needed for this process. Tube configuration and metallurgy influences the heat transfer capability of the tube and controls efficiency of the overall process. Also the inside of the tube is subject to scaling from certain components of sea water and tends to limit heat transfer. Additionally, a leaky tube would cause brine to escape into the product water and detract from the overall effectiveness of the conversion process.

Principal cost factors in this process apart from tube installation and replacement are associated with the large amounts of pumping energy required to move water from one stage to another and to produce the reduced pressures that are needed to make the process function.

FREEZING

The freezing process is the best known of the crystal formation processes. Of course, when water freezes, crystals of pure ice are formed. These crystals can be separated from the residual brine, melted and utilized as pure water.

Two major freezing processes have been studied. The first—vacuum freezing—occurs under pressures so low that the feed water flashes very near the freezing point. The act of flashing to steam utilizes enough heat that the remaining brine forms ice crystals. Various forms of crystal separating and washing devices can then be used to separate out crystals of pure ice.

The secondary refrigerant process something on the order of evaporating butane is used to cool the water to a

freezing level. Freezing processes are advantageous in that separation of water from the impurities takes place at low temperatures and this inhibits side reactions such as scale formation. Research in vacuum freezing process is being conducted at the demonstration plant at Wrightsville Beach, N.C. Research in the secondary refrigerant process has been terminated due to the unfavorable prospects for developing an economical process.

ELECTRODIALYSIS

This is a process best suited to the conversion of brackish water supplies. It makes use of a semipermeable membrane which permits the passage of ions, and the tendency of ions to be attracted or repelled by an electrical charge. Two membranes are situated in a manner to provide three compartments in a vessel. In one compartment there is a positive electrode and in another compartment there is a negative electrode. The saline water is introduced into the third compartment. Saline matter in solution is comprised of negative and positive ions. For example, sodium chloride—common salt—is composed of one sodium ion which has a positive charge and one chloride ion which has a negative charge. When current is applied to the electrodes, the sodium ion is attracted to the negative pole and the chloride ion is attracted to the positive ion. The ions pass through the separating membranes leaving purified water in the intervening space.

Direct current energy is required for this process. The substantial amounts of energy are one of the cost factors in this process; however, membrane fabrication and replacement is also an important dimension of the cost of this process.

The demonstration plant—test bed—at Webster, S. Dak., utilizes this process.

VAPOR COMPRESSION DISTILLATION

In the vapor compression process, heat for vaporization of water is supplied through pressurization. A basic law of physics is that the temperature of a gas increases as its pressure increases. This can be noted by touch in the case of a pressure tank on an air compressor.

In this process, brine is forced upward through heat exchange tubes which are surrounded by steam. Being heated in the process, the brine flashes when it escapes at the top of the tubes into a large vessel. Steam from this vessel is drawn off to heat the tubes in yet another stage. Steam from this stage is mechanically compressed—superheated—and used to heat the tubes in yet another stage. Product water is obtained by drawing off that part of the vapor that is surplus to the heating needs of the subsequent stage. The principal problem with this process is in the development of satisfactory compressor equipment of the scale and performance characteristics required for trouble-free operation.

The demonstration plant at Roswell, N. Mex., is devoted to this process.

REVERSE OSMOSIS

This process involves the use of semipermeable membranes, as does the electrodialysis process. In this case the flow through the membranes is caused by

ordinary hydrostatic pressure as distinct from an electrostatic charge.

The process of osmosis as it exists in nature involves the flow of water through a membrane to equalize the salinity on both sides of the membrane. Thus, if a highly concentrated salt solution is on one side and pure water on the other, pure water will diffuse through the membrane until the salinity is equalized. The driving force is, of course, called osmotic pressure.

In the reverse osmosis process, it is necessary to apply enough pressure to the saline solution to overcome the osmotic pressure and actually reverse it so that water from the brine is forced through the membrane. This process is showing great promise on brackish water and the principal research emphasis is on membrane technology. Basic research is emphasized by the Office of Saline Water and many private concerns are working at their own expense to establish competitive proprietary positions in the reverse osmosis membrane field.

The largest new undertaking in the fiscal year 1970 program of OSW is the acquisition of a reverse osmosis test bed. This is a piece of apparatus that can be used to test various membrane concepts utilizing various brackish water supplies in actual field conditions.

The high promise that is held for this process is shared by the Office of Saline Water and private industrialists alike.

VERTICAL TUBE EVAPATOR PROCESS

In this distillation process the heat transfer tubes are arrayed in a vertical position inside a pressure vessel. The sea water is introduced at the top of the tube and falls through it. It is heated through the tube wall by steam in the pressure vessel, and steam forms within the tube system. Some of the steam surrounding the tubes is condensed in this process and is withdrawn as fresh water. The steam from the inside of the tubes in the first evaporator stage passes to the second evaporator and furnishes the heat source for this stage. The brine that does not vaporize in the first stage is pumped to the top of the second chamber and flows down through the tubes in the second stage. This process is repeated until the temperature of the steam supply drops to approximately atmospheric or ambient temperatures. Of course, to secure vaporization at progressively lower temperatures, it is necessary to lower chamber pressure in successive stages. Brine accumulations at the end of the last effect is wasted. Product water is derived entirely from condensed steam on the outside of the tubes.

This process has been tested at Freeport, Tex. In the industrial community there is conflicting evidence as to the viability of the concept. Those firms which specialize in vertical tube hardware hold vast promise for the method while those firms specializing in multistage flash profess to see little promise. The department feels that this concept may be merged with vapor compression successfully although this combination has not yet been tested at field conditions.

Mr. Chairman, at this point in my remarks, I include a related table:

PROGRAM STATISTICS—OFFICE OF SALINE WATER, DEPARTMENT OF THE INTERIOR

Fiscal year	Number of contracts, grants, and agreements	Permanent personnel	Total appropriations
1953	8	9	\$200,000
1954	10	9	400,000
1955	11	11	400,000
1956	9	12	600,000
1957	10	15	600,000
1958	10	17	700,000
1959	17	27	1,200,000
1960	35	33	3,600,000
1961	10	36	3,800,000
1962	31	56	9,800,000
1963	72	56	9,600,000
1964	124	69	11,800,000
1965	99	109	16,100,000
1966	166	116	23,200,000
1967	195	132	29,900,000
1968	188	137	19,800,000
1969	189	137	24,700,000
1970 ¹	189	137	25,000,000
Total	1,184		

¹ Estimated.
As of Mar. 31, 1969, 556 of above were active financially:
Contracts..... 394
Grants..... 131
Agreements with other agencies of Government..... 31

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my friend, the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Interior and Insular Affairs yielding. I certainly appreciate the statement he has made. It has cleared up many of the areas of this definite need on the part of the American public, and based on our God-given resources such as water, so that we may repurify them, conserve them, and add to them constantly.

I agree with the gentleman that there is nothing more important to the future economy of our Nation than the proper conservation, use, and reuse of our water cycle.

This program, however, has been funded as the distinguished chairman has said, for a long time, and if I recall properly, last year in the discussion and the debate there was some indication that perhaps by means of some scientific technological breakthrough, would certainly make it worthwhile to increase and continue the program over and above the basic needs of the Nation.

Can the distinguished chairman tell us whether there has been any particular technical breakthroughs that might give us increased courage to vote the taxpayers' funds for this additional year's program?

Mr. ASPINALL. May I say to the gentleman from Missouri that that breakthrough has not yet occurred.

There have been several companies, industrial companies who, at the present time, are offering to the world their manufactured articles.

Here I would like to say that the present general authorization remains until 1972 and at that time there must be a complete review of the overall program and then the decision as to whether or not the program is to be renewed must be made. That time clearly has not arrived as yet. For that reason we of the committee feel that we should support the bill, S. 1011, as a proper and necessary measure to fulfill the public interest

in the search for a continuing source or sources of water for the decades and generations ahead.

When we started out we had four processes that at that time were acknowledged to be in existence. These were major processes. We thought perhaps another process might be brought into existence.

There is the multiple-stage distillation process that we have worked on. I explained this in my prepared remarks.

There is the freezing process, which we have worked on.

There is the electrodialysis process, which we have worked on.

There is the vapor compression distillation process, which we have worked on. These are the major processes to date.

The process to which my friend refers, and which we brought into the discussion last year, is known as the reverse osmosis process. This is a very technical, scientific process. They have made progress in the basic science aspect. They still contend there is a great deal of hope in this particular process.

We had before us one witness from the industry field who stated that in this respect industry felt that there should be much more research on this particular process than there has been had to date. On the other hand, he felt that perhaps the process of distillation, had pretty nearly reached the point at which the private sector could take over. Since then we have had a communication from another industry organization which states that we should continue in both of these fields for the time being, especially in the reverse osmosis process, which is a new way of separating the salts and impurities from brackish and sea water. Just how far we can go I do not know. But if there is to be a sizable reduction in the cost of making potable water out of these different kinds of impure water, it more than likely will have to come either from this process or from an enlarged plant using the distillation process and the improvements that have been made to it, combined perhaps with nuclear heating and the production of nuclear power.

We are no further along this year than we were last year in this respect. We have one more process which is new to the evaporation process, and that is the vertical tube evaporator process. We are working on that at the present time. However, there are no funds here at this time in any sizable amount for that particular process. Most of the funds go to the reverse osmosis process, and the basic scientific perfection of the other processes which are well known.

When we took over this responsibility in 1952 the cost of producing potable water out of sea water was \$2 a thousand gallons or more. Now at the present time we have it down to the point at which it is said the water that is produced at Key West by a plant which was built by Westinghouse is being produced at 80 cents per thousand gallons—a large reduction in the cost of water. In the opinion of the committee, that reduction would not have been possible if it had not been for the research work that has been authorized by the Congress of the United States.

Mr. HALL. Mr. Chairman, I appreciate the gentleman's excellent response and statement. I think he has anticipated some of my additional or more refined questions. Practically all of these funds, \$25 million, are to be used in these different areas of hoped for scientific and technical breakthrough, for further research, development, test, and evaluation. Is that a correct statement?

Mr. ASPINALL. That is correct. I also have in my statement a breakdown of the number of contracts, grants, and agreement year by year throughout the program, and also the amount of permanent personnel, and also the total appropriations.

Mr. HALL. I thank the distinguished gentleman for his statement on the scientific breakthroughs, which are important. As he knows, for a long time we have used the reverse osmosis process in the so-called artificial kidney. This is an area where we can do it on a very extensive basis with dialysis and reverse dialysis through a semipermeable membrane, and so forth. But as in the case of repurifying water in general, so is the problem to make it economically feasible, and on a massively produced basis.

Would the gentleman say that to have water in abundance, whether it is to be used for irrigation or for individual purposes, we must produce it at somewhere between 5 and 8 cents per thousand gallons rather than the current 80 cents per thousand gallons?

Mr. ASPINALL. This depends upon the locality, but by and large as a common operation or a normal operation I would say my friend is correct.

Mr. HALL. If the gentleman will yield for one further question, I have before me his distinguished committees' report for 1968, dated April 1 actually, in which in the paragraph on background, a great deal is said about the Office of Saline Water authorizing the Bolsa Island plant of the Metropolitan Water District of Southern California in association with these developments and/or breakthroughs for provision of water. I have researched the current report and find no mention of it there, or in the bill. Would the gentleman think it in order that a word of explanation should be given about what has happened to the \$3 million project in line with these developments and technical breakthroughs?

Mr. ASPINALL. The project was authorized. There was supposed to be a combination of private companies, the Federal Government, and certain power groups and the Atomic Energy Commission. The interested private people withdrew, so it is in a status quo at the present time. We hope in the future to get something like this, but apparently the current economic possibilities are not sufficient to bring private enterprise into it.

Mr. HALL. May I ask specifically, is it for that reason that we have the waving of points of order in section 2 of the Senate-passed bill? Has that been requested so those funds may still be obligated?

Mr. ASPINALL. Not necessarily so, but if those funds are there because of the

research work that was intended to be followed in the current year, those funds would be available.

Mr. HALL. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Chairman, I rise in support of S. 1011, a bill to authorize appropriations for the saline water conversion program for the fiscal year 1970 and for other purposes.

The purpose of S. 1011 is to authorize the appropriation of \$25 million for fiscal year 1970, to continue the research, development, and testing of technology in the saline water program and to provide for its administration.

The bill as amended and reported by the Committee on Interior and Insular Affairs differs substantially from the bill as passed by the other body. The first area of difference is the reduction of \$2 million in the amount authorized to be appropriated. S. 1011, as introduced and passed by the other body provided for an authorization of \$27 million. The bill as amended by the committee and reported to the House provides for an authorized appropriation of \$25 million. One-half of this reduction was recommended by the Department to conform with the amended administration budget request. The other \$1 million reduction was a decision of the committee to retain this program at approximately the 1969 level of funding.

The second difference concerns the latitude of the Office of Saline Water to adjust expenditures and obligations between the four categories of the program. The bill as amended and reported by the committee reduces from 15 to 10 percent the authority to increase the expenditures and obligations of any category, except the category on administration, by an equal decrease under one or more of the program categories. This action by the committee merely retains the present transfer authority.

The third substantial difference is that the bill as amended and reported by the committee does not include language which would broaden the authority of the basic act to permit the Office of Saline Water to pursue and engage in activities in foreign countries.

S. 1011, as amended and reported by the committee, adopts an approach which I have long sought as the proper approach to the saline water conversion program. In 1952, when this Federal program was initiated, I supported its enactment because I saw the need for such a program, not only for the so-called arid Western States, but a program that was of national interest and scope to assist in meeting the water problems throughout this country.

Since 1952, the saline water conversion program has been expanded and extended from a modest \$2 million program to involve a total Federal expenditure of \$157,190,000 through fiscal year 1969. Despite this level of funding there has been no significant breakthrough in any desalting process or technology to produce low-cost potable water. While I am the first to admit that this Federal program is necessary and has shown some

beneficial results, the expenditures have far exceeded the total benefits to the American taxpayers in meeting this Nation's water problems. With the advent of a viable desalting industry on the horizon I think it is time for the Congress to curtail the Federal expenditures under the saline water conversion program.

Another feature of the saline water conversion program which has disturbed the members of the committee, and other Members of Congress as well, has been the extensive involvement of the Office of Saline Water in activities in foreign countries.

The Office of Saline Water was created for the purpose of solving the water problems of this country. Unfortunately, some years ago, the Office of Saline Water started on a tangent which had absolutely no relationship whatsoever to the original purpose for which it was created. The result has been that the Office of Saline Water has had more people traveling to foreign countries worrying about foreign water problems than they have had worrying about solving the problems for which they were created. This situation was corrected in the 90th Congress when the authority of the Office of Saline Water to participate in most foreign activities was eliminated in the 1969 appropriation authorization.

Despite the request to restore this authority to engage in foreign activities, the Committee on Interior and Insular Affairs has properly refused to grant such authority in its consideration and report on this legislation. The committee by this action does not intend to limit the ability of the Office of Saline Water to obtain or exchange technical data with foreign entities, but it does place limitations on the ability of the Office of Saline Water to enter into contractual and business relationships with nondomestic entities or engaging in activities which have foreign policy or foreign aid connotations. The research and development capabilities of the growing desalting industry and the colleges and universities of this Nation can, and are perfectly capable of assisting the Office of Saline Water in meeting their needs at this time. Should the development of technology by foreign countries in this field achieve the significant breakthrough in the process of desalting water we are all seeking, I am confident the Congress of the United States will provide the authority and means for obtaining such information.

Mr. Chairman, S. 1011, as amended and reported by the Committee on Interior and Insular Affairs, provides adequate funding of the saline water conversion program for fiscal 1970 with sufficient latitude for effective administration of the program.

I urge and support the passage of S. 1011, as amended and reported by the Committee on Interior and Insular Affairs.

(Mr. BERRY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BERRY. Mr. Chairman, I would like to comment briefly in support of S. 1011, a bill authorizing appropriations for the saline water program.

There are very few research programs that have developed their potential value as this program has. Its purpose is to produce fresh, usable water from either brackish or salt or sea water, and to be able to accomplish this at a reasonable cost.

Since the inception of this program, authorized by Congress in 1952, the cost of converting a thousand gallons of sea water to fresh water has been reduced from over \$4 to about \$1. The Office of Saline Water operates five conversion plants, three for sea water and two for brackish water.

One of these, the electrodialysis process plant, is located in my home State of South Dakota at Webster. The long-tube vertical multiple-effect distillation process plant is located at Freeport, Tex.; the multistage flash distillation process is located at San Diego, Calif.; the forced circulation vapor compression plant is located at Roswell, N. Mex.; and the freezing process plant is located at Wrightsville Beach, N.C.

In addition, several other new plants are planned or are under construction.

The science of desalination has advanced greatly during the past decade. In 1960 the total estimated capacity for land-based plants in operation or under construction was 64 million gallons per day. Today the total capacity is approximately 250 million gallons per day.

Desalting technology has reached the point where not only coastal communities can use desalination processes to meet water requirements, but inland communities now see the possibility of making use of large brackish water supplies.

The city of Webster in South Dakota, for instance, uses water from the process plant located there and has found that desalted water, using the electrodialysis process, has decreased the need for home water treatment chemicals, detergents, water heater replacements, and plumbing repairs, in addition to providing an adequate water supply.

It is necessary, however, that the next 10 years bring even greater advancement toward the goal of low-cost desalination. National water demands, as reported by the Water Resources Council, will be 1,098 billion gallons per day greater by the year 2020 than was required in 1965. Certain areas will require large amounts of additional water, and desalting technology must be advanced to the point where plants with the capacity of producing water in the quantities needed will be available.

I think it is safe to say that we are now on a threshold of economic effectiveness in achieving the overall objectives of the saline water program. This is not to say that the research and development job is done—but rather that the full-scale application of the new-found laboratory technology is now warranted.

The bill before us today calls for authorizing a 1-year appropriation of \$25 million. Approximately \$18 million of that sum is earmarked for research and development operating expenses. The remainder is to be expended on construction, operation, and maintenance of saline water conversion test bed and test

facilities and conversion modules, in addition to administration.

I urge that every Member of this body support the continuation of this important program. The Office of Saline Water has worked efficiently to make a supplemental supply of fresh water at the lowest possible price, but most important of all, to make it available as, and when, needed. We can put a price on water, but we cannot put a value on it.

Mr. JOHNSON of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the distinguished chairman of the full committee has given us a afford to forgo consideration of any pro-cogent explanation of the purpose and background of S. 1011, and an insightful report on the accomplishments and prospects for the saline water conversion program. Based on definitive hearings held by my Subcommittee on Irrigation and Reclamation, I am convinced that the program which we are discussing today is a vital and necessary part of the Nation's array of tools for working on our water resource needs of the near and long-term future.

My service on the two standing committees of this body concerned with major water resource programs has given me the feeling that the Nation cannot afford to forgo consideration of any program holding promise of a solution to our perplexing water problems. While the saline water program is not a panacea to all our ills, S. 1011, which authorizes its continuation for fiscal year 1970, will permit orderly conduct of the program in all of its facets.

As reported, S. 1011 authorizes appropriations in the amount of \$25,000,000. This sum of money is \$1,000,000 below the administration's amended budget request, and is \$2,000,000 below the amount in the Senate-passed bill. Our committee applied the specific reduction to category 1, research and development, by reducing the executive branch recommendation from \$17,223,000 to \$16,223,000. Amounts requested in other categories of program activity are allowed in the bill as reported; these are: First, category 2—design, construction, acquisition, modification, operation, and maintenance of test beds and facilities—\$5,355,000; second, category 3—design, construction, operation, and maintenance of modules—\$1,450,000; and third, category 4—administration and coordination—\$1,972,000.

Mr. Chairman, we have been trying for several years to achieve a situation in which we can authorize the annual appropriations for the saline water conversion program in a simple measure that would not amend the basic legislation under which the program operates. S. 1011 accomplishes this purpose, in that it does not amend the Saline Water Conversion Act in any respect. The bill, as reported, preserves the proscriptions placed on the Department in the 90th Congress against the conduct of business activity with foreign countries and institutions. The committee felt that it was not necessary to broaden the language in the basic act in this respect as was done in the Senate-passed bill. The pres-

ent language of the act does not restrict in any way the latitude of the department to engage in international conferences, to inspect foreign projects, or to exchange research findings with friendly countries. These activities are essential to the conduct of a well-rounded research undertaking, and there was no sentiment in our committee to curtail them.

S. 1011 will also enable appropriate administrative latitude to utilize unobligated balances available from prior year funds so long as the funds are spent for the activities for which they were appropriated. Discretion is also provided to reprogram or transfer funds among the categories to the extent of a 10-percent increase for any category except that for administration. Of course, increases in any category must be accompanied by reductions of equal magnitude elsewhere in the program. Our committee considered the desirability of increasing this latitude to 15 percent, as recommended by the Department, but could not find any convincing evidence to support the change.

Mr. Chairman, in summary, I believe we have a responsible bill here. It is one which will allow the program to go forward on a deliberate and timely basis while at the same time retaining congressional oversight of the major policy aspects of the program. The reduction in appropriations authority in the bill, as it has been reported, is considerably less than the \$2,800,000 reduction voted by the 90th Congress for fiscal year 1969. I believe it is significant that, in all of its reports and testimony, the Department did not at any time allude to any difficulty having been encountered during fiscal year 1969 as a result of the cuts which we made for that year. I am confident that there will be no appreciable delay caused to the program in fiscal year 1970. Out of this conviction and the companion desire to cooperate with the administration's active program to curb inflationary spending, I strongly urge passage of S. 1011.

Mr. Chairman, I might say at this time that during our hearings there was no action taken in the way of expansion of the number of employees authorized or allowed in the appropriations that are being requested. The number of employees will remain at the same level, approximately 137 employees, as they are now in the Office of the Saline Water Conversion program.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Florida.

Mr. HALEY. I thank the gentleman from California for yielding to me.

Mr. Chairman, I might say that this in my opinion is probably one of the finest programs on which the Federal Government spends money. In my opinion it is very vital to have this program in order to continue the growth one might say of our Nation.

Inasmuch as I offered the amendment to reduce the total amount required, I believe the hearings will indicate that they will have sufficient money in order not to reduce or to harm this program in

any manner. Is that statement substantially correct?

Mr. JOHNSON of California. The gentleman is correct.

Mr. Chairman, I want to commend the gentleman from Florida for his activities in the committee. I believe that when the gentleman offered the amendments that they were well thought out, in order, and necessary.

Mr. HALEY. Mr. Chairman, will the gentleman yield further?

Mr. JOHNSON of California. I yield further to the gentleman from Florida.

Mr. HALEY. Mr. Chairman, may I say that the distinguished gentleman from California is very thorough in his work, and that he brings a bill to the floor of the House that has had close scrutiny so that every dollar authorized is necessary to continue this vital program in the manner in which the Congress has requested.

The gentleman is doing a tremendous service not only for his own great State of California and all of the Western States, but also for the people of the Nation as a whole, because right now we are in a situation where we must face up to this vital problem of water shortage.

This is not only true in the Western States, but this is going to be a problem in all of the States of our Nation.

So, Mr. Chairman, I say that the moneys we are expending here now will in the future be money that is well spent.

Mr. JOHNSON of California. Mr. Chairman, I want to thank the gentleman from Florida for his very kind words, and for his real keen interest in this whole saline water program.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding.

I rise in favor of and wholeheartedly support the bill S. 1011. I would like to commend the chairman of the committee, and I would like also to commend very warmly the gentleman from California for the leadership these gentlemen have demonstrated in this very important legislation for our Nation. In this commendation I would also like to include the ranking minority member of the committee, the gentleman from Pennsylvania.

Mr. DE LA GARZA. Mr. Chairman, I strongly urge favorable consideration of S. 1011 authorizing appropriations for the saline water conversion program for the fiscal year 1970.

It is of the utmost importance that this program go forward on a continuing basis. The water needs of our Nation are increasing at an even faster rate than population, and to meet these needs in the future it is going to be absolutely necessary that we find practical ways of tapping the oceans. Only by doing so can we be assured of obtaining the enormous supplies of water needed for human consumption and for industrial and agricultural use. The 15th Congressional District of Texas, which I represent in the House, is an area which has been transformed by irrigation. Naturally, I have a very close interest in any legislation having to do with water supply, for I have seen at first

hand the difference that an adequate supply, effectively used, can make to a land and to people. Saline water conversion is no less vital to our Nation than fresh water conservation.

S. 1011, authorizing as it does appropriations for research and development operating expenses as well as for design, construction, acquisition, modification, and maintenance of saline water conversion test beds and conversion facilities and saline water conversion modules, is necessary legislation. It will enable the Government to proceed with this essential work in the areas where the need or projected need for additional water supply exists. It is, in every sense of the word, "must" legislation.

Mr. JOHNSON of California. Mr. Chairman, I also wish to say that I too want to thank the chairman of our full committee, and the ranking minority member of the full committee, as well as the ranking minority member of the subcommittee.

In our State of California the saline water program is a very important one, as it is to the rest of our Nation and, indeed, to the world. I believe the bill that we have before us today will carry on a very active program in fiscal year 1970. I hope that by the end of fiscal 1970 we will be able to have a further breakthrough in lowering the cost of producing water.

As the chairman of the full committee stated, we are at about 80 cents under one of the processes now in operation at the present time in the State of Florida, and I hope we will see a further breakthrough in this program during the next fiscal year.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. HOSMER) who is the counterpart chairman of the subcommittee handling this legislation.

Mr. HOSMER. Mr. Chairman, I rise in support of S. 1011, as amended, a bill to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

The purpose of this legislation is to provide the funds necessary to administer and continue a program of research and development, and the testing of technological data to produce low-cost potable water from sea or brackish water. To do this, it is necessary to provide adequate funding and sufficient latitude in the administration of the program.

S. 1011, as amended and reported by the Committee on Interior and Insular Affairs is not, in my opinion, consistent with the intent and purpose of this legislation and the basic program enacted by Congress.

The committee in its report takes the position that, the saline water conversion program "is a useful and important part of the Nation's public effort to assure an adequate water supply to meet our increasing national requirements," and that the Federal effort "should not be abandoned, particularly in the basic research area and in the environmental testing of new processes, concepts, and materials." Yet the committee in its amendment reducing the amount au-

thorized to be appropriated for fiscal 1970 from \$27 to \$25 million has made these budgetary cuts in the very heart of the program; namely, a reduction from \$18,095,000 to \$16,223,000 in basic research and development, a decrease of \$1,872,000, and a cut of \$128,000 in funds available for administration of the program.

The testimony presented to the committee only called for the reduction of \$1 million in conformity with the administration's amended budget requests and not a \$2 million cut. I should like to note for the record that the additional cut of \$1 million imposed by the committee is noteworthy because it is the first cutback or reduction in this program after considerable extension and expansion of the same program during the past 8 years.

Another area of inconsistency in relation to the basic purposes of this legislation is the committee's action in limiting the authority of the Office of Saline Water to participate in foreign activities. While I share some of the concern over the expenditure of funds, and so forth, by engaging in the designing, engineering, construction, and management of foreign desalting plants, the limitations imposed by the committee amendment actually prohibits the search for technical data, plus research and development on a contractual basis in foreign countries and from their scientific communities. It may be that the best man in the world is working on research and development in an important and particular area of desalting technology in a foreign university. Yet the committee amendment prohibits the Office of Saline Water from contracting with the university or individual to obtain such valuable information.

My third objection to the legislation in its present form is its restriction on shifts between expenditure items to 10 percent. In research and development activities more flexibility than this should be allowed to pursue new ideas that may develop during the year. This figure should be at least 15 percent, not 10 percent.

Mr. Chairman, notwithstanding these inconsistencies, I shall support and urge the passage of S. 1011, as amended, and trust that in conference some of its deficiencies may be ironed out.

Mr. JOHNSON of California. Mr. Chairman, I yield the 3 minutes remaining on this side to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, the bill we are considering today, S. 1011, authorizes the appropriation of \$25 million to carry out the provisions of the Saline Water Conversion Act during the fiscal year 1970.

The research conducted by the Office of Saline Water has made a significant contribution to this country's development of a desalting technology and has encouraged the growth of a valuable desalting industry which will help to meet the future water requirements of this Nation. Insofar as the authorization sought today will be used to continue that research, I support this legislation.

As a letter dated January 15, from former Assistant Secretary Max Edwards

to the Speaker of the House, which is printed on page 4 of the committee report, points out, the saline water conversion program has achieved other beneficial effects.

In addition to promoting an important desalting technology in the United States, the program—and I quote from the letter—"also has assisted a number of foreign countries in the development of this technology."

The research which has accrued from this assistance has in many cases been invaluable for the saline water conversion efforts of both the participating foreign country and the United States.

As a matter of fact, in that letter former Assistant Secretary Max Edwards stated:

Much valuable information has been gained through research and development contracts entered into with foreign research institutes, universities, and individuals prior to July 1, 1968. This valuable source of knowledge and technology should be continued.

Unfortunately, this research and development cannot be continued because in 1968 the Congress amended the basic act to prohibit the Office of Saline Water from entering into contracts with public or private agencies in foreign countries.

I am concerned about assisting countries like Israel in the development of their saline water research. This restriction confuses the question of whether or not a saline water project involving a foreign country—such as the proposal I have made for a number of years that the United States participate in the construction of a prototype desalting plant in Israel—would be administered by the Office of Saline Water.

The committee report states at page 4:

The Office of Saline Water, under this program, should limit its participation in foreign activities to the interchange of data with foreign entities and should refrain from entering into business relationships with nondomestic entities, or otherwise engaging in activities having foreign policy or foreign aid connotations.

Any assistance by the United States in the development of foreign desalting projects should be accomplished under the foreign aid program, rather than under this program.

But, as former Assistant Secretary Max Edwards explained in his letter of January 17, 1969, transmitting to the Speaker of the House of Representatives the Johnson administration's proposal for U.S. participation in the construction of a desalination plant in Israel, U.S. participation in the Israel plant is more than a matter of foreign aid. In Mr. Edwards' words it provides, "the opportunity for the United States to participate in a technologically advanced water desalting program to further its—the United States—objectives of developing large-scale desalting processes."

Hence U.S. participation in a prototype project such as the one outlined in my bill, H.R. 587, must be seen as an integral part of our own research efforts in the conversion of salt water to fresh water. In light of the relation of programs like the one with Israel to our own research objectives, it seems clear that this program should be located in the

Office of Saline Water in the Department of the Interior, and not under the foreign aid program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from New York.

Mr. RYAN. I thank the gentleman from Pennsylvania.

Mr. Chairman, during the markup of the pending bill I offered an amendment to the basic act to eliminate the 1968 restriction, which would have made it possible for the Department of the Interior to utilize funds authorized under the Saline Water Conversion Act for cooperative research and development efforts with public or private agencies in foreign countries.

I was supported in that effort, I am happy to say, by the gentleman from California (Mr. HOSMER), who pointed out very cogently some reasons why it is important to reinstate the previous authority to expend funds for research and development in cooperation with public or private agencies in a foreign country.

I might point out that the law previously specified such funds under the act could only be expended if the U.S. Government had assurances that any information gained from the project would be available to the United States without cost.

I certainly hope the committee does not intend that this restriction or prohibition be permanent, and I understand from the remarks of the chairman when my amendment was considered in committee that that was not the intent of the committee in writing the law in 1968.

I am also concerned about the failure of the administration thus far to support the recommendations of the Johnson administration to assist with construction of a desalination plant in Israel. I originally introduced legislation to accomplish this in 1967. In this Congress my bill is H.R. 587.

President Johnson, before leaving office, made a commitment to Premier Eshkol of Israel that the United States would assist in the construction of such a prototype plant. On January 17, 1969, the recommendation was submitted to the Congress by former Assistant Secretary Max Edwards, along with a draft bill. It is dismaying that the Nixon administration has yet to take a position on this proposal. In view of doubts raised by the testimony of Secretary of Interior Hickel, when he appeared before the House Interior Committee, I have written twice to the President of the United States—on February 18 and April 2—asking for the position of the administration. So far the administration had not taken a position in support of the commitment which was previously made by President Johnson. I believe the United States should proceed immediately to carry out its commitment to the State of Israel and assist with the construction of its desalination plant. It is important to the solution of Israel's water problem and will also provide valuable information and data to the Office of Saline Water.

Mr. Chairman, I include at this point

in the RECORD the exchange of correspondence between my office and the White House.

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 18, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Today during the course of his appearance before the House Committee on Interior and Insular Affairs, Secretary of the Interior Walter Hickel indicated that the Interior Department would consider deleting the \$40 million from the Fiscal Year 1970 budget of the Office of Saline Water Research which former President Johnson recommended be allocated for United States participation in the construction of a large prototype desalination plant in Israel.

As members of the House Committee on Interior and Insular Affairs, we are very concerned that your Administration may intend to back away from the commitment which President Johnson made to Israeli Premier Eshkol to participate in the construction of this vitally needed facility.

This project offers many potential benefits in terms of research on desalination processes to the United States as well as to Israel. In his January 17 letter to the Speaker of the House of Representatives forwarding the President's proposal, Assistant Secretary of the Interior Max Edwards explained that the "proposal provides the opportunity for the United States to participate in a technologically advanced water desalting program to further its objectives of developing large-scale desalting processes." In addition, he noted that the Israeli government has concluded "that new incremental sources of fresh water must be made available by the mid-seventies in order to maintain (Israel's) industrial and economic growth." For both of these reasons, he concluded, the Department of the Interior believes "we should take advantage of this opportunity and we urge the early enactment of this proposal."

In addition to the research to be gained by the United States, the resulting economic benefits would accrue to the entire area. It would also reduce international tensions which have long been aggravated by a lack of water. A desalination project would make possible the cultivation of large portions of desert land which have hitherto been unusable. The land and jobs which such a plant would create would make a sizeable contribution to stability in the Middle East.

The submission of this proposal by President Johnson was the culmination of a long period of study and research into the feasibility and utility of constructing a desalination plant in Israel. On February 6, 1965, President Johnson, in a speech delivered to the Weizmann Institute of Science, announced that the United States had "begun discussions with the representatives of Israel on cooperative research in using nuclear energy to turn salt water into fresh water." These discussions led to the formation of a United States-Israel team which conducted feasibility studies on a desalination plant which Assistant Secretary Edward states in his January 17 letter "resulted in the submission of this request." The research benefits of this project having been well established by these studies, the United States should proceed to participate in the construction.

During the course of your campaign for the Presidency you made reference on several occasions to the need to maintain America's commitment to Israel. President Johnson's endorsement of the development of a desalting plant in Israel, and his letter to Premier Eshkol affirming that endorsement, constitute an important part of continuing American support for Israel. We urge you to maintain that commitment by

reaffirming Executive support for United States participation in the construction of this facility.

Sincerely,

WILLIAM F. RYAN,
HUGH L. CAREY,
Members of Congress.

THE WHITE HOUSE,
Washington, D.C., February 24, 1969.
HON. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR MR. RYAN: Thank you for your and Congressman Carey's letter of February 18 to the President regarding United States participation in the construction of a desalination plant in Israel.

We appreciate your observations. They are being carefully considered and you will hear further soon.

With warm regard,

Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

APRIL 2, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On February 18, 1969, I wrote to you concerning United States participation in the construction of a prototype desalination plant in Israel for which \$40 million was included in the Fiscal Year 1970 budget of the Office of Saline Water Research submitted to the Congress by former President Johnson. In addition, President Johnson made a commitment to Israeli Premier Eshkol to participate in this vitally needed facility.

I wrote you on February 18 after the appearance before the House Committee on Interior and Insular Affairs of Secretary of the Interior Walter Hickel who was not willing on that occasion to reaffirm the commitment made by President Johnson.

Although I received an interim reply from William E. Timmons, Deputy Assistant to the President, I still have not received from you a statement of your position on this matter. I urge you not to permit your Administration to renege on this commitment which constitutes an important part of continuing United States support for Israel.

I was disturbed again by the testimony of Carl L. Klein, Assistant Secretary of the Interior for Water Quality and Research, when he appeared before the Committee on Interior and Insular Affairs on March 25. This was some five weeks after Secretary Hickel's appearance, yet Assistant Secretary Klein stated that he had not discussed this issue with Secretary Hickel and that he was not familiar with the January 17 letter from the Department of the Interior to the Speaker of the House of Representatives recommending United States participation in this desalination project.

In closing, let me express my hope that you will clarify your position on this crucial matter as soon as possible.

Thank you very much for your consideration.

Sincerely,

WILLIAM F. RYAN,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., April 11, 1969.
HON. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR MR. RYAN: Thank you for your letter of February 18 regarding participation by the United States in a large prototype desalting plant in Israel.

President Nixon has recently directed that a careful and thorough study be made of the Israeli desalting proposal. Until this study is completed, the Administration will

not be in a position to appraise the merits of this proposal.

We appreciate knowing your views on this matter and you may be assured that they will be carefully considered in any future action taken in connection with the project. A similar reply is also being sent to Congressman Carey.

Sincerely yours,

BRYCE N. HARLOW,
Assistant to the President.

Mr. RHODES. Mr. Chairman, I support the continuation of the saline water conversion program. The development of additional water resources by producing fresh water from salt water may be the only real solution to the water crisis faced by many of this country's urban areas.

S. 1011 authorizes appropriations for the saline water conversion program in the amount of \$25 million. I regret that this amount is \$2 million less than that originally requested, but recognize the serious budgetary restraints that must be exercised in a time of unprecedented inflation. I am hopeful that the prudence exercised now will enable us to devote significantly increased funds to this essential program in the future.

While progress in this relatively new field of technology has been slow, definite positive steps have been made toward the realization of a truly low-cost water supply from saline sources.

Mr. Chairman, I strongly support the recommendation of the Committee on Interior and Insular Affairs and hope that this body will act favorably upon it.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill and subject to amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), during fiscal year 1970, the sum of \$25,000,000 as follows:

(1) research and development operating expenses, not more than \$16,223,000;

(2) design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than \$5,355,000;

(3) design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than \$1,450,000; and

(4) administration and coordination, not more than \$1,972,000.

(b) Expenditures and obligations under any of the items in this section except item (4) may be increased by not more than 10 per centum if such increase is accompanied by an equal decrease in expenditures and obligations under one or more of the other items, including item (4).

Sec. 2. In addition to the sums authorized to be appropriated by this Act, the Secretary may utilize any funds previously appropriated for this program which are not obligated on June 30, 1969, subject to the dollar limitations applicable to the fiscal year 1969 program.

The CHAIRMAN. If there are no amendments, the question is on the substitute committee amendment.

The substitute committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TIERNAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, pursuant to House Resolution 406, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (S. 1011) just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISPOSAL OF POISON GAS

(Mr. McCARTHY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCARTHY. Mr. Speaker, on May 5, 1969, I first learned that the U.S. Army planned to move large quantities of poison gas across the country by railroad, load it on ship, and dispose of it in the ocean. Because of the hazards of moving chemical warfare agents such as mustard gas and nerve gas by rail and because of the possibility that dumping large quantities of poisonous materials in the ocean might prove dangerous both to humans and the marine ecology, I wrote to Secretary of Defense Laird and Secretary of Transportation Volpe urging that the planned shipment be delayed. I urged that a more thorough study be made of the safety of such a move and that alternative methods of disposal be considered.

Subsequently, the Subcommittee on International Organizations and Movements, chaired by the gentleman from New Jersey (Mr. GALLAGHER), held hearings on the proposed move. These hearings shed additional light on the proposed move and have been most helpful. The Army now says it will have the National Academy of Sciences review the plan before going ahead. I am including in the RECORD copies of my letters to Secretary Laird and Secretary Volpe, the reply received from the Department of Transportation, my statement on this matter to Mr. GALLAGHER's subcommittee, and two messages on the

subject for the information of my colleagues:

TEXT OF THE LETTER TO SECRETARY
MELVIN R. LAIRD, MAY 6, 1969

DEAR MR. SECRETARY: As you know, I have been concerned about the safety precautions exercised by the Department of Defense in the testing, storage and transportation of chemical warfare agents.

I was disturbed to learn this week that the Department of Defense plans to move large quantities of poison gas across the United States by rail, load the gas aboard ships, and dispose of the gas at sea.

According to the information I have received, a total of 1,100 gondola cars containing 15 one-ton cylinders of World War II poison gas will be moved from Rocky Mountain Arsenal, Colorado; Pine Bluff Arsenal, Arkansas; and Edgewood Arsenal, Maryland by rail to the Earle, New Jersey Naval Ammunition Depot. At that point, the gas will be loaded on two Liberty ships for disposal at sea.

A number of safety factors appear to have been under-estimated in the planning of this move. Although the Department of Transportation normally requires that cylinders containing highly toxic material for shipment by railroad be hydrostatically tested, most of the cylinders in question have not been tested in this manner and generally date back to 1942-1945. The spillage of gas is apparently a real possibility in view of the accidents that have occurred in gas shipment in St. Louis, Kansas City, and Iowa within the recent past.

Another safety factor that has not been given sufficient weight, in my opinion, is the possibility of an accident involving another train. The Transportation Safety Board has reported that there has been a 100% increase in the number of derailments taking place each year with the total now exceeding 5,000 annually. Even though these trains moving the poison gas will travel no faster than 35 miles an hour, other trains traveling at higher speeds, both passenger and freight, will pass the gas trains with the possibility of derailment and collision always there. The Dunreith, Indiana accident of last year involving just such a case points up this hazard.

And of course, even though the trains will be routed around major population centers as much as possible, they will still be going through Indianapolis, Indiana; Elizabeth, New Jersey and a number of other communities.

A longer range question of safety should be raised concerning the disposal of poison gas at sea. Does the disposal of large quantities of gas at sea raise ecological problems that we are not aware of? Are the gases to be disposed of rendered harmless immediately or are they absorbed by sea life in a manner with which we are not familiar? I do not know the answer to these questions, but I believe that they deserve the most careful consideration.

In view of the many safety problems involved with the very real possibility of accidents, I urge that you halt the shipment of this poison gas now due to begin on May 16, 1969, until alternative methods of disposal, perhaps by decontamination at the Army's arsenals, or more rigorous safety precautions can be taken.

Sincerely,

RICHARD D. McCARTHY.

TEXT OF THE LETTER TO SECRETARY JOHN A. VOLPE

DEAR MR. SECRETARY: I was disturbed to learn this week that the Department of Transportation has granted a special permit to the U.S. Army to ship large quantities of poison gas by rail across the United States.

According to the information that I have received, the Department of Transportation

has issued a permit of exemption from the normal safety requirements for the movement of highly toxic materials for the shipment of poison gas. A total of 1,100 gondola cars, each containing 15 one-ton cylinders of poison gas will be moved in 45 to 60 car trains from Rocky Mountain Arsenal, Colorado; Pine Bluff Arsenal, Arkansas; and Edgewood Arsenal, Maryland to the Earle, New Jersey Naval Ammunition Depot. At that point, the cylinders will be loaded on two Liberty ships and taken out to sea for disposal.

It is my understanding that the following safety precautions will be taken. These shipments, to begin on May 16, 1969, and continue through June, are to be handled as special exclusive trains. An Army guard detachment consisting of an officer and a number of enlisted men will be located on three cars, one in the middle and the others at the end of the train. The speed of the trains will be limited to 35 miles an hour. The cylinders, made of steel 11/16ths of an inch thick, will be placed horizontally in the gondola cars. And I understand that as far as possible, the total of about twenty cars will not pass through major population centers.

What is particularly disturbing to me is the willingness of the Department of Transportation to grant a permit of exemption from the normal safety requirements without the most exhaustive consideration of the safety factors involved. Apparently the Department normally requires that each tank used to transport toxic materials on the railroad be tested hydrostatically. Yet in this case I am informed that the Department of Transportation has accepted as sufficient the Army's tests of a few cylinders even though the cylinders generally date back to 1942. The Army apparently considers leakage a problem because they state that they will have a bag of absorbent material under each cylinder valve. It would appear that at a minimum, the Department would have wanted to inspect the cylinders to insure themselves of their soundness before issuing a shipping permit.

I am also disturbed that these trains will be traveling along rail lines at the same time that other trains pass by on adjacent tracks. In one of the major rail accidents that occurred recently at Dunreith, Indiana, the derailment and subsequent explosions were caused by two passing trains rather than one train. As the Department's Transportation Safety Board has just made known, there has been a 100% increase in derailments in the last decade with over 5,000 such incidents now each year. Railroad roadbeds in bad condition certainly increase the possibility of accident with these twenty trains. And yet there is no requirement that passenger trains not operate on the same section of railroad right-of-way as that used by the gas trains. Again as a minimum, I would think that the Department of Transportation would want to require that only the poison gas shipment be allowed on any section of track at one time.

I am also concerned that, although an attempt has been made to route these trains around major population centers, they will pass through cities such as Indianapolis, Indiana, and Elizabeth, New Jersey. Although safety measures are being taken, they are apparently by no means totally effective. I have not been able to learn the details but I have been informed that there were poison gas spillages in St. Louis, Kansas City, and Iowa in the recent past, with the Iowa incident posing serious problems of decontamination.

In view of the questionable safety of moving such large quantities of poison gas, I urge you to withdraw the special permit that has been issued for the shipment of this toxic material until a more thorough investigation of the safety problems has been

made or alternative methods of deactivating the gas at the arsenals has been explored.

Sincerely,

RICHARD D. MCCARTHY,

DEPARTMENT OF TRANSPORTATION,
FEDERAL RAILROAD ADMINISTRATION,
Washington, D.C., May 13, 1969.

HON. RICHARD D. MCCARTHY,
House of Representatives,
Washington, D.C.

DEAR MR. MCCARTHY: Secretary Volpe has asked me to reply to your letter dated May 6, 1969, concerning rail shipments of poison gas by the United States Army.

In accordance with the regulations of this Department, shipments of explosives or other dangerous articles offered by or consigned to the Departments of the Army, Navy, and Air Force of the United States Government, must be packed, including limitations of weight, in accordance with such regulations or in containers of equal or greater strength and efficiency as required by their regulations.

Special Permit No. 5199 authorizes the Department of Defense to ship Class A poisons in military Type A and Type D one-ton containers, without a 5-year hydrostatic retest. The cylinder valve openings must be capped or plugged and protected by valve protection caps which need not be gas tight. The permit was issued May 1, 1967; paragraph 1 was amended April 8, 1968; paragraphs 1 and 10 were amended January 13, 1969. The permit and amendments are attached.

The military specification containers are built to the Department of Transportation specifications for 106A500 Multi-Unit Tank Car Tanks, having a water capacity between 1500 and 2600 pounds. The 106A500 containers are authorized for commercial shipments of certain Class A poisons, such as phosgene.

The containers were hydrostatically tested when they were first manufactured. The regulations require that they be hydrostatically retested at 5-year intervals. These containers have been filled with Class A poisons since they were manufactured, so they have not been retested.

The purpose of retest is to determine whether the containers have been weakened by corrosion or by abuse during transportation. From a continuing quality control and test program, DOD has found no corrosion in containers filled with phosgene, mustard gas, or nerve gas. They have not been in transportation since they were first filled, so they have not been subject to transportation abuse. Therefore, it was appropriate to waive the retest requirement, particularly in view of the hazard involved in emptying the containers for retest and then refilling them.

Our regulatory authority over hazardous materials relates only to safety in transportation. We do not tell DOD (nor any other shipper) where materials may be shipped, nor do we have anything to say about the disposition of materials after they reach their destination.

We are satisfied that we have taken every practical precaution to ensure safety in the transportation of these gases. The proposed shipments meet our standards for transportation safety, so there is no reason for withdrawing Special Permit No. 5199.

Determinations as to scheduling, routing, and disposition of the materials have been made by the Department of Defense. Therefore, inquiries and objections raised in these areas should be directed to that agency.

Sincerely,

R. N. WHITMAN.

SPECIAL PERMIT NO. 5199

This special permit is issued pursuant to the authority of 49 CFR 173.22(a)(1), Department of Transportation Regulations for the Transportation of Explosives and Other Dangerous Articles, 49 CFR Parts 171-190, as amended.

1. The Department of the Army is hereby authorized to ship mustard agent (H) in

Type D, one-ton containers from Pine Bluff Arsenal Arkansas, Edgewood Arsenal, Maryland and Rocky Mountain Arsenal, Colorado to the Naval Ammunition Depot, Earle, New Jersey, and the Naval Ammunition Depot, Bangor, Washington. Tanks will not be hydrostatically tested. A single trip only is authorized for each tank.

2. Cylinder valve openings must be capped or plugged and protected by valve protection caps which need not be gas tight.

3. Prior to offering for transportation, each container shall be inspected for any evidence of leakage or deterioration which would materially and adversely affect its efficiency. Containers determined to be in a satisfactory condition for transportation shall be securely mounted on cars especially provided for this type of service, or on gondola cars especially prepared with substantial wooden frames and blocks to hold the containers in position. Drop bottom cars are not authorized. Poison gas placards must be applied.

4. Each shipment made under the terms of this permit shall be accompanied by a qualified military escort detailed by the Department of Defense, equipped with materials and devices for making repairs and performing decontamination if necessary in the event of leakage of containers.

5. Each bill of lading, shipping order or other shipping paper issued in connection with shipments made under this permit must bear the notation "DOT Special Permit No. 5199" in connection with the commodity description and the placard notation thereon.

6. A copy of the permit shall be carried by the escort party accompanying shipments.

7. Shipments are authorized by rail only.

8. Any accident involving the loss of product must be immediately reported by telegram or telephone to the Office of Hazardous Materials and the Bureau of Explosives (AAR).

9. This permit does not relieve the shipper or carrier from compliance with any requirement of the DOT regulations, except as specifically provided for herein.

10. This permit shall expire December 31, 1967.

Issued at Washington, D.C., this 1st day of May, 1967.

W. H. BYRD,
Acting Director, Office of Hazardous
Materials.

REVISED SPECIAL PERMIT NO. 5199

Pursuant to the authority of 49 CFR 173.22(a)(1), Department of Transportation (DOT) Hazardous Materials Regulations, as amended:

Special Permit No. 5199, authorizing shipment of a mustard agent in Type D, one-ton containers, is hereby amended by extending the expiration date to January 31, 1969.

All other terms of the permit remain unchanged.

Issued at Washington, D.C., this 18th day of December 1968.

H. R. LONGHURST,
(For the Administrator, Federal Railroad
Administration.)

SECOND REVISED SPECIAL PERMIT NO. 5199

Pursuant to the authority of 49 CFR 173.22(a)(1), Department of Transportation (DOT) Hazardous Materials Regulations, as amended:

Special Permit No. 5199, authorizing shipment of a mustard agent in Type D one-ton containers, is hereby amended by changing paragraph (1) to read as follows:

"1. The Department of Defense, is hereby authorized to ship Class A poisons in Type A and Type D one-ton containers which will not have been hydrostatically tested as required by the DOT regulations. A single trip only is authorized for each tank. If other than multi-unit tank car equipment is used, prior approval for shipments must be obtained from the Bureau of Ex-

plosives of the Association of American Railroads."

All other terms of the permit as revised remain unchanged.

Issued at Washington, D.C., this 8th day of April 1968.

H. R. LONGHURST.

(For the Administrator, Federal Railroad Administration.)

THIRD REVISED SPECIAL PERMIT NO. 5199

Pursuant to 49 CFR 170.13 of the Department of Transportation (DOT) Hazardous Materials Regulations, as amended, and on the basis of the December 13, 1968, petition by the Department of Defense, Washington, D.C.:

Special Permit No. 5199, authorizing the shipment of Class A poisons in Type A and Type D one-ton containers, is hereby amended by changing paragraphs (1) and (10) to read as follows:

"1. The Department of Defense is hereby authorized to ship Class A poisons in Type A and Type D one-ton containers which have not been hydrostatically retested as required by the DOT regulations. A single trip only is authorized for each tank, except that tanks may be initially shipped to a temporary intermediate storage site, provided conditions as herein required for single trip shipment are observed before reshipment from such a site. If other than multi-unit tank car tank equipment is used, prior approval for shipments must be obtained from the Bureau of Explosives (AAR).

"10. This permit expires January 31, 1970." All other terms of the permit as revised remain unchanged. The permit currently in effect consists of the original issue, and the First and Third Revisions.

Issued at Washington, D.C., this 13th day of January 1969.

MAC E. ROGERS.

(For the Administrator, Federal Railroad Administration.)

STATEMENT OF CONGRESSMAN RICHARD D. MCCARTHY TO HOUSE COMMITTEE ON FOREIGN AFFAIRS, MAY 13, 1969

On May 5, 1969, I first learned that the U.S. Army planned to move poison gas by railroad from a number of arsenals to Earle, New Jersey, where it was to be loaded on ship for disposal in the ocean. Although I had heard rumors before that date, they were not confirmed until May 5th.

On May 6, 1969 I wrote to Secretary of Defense Melvin Laird and Secretary of Transportation John Volpe urging that the shipment of poison gas by railroad and disposal in the ocean be held up pending a more thorough review of the proposed safety measures, a review of the consequences of dumping large quantities of toxic materials in the ocean, and a consideration of alternative methods of disposing of these highly dangerous materials. I have received an acknowledgment of my letter to Secretary Laird stating that a reply is being prepared. (Transportation reply received 5/13/69)

In my letters of May 6, 1969 I expressed my concern about the possibility of accidents during the shipment of tanks of gas by train across the United States. I pointed out that leaks from the poison gas tanks were a real possibility in as much as spillages had occurred in the past. I have since learned that three accidents have occurred during the past year; two in Kansas City, and one in St. Louis. All involved leaking tanks of phosgene gas, a deadly chemical agent of World War II vintage, that was being moved by rail in two cases and by truck in the other.

I also expressed my concern about the possibility of a derailment or other railway accident which might spread these gases through populated areas or endanger passengers on other trains. The rapidly rising railway accident rate makes large-scale ship-

ment of poisonous materials a major hazard today.

I also raised the question of whether disposal of large quantities of toxic materials in the ocean posed safety problems.

Department of Defense spokesmen have since confirmed that they are planning the move. About 4,000 tons of mustard gas in tanks, 2,500 tons of GB nerve gas in bombs, and a smaller amount of tear gas is to be disposed of. The gas is now located at Rocky Mountain Arsenal, Colorado; Anniston Army Depot, Alabama; Blue Grass Ordnance Depot, Kentucky; and Edgewood Arsenal, Maryland. It is to be moved by train to Earle Naval Ammunition Depot, Earle, New Jersey, and there loaded on four Liberty ships. These ships will be towed to sea and then sunk in the ocean. Defense also stated that poison gas had been dumped in the ocean twelve times before.

When the Chairman of this Committee called witnesses from the Department of Defense, the Department of the Interior, and the Department of State on May 8, 1969, to obtain additional information about the move, the Army representative asked that the hearing be put off until today so that they could complete preparation of material for the hearing. Representatives of State and Interior said that their Departments had not been consulted on the dumping of the poison gas in the ocean.

The information provided by the Department of Defense and the Departments of State and Interior to date has not satisfied my concern about the safety of moving this gas across the country and dumping it in the ocean. If anything, even more questions have been raised.

First, when I initially learned of the planned movement of poison gas, to start on May 16, 1969, I was informed that it was in one-ton steel tanks or cylinders. I also believed that there was little or no nerve gas involved because we did not begin to make nerve gas until after World War II. I now learn that 2,500 tons of the shipment is to be GB, a deadly nerve gas, in the form of bombs. Each bomb contains an explosive charge designed to spread the gas out for maximum effect. Although the bombs will not be fused during shipment—that is—will not have the initial detonating device, each one can explode if subjected to great heat or pressure of the type that might occur in a major railroad collision.

I have learned that the U.S. Army does not need a permit from the Federal Railway Administration to move these nerve gas bombs. Although Defense does need to consult the Department of Transportation about the movement of poison gas in tanks made of 11/16 inch thick steel, it does not need a permit to move gas bombs—bombs that if exploded would shower a cloud of nerve gas on anything or anybody in the vicinity.

Second, I have also learned that the reason that the U.S. Army wishes to get rid of these tanks of mustard gas and these nerve gas bombs is that they are leakers—that is, the containers are either corroded or have become ineffective so that they leak gas. Yet the Department of Transportation states that:

"The purpose of retest is to determine whether the containers have been weakened by corrosion or by abuse during transportation. From a continuing quality control and test program, DOD has found no corrosion in containers filled with phosgene, mustard gas, or nerve gas. They have not been in transportation since they were first filled, so they have not been subject to transportation abuse. Therefore, it was appropriate to waive the retest requirement, emptying the containers for retest and then refilling them."

My question is, what about the hazard to the public in moving these containers?

Third, I have learned that Army instructions set special precautions for the storage

of GB nerve gas bombs. They state that "because of the toxicity of GB, special provisions must be made for storing GB-filled bombs. Storage areas for GB-filled bombs must be at least 1½ miles from inhabited buildings, public highways, or public railways." Yet this is the type of weapon that the Army proposes to ship across the countryside and through towns and villages.

Let me describe a typical GB nerve gas bomb. One is the nonpersistent GB, a 10-pound bomb, code named M125A1. It consists of a sheet-steel body with a small explosive burster and fuse at the front and a parachute at the rear. A nerve gas, GB, filling surrounds the burster assembly inside the bomb shell. When the bomb strikes, TM3-4000 notes, the fuse initiates the burster which ruptures the body and releases the bomb filling. Bombs also come in 60 pound, 115 pound and other sizes.

Fourth, I have learned that on Friday, May 9, 1969, a number of members of the oceanographic community were gathered together by Dr. Robert A. Frosch, Assistant Secretary of the Navy for R&D, to discuss the oceanographic and ecological implications of disposing of large quantities of poison gas in the ocean. My question is: was this the first time that oceanographers had been consulted on this matter. Was gas dumped in the ocean 12 times before without consulting the experts?

In light of the information now available to me, I urge that the Army consider the following suggestions.

Ask a panel of oceanographers such as William Scheville and Roger Revelle of Harvard, John Ryther of Woods Hole, Bostwick Ketchum, Gordon Riley, Dalhousie University; Gordon Gunter, Gulf Coast Laboratory; Joel Hedgepeth, University of Oregon; to thoroughly consider the oceanographic aspects of this disposal program and any further disposals.

Seriously consider decontaminating the nerve gas from the bombs at the arsenals rather than move it by rail. Chemical consultants have assured me that the gas can be outloaded from the bombs and destroyed at the arsenals without undue expense.

If mustard gas is to be moved by train, to require that it be moved on sections of track exclusively reserved for the gas trains. And that public health authorities along the route be notified so that they will be prepared in case of any accident.

It appears to me that once again, in the case of this planned shipment of gas, we find that the U.S. Government has not given adequate thought to the requirements for public safety. An exemption has been granted to the normal safety requirement for shipment of poisonous materials. This exemption has been granted by one Department without actually physically checking the containers that are to be shipped. This is very similar to the Santa Barbara exemption.

And in the dumping of gas into the ocean, what assurance do we have that fishermen and seamen will not suffer the fate of the Japanese aboard the Japanese fishing boat, Lucky Dragon, that was contaminated by radioactive fallout from our atom bomb tests in the Marshall Islands. Will a suddenly rising ocean current carry mustard gas or nerve gas to the surface and endanger a passing ship? Will fish be contaminated with mustard gas? These questions should be asked before, not after a move of this type is planned.

REITZEL ASSOCIATES,

Boylston, Mass., May 5, 1969.

HON. RICHARD MCCARTHY,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE MCCARTHY: I listened with interest to your statement regarding the plans of the Army to dispose of 27 tons of poison gas by shipment to the East Coast and sinking in the Atlantic Ocean.

As an engineer and scientist, deeply involved in problems of air and water pollution, I am strongly opposed to such action without careful study of possible consequences and better alternatives. Unless such precautions as are employed with nuclear wastes are taken, the containers and the ships in which they are sunk will eventually corrode and release the material. Depending on the specific gases, they may be unaltered in toxicity and produce a substantial danger ranging from actual poisoning of our citizens to an ecological upset of economically important effect.

The research that created a nerve gas should be able to create a process to render the gas harmless. For example, the great majority of organic chemicals, including nerve gases, can be oxidized to non-toxic inorganic compounds by combustion at high temperatures. A stream of nerve gas, injected into a propane flame at 2000° F. would be oxidized principally to water and carbon dioxide, which are harmless, and to smaller quantities of sulphur and phosphorous oxides which could be disposed of by simple spray scrubbing with a water solution of an appropriate neutralizing agent.

There are many companies that supply this equipment commercially and should be pleased to undertake the necessary study of this problem. I suspect this would be a cheaper approach, as well as avoiding the danger of introducing an additional water pollution problem to our country.

If this thought seems of value, you might pass it on for consideration by the Army authorities involved.

Sincerely yours,

NICOLAS M. REITZEL.

COMMITTEE FOR ENVIRONMENTAL INFORMATION,

St. Louis, Mo., May 9, 1969.

Both mustard and nerve gas could easily be detoxified, according to a statement by the Committee for Environmental Information, released today. The Committee's statement, prepared by six scientists, also outlined the safety steps that should be taken if tons of these chemical warfare gases are shipped through heavily populated areas.

The statement is being forwarded to Congressman Richard D. McCarthy, for the Congressional Hearings on the subject which will be resumed on Tuesday. A copy is attached.

STATEMENT BY THE COMMITTEE FOR ENVIRONMENTAL INFORMATION

(Statement on the transportation of chemical war agents through populated areas and disposal dumping in the ocean, prepared by Barry Commoner, Ph.D. professor of plant physiology and director of the Center for the Biology of Natural Systems; Gustave L. Davis, M.D., assistant pathologist, Jewish Hospital of St. Louis, instructor in pathology, School of Medicine; Peter P. Gaspar, Ph.D., associate professor of chemistry; Malcolm L. Peterson, M.D., Ph.D., chief of Washington University Medical Service, St. Louis City Hospital; Steven L. Teitelbaum, M.D., assistant pathologist, Jewish Hospital of St. Louis, instructor in pathology, School of Medicine (all of the above are affiliated with Washington University); and Kevin P. Shea, scientific director, Committee for Environmental Information)

A series of shipments of mustard gas and nerve gas may be shipped through St. Louis beginning later this month.

It is perfectly possible that all 27,000 tons of chemical war gas could pass through St. Louis without harming anyone. Other hazardous materials are frequently shipped by rail with safety. However, accidents do happen. For example, on February 19, 20 cars of a 120 car Chicago, Burlington and Quincy freight train from Denver went off the track at Crete, Nebraska and toppled onto two

cars of ammonia on a siding. The fumes drifted through the town, and eight people were killed.

What would be the hazard to the people in the vicinity if such an accident happened to one of the one-ton containers of war gas? We have inadequate information about the safety of the containers to answer this question. It has been said that it would be as dangerous to empty them, in order to subject them to the tests usually required for containers in which hazardous materials are shipped, as to ship them without this test. What this means is that we do not know what would happen if a container were tipped off its railroad car, or how much pressure it would actually withstand if something heavy—like another railroad car—fell on it. If there is no safe method of removing the material from them, these are not safe storage containers.

There are two types of gas to be included in these shipments, and the effects would be very different, depending on which one might escape.

Mustard Gas. Low concentrations of sulfur mustard will cause eye and skin blisters, which can be deep and may require weeks or months of healing. High concentrations may produce shock. A victim who survives the initial effects may later show damage to the bone marrow and ulceration of the gastrointestinal tract. Mustard gas may cause cancer or may have genetic effects—that is, may result in a birth defect in the progeny of parents injured by mustard gas. In its liquid form—presumably the form in which it is stored in the tanks to be transported—it can penetrate leather, clothing, plastics and other materials. It evaporates very slowly. It would be prudent for railroad workers in the vicinity of the trains to wear protective clothing or ointment and to have chemical purification sprays available for decontamination of the air and any contaminated surfaces. In case a tank were ruptured in an accident, the area should be evacuated immediately and decontamination handled by workers wearing gas masks and protective clothing.

Nerve Gas. The nerve gas to be disposed of is one of the "G" agents, now outmoded by the "V" agents, such as the VX which killed more than 6000 sheep in Utah last spring. The G agents, however, may be more dangerous in a situation like this, as they are more volatile than VX. That is, if the liquid leaks from the tank, it can more easily be transformed into a vapor, and inhaled. Some of the G agents are also more persistent than the V agents. Nerve gas is many times more toxic than mustard gas, and inhaled into the lungs, it acts within a few minutes; even the least lethal of the G agents can kill in relatively small amounts. Gas masks and protective clothing are even more important in the case of the nerve gas than in the case of the mustard gas. A small amount of liquid G agent on the skin can kill within a half hour to an hour. The danger of accidental release of nerve gas in a city is a most serious problem. The only known antidote to nerve gas poisoning is atropine. This may be used in conjunction with oxines. In some cases, artificial respiration is necessary also, and sometimes additional treatment for convulsions. The antidote usually has to be administered within a few minutes after exposure if the victim is to be saved, and atropinization maintained for 24 hours. It is routine in laboratories and plants which work with nerve gas to have atropine-filled syringes readily available on wall brackets for instant use. In a crowded area such as a city, this would mean that a large number of atropine-loaded syringes would need to be available for instant use in order to save the lives of the people who are exposed to the gas. However, heavy exposure to the nerve gas requires a spectrum of medical care, not simply a shot of atropine. Obviously, this

would require an elaborate organization in any heavily-populated area through which the gas was to be shipped prior to the time the shipment was expected to pass through the city. It should be noted that some medical authorities are doubtful of the usefulness of the atropine antidote under such conditions because of the need for carefully balancing the amount of atropine against the amount of nerve gas received. Finally, in a very densely populated area, it is doubtful that a sufficient number of doses of atropine could be made available at short notice.

There are two other questions that should be considered: whether the war gases should be transported across the country at all, and whether they should be dumped in the ocean.

Part of the research that has gone into chemical warfare has been concerned with chemical defense, and agents for chemically decomposing the war gases have been found. An alternative method of disposal, therefore, would be to render the gases harmless at the arsenals where they are now stored or at the places where they were manufactured. Undoubtedly, there would be some hazard to the workers doing the job, but it would be a known hazard to a few individuals under controlled conditions (as in the case of the manufacture of the war gas in the first place) instead of an unknown hazard under uncontrolled conditions, perhaps to a large number of people.

To convert mustard gas to a non-toxic compound, all that is necessary is to treat it with chlorine, or with nitric acid or with hydrogen peroxide. Treatment with a strong alkali would detoxify the G agent. The chemistry of destroying these agents is very much simpler than the chemistry of making them. The cost could easily be calculated. For what reason has the Department of Defense chosen land shipment and sea disposal rather than these methods of chemical destruction of the noxious gases?

The Department of Defense should be asked if it has estimated the cost of deactivating the war gas, and how this compared with the cost of transportation and dumping. If such a cost comparison was made, were all the necessary safety precautions, such as decontamination teams, personnel to supervise evacuation, and preparation for medical care in case of an accident included in the cost of the proposed transportation scheme?

In regard to dumping the gases in the ocean: Reassuring statements have been quoted to the effect that at the depth of 7200 feet there are only crustaceans, that it would take 400 years for the water at that depth to reach the surface, and that the gas would last only 185 hours (8 days) after escaping. We have limited information about the effect on marine life. However, some forms of ocean life, such as whales and squid may move vertically as much as 7200 feet; a slow leak in a tank might provide continuous contamination over a long period of time, even if the gas remained toxic for only 8 days. We don't know where the dumping is to be done, and, therefore, in what direction and how rapidly the currents would carry the material. If the tanks ruptured on impact, tons of mustard gas might be released which might have a massive genetic effect on a variety of marine organisms. Much more should be known about the possible effects on marine life before such dumping is done.

LOS ANGELES TIMES OFFERS OUTSTANDING ANALYSIS OF ABM DEBATE

(Mr. BROWN of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, I have taken the opportunity on several previous occasions to comment favorably on the editorial stands of the Los Angeles Times, one of the great newspapers of this country. To make such favorable comment has not always been possible for me. When I first entered politics in California the Times, although a great newspaper, was noted for its rather narrowly partisan view on almost any issue. In fact, I could almost always determine my own course by observing the stand of the Times, and then taking the opposite position.

Such is no longer the case. I will not venture an opinion as to whether I or the Times have grown wiser with age, but I take pleasure in commending the paper again for a remarkably well-reasoned, mature, and statesmanlike exposition of views on the extremely heated subject of "The ABM and the National Security." In a two-part series printed on the editorial pages on May 4, and May 6, 1969, under the heading "Viewpoint of the Times," it has made a contribution of lasting value to this great debate.

This editorial seeks to present both strengths and the weaknesses on each side of this debate, and does so remarkably well. Since I have chosen for myself the role of opposing deployment of the Nixon Safeguard system, I cannot take comfort in everything that the Times has to say. I am convinced, however, that the welfare and security of this country hinges on increased public understanding of all important factors underlying this debate, and to this understanding the Times makes a great contribution.

I am personally convinced that the greatest threat to this country's security is a continuation of a headlong arms race fueled by a cold-war ideology of eventual confrontation and inevitable destruction of one side or the other. I am committed to reversing this insane course.

The Times, summing up its positions, says:

Congress can approve a go-ahead on phase one of Safeguard—with language putting the Administration on notice that construction should be stopped if arms control talks show promise.

Congress can withhold approval—but with language putting the Soviets on clear notice that we are prepared to escalate our side of the arms race if the Soviets do not halt their own missile buildup.

The latter alternative is preferable.

I commend the full text of this editorial to my colleagues, and offer it at this point in the RECORD. In addition, I would like to insert in the RECORD some of the outstanding ongoing coverage of the ABM controversy which the Times has done over the past month. There are three articles I wish to include, two by the superb science writer of the Times, Dr. Irving S. Bengelsdorf, and one by John H. Averill.

The material follows:

[From the Los Angeles (Calif.) Times, May 4, 1969]

THE ABM AND THE NATIONAL SECURITY

President Nixon vows to fight as hard as he can for the proposed "Safeguard" missile defense system because he believes "it is absolutely essential to the security of this country."

ABM critics, in turn, deride the proposed system as a military boondoggle, and charge

that its deployment will set off a new arms race, divert resources from badly needed domestic programs and "turn the United States into a garrison state."

The controversy, which turns on whether Congress will or will not vote \$900 million for the first phase of the \$7 billion project, is developing an emotional intensity of the same sort which caused the country to tear itself apart over Vietnam.

In a statement calling for rational debate instead of name-calling, Freedom House correctly observed that opposition to the ABM does not necessarily signify indifference toward the security of the United States.

But the moderate, nonpartisan society also warned that ABM supporters should not be dismissed as "bloodthirsty warmongers, tools of the 'military-industrial complex' or the like."

ARGUMENT HAS GROWN

If there is more heat than light in the debate, it is because the confrontation has escalated into much more than an argument over the merits of a specific weapons system.

Aviation Week, which is anything but hostile to defense spending, made precisely this point in a recent editorial.

The uproar over the ABM, the journal warned its readers, represents an "emotional explosion" against the growth of the military establishment into what many people see as a "vast octopus consuming enormous amounts of blood and money without producing very much security for the nation."

As a result, a jaundiced congressional eye is being cast not just on the ABM, but on military spending as a whole.

Some members of the Senate, in particular, are demanding slashes of a magnitude which would condemn the United States to a second-best military posture relative to the Soviet Union—a situation which most Americans, if faced with a conscious choice, are not prepared to accept.

MUST BE PUT IN FOCUS

If the new skepticism toward defense spending is to serve constructive ends, some perspective is needed, both in regard to the ABM itself and to the larger issue of allocating more resources to civil needs and less to the military.

What is Safeguard? It is important to understand first what the ABM system, as announced by the Nixon Administration on March 14, would not do.

It would not protect the cities of the United States against the kind of massive missile attack which the Russians are capable of launching, nor is it intended to.

As the White House put it, "There is no way of doing that. Even if we built a 'thick' defense around our cities at enormous cost, some attacking missiles would get through—enough to inflict extremely high casualties and damage."

To deter the Russians from launching such an attack, Mr. Nixon would continue to rely—as did his predecessors—on keeping the Kremlin convinced that we could absorb a surprise blow and still destroy the Soviet Union with what is left of our missiles and bombers.

As of now, there is absolutely no doubt but that the United States has this capability. The question is whether we will have it in the period from 1973 on.

Russian buildup: In 1965, the year of the massive U.S. escalation in Vietnam, the Soviet Union had some 200 land-based intercontinental ballistic missiles in place compared to our 854.

As of last summer, the Russians had 800 ICBMs compared with our 1,054. Today, they have something over 1,000—and are still deploying more every month—while we have leveled off at 1,054.

The Administration readily agrees that, as of now, our superior bomber forces and missile-firing Polaris submarines give us a clear

edge, despite the parity in land-based ICBMs.

The Russians, however, are not standing still.

If they continue to deploy ICBMs at the rate of 200 to 250 a year, while the United States indulges in a unilateral missile freeze, they could have twice as many ICBMs as us by 1973.

Furthermore, the ICBMs now being deployed are the big SS-9 or Scarp missiles which can carry single warheads up to 25 megatons or three smaller multiple-reentry warheads—each of which is several times larger than the warheads atop our Minutemen.

The Russians, meanwhile, also are building missile-firing submarines of their own, as well as killer subs which presumably are intended, in event of hostilities, to knock our Polaris subs out of action before they can fire their missiles.

Finally, they have already built a relatively unsophisticated ABM system around Moscow, and are known to be conducting research and development toward a more advanced system.

The Pentagon's best judgment is, as President Nixon told a recent news conference, that the Soviet Union may be "substantially ahead of us in overall nuclear capability" in 1972 or 1973, unless something is done now.

Defense Secretary Melvin Laird is convinced that the Russians are trying to build a "first strike" capability—that is, the ability to knock us out with a surprise blow.

There is no proof of that. But, as Mr. Nixon put it, "We have to base our policies on their capability"—and this capability is rising in an ominous way.

Enter Safeguard: The main purpose of the ABM proposed by the President is to insure the survival of a significant proportion of our land-based Minuteman ICBMs (and of our bomber forces) in the event of a first strike by the Soviets.

Safeguard is designed secondarily to protect virtually the whole country against the kind of smaller-scale ICBM threat which Communist China will be able to pose in the 1970s.

Finally, if a missile were to be fired accidentally, in our direction from any quarter, Safeguard supposedly would enable us to shoot it down.

Negotiations: In announcing a proposed go-ahead on the ABM, President Nixon made it plain that he hopes it will not be necessary to build the whole \$7 billion system. Construction can be stopped whenever arms control talks with the Russians produce results.

In the first phase, what amounts to prototype ABM installations would be built in the vicinities of two Minuteman complexes (in Montana and North Dakota) which are said to contain about 350 ICBMs.

Mr. Nixon is convinced that these two ABM complexes alone should, upon their completion in 1973, go a long way toward deterring a would-be enemy from the temptation of a surprise attack on the United States.

Whether the remaining ten Safeguard complexes would ever be built depends upon the progress of arms control talks with Moscow.

The opposition: One thing which makes the ABM debate so confusing to the ordinary American is the sharp disagreement among the so-called experts.

The Safeguard system, which has been likened to "shooting a bullet with a bullet," involves an extremely complex marriage of radars, computers and missiles.

Some of our most eminent scientists sincerely doubt that, if built, it will work—and they have mounted a vigorous and highly effective lobbying effort to impress their skepticism upon Congress and the public.

Other scientists, equally qualified and sincere, are confident that Safeguard will do the job it is designed to do, and believe it should be built.

Officials recall that both the hydrogen bomb and the Polaris submarine were developed—fortunately for the security of the United States—in the face of similar disagreement among the “experts.”

Dean Acheson, who chaired a presidential advisory group on the hydrogen bomb question 20 years ago, says that “everything which is being said at the present time was said to me then.” And he added: “Then, as now, scientists were acting as professors of morality.”

Calling Dr. Strangelove: Assuming Safeguard will work, there are still a lot of knowledgeable people who argue that it will not really provide the protection advertised.

If the Communist Chinese were to decide to commit national suicide by launching a nuclear attack on the United States in the 1970's, it is argued, the existence of Safeguard would not stop them.

AN EASY JOB

They would need only to lob in a few short-range missiles from offshore submarines, or smuggle some A-bombs aboard freighters bound for Los Angeles, New York or other port cities.

In the event of a massive Soviet missile attack on the United States, ABM opponents argue that we could fire off our Minutemen before the incoming missiles arrived.

Even if we failed to do so, they insist, the Russians would still have to score near-perfect bull's-eye on virtually all of our Minuteman silos, bomber bases and Polaris subs—else they would face certain destruction from our retaliatory blow.

The survival of a substantial retaliatory force is best guaranteed, in the opinion of many experts, not by installing ABMs, but by building more offensive missiles, putting multiple warheads on them—and perhaps mounting some on hard-to-hit mobile platforms such as barges or railroad cars.

Surely, argue the ABM critics, a start on Safeguard can at least be postponed for a few months more. By that time, arms control talks should be under way, and we will have better intelligence on whether the Soviet ICBM buildup is aimed at achieving parity with the United States or an intimidating superiority.

SOME ROOM FOR DOUBT

The Nixon Administration has not, as a matter of fact, been entirely convincing in its insistence that the country faces a now-or-never decision on the ABM. Even if one assumes the worst about Soviet intentions, a few months' delay does not have to condemn the United States to a position of inferior power.

The U.S. Senate, however, will gravely and irresponsibly imperil the security of the United States if it votes down the ABM without serving clear notice that the action is provisional—that the Soviet Union is expected to match our own show of good faith by stopping its buildup of offensive missiles.

If Moscow disappoints these expectations, the anti-ABM senators should make plain, they will support President Nixon in doing whatever is necessary to maintain the American nuclear lead.

Unfortunately, there is no evidence that the more emotional foes of the ABM are prepared to exercise that kind of statesmanship.

[From the Los Angeles (Calif.) Times, May 6, 1969]

SHOULD THE UNITED STATES GO AHEAD?

Sen. Henry Jackson (D-Wash.) noted the other day that we were spending five times as much on defense against manned bombers at the end of the 1950s as we would spend on the “Safeguard” missile defense system proposed by President Nixon.

Why was there so little outcry then and so much now?

The answer, of course, lies in the rising resistance to military spending—the feeling

among Americans that we have allowed our national priorities to get out of whack.

To keep the record straight, the polls show that the American people as a whole still favor a strong defense establishment. And, of those who have made up their minds on the ABM, over 60% are for it.

There is no question, however, but that sentiment for a tight rein on Pentagon spending is on the increase.

Paper eagle: As far as the average citizen is concerned, the new resistance to military spending has many roots. These include frustration over high taxes, inflation—plus the seeming inability of the world's most powerful military establishment to defeat a rag-tag army of Vietnamese Communists, or prevent the kind of humiliation we suffered in the *Pueblo* incident.

Credibility gap: Leaving disenchantment of that sort aside, the heart of the trouble is the growing cost and complexity of modern weapons systems.

During World War II, destroyers and submarines cost in the neighborhood of \$5 to \$9 million apiece; today, the going price is closer to \$200 million. Today's fighter planes can carry price tags a hundred times higher than the models which outfought the Germans and Japanese 25 years ago.

What particularly angers congressional critics are the cases where costs run 200% to 300% higher than estimated. The over-run on the big C-5A transport plane alone is now calculated at \$2.1 billion.

Even after soaking up enormous resources, the new weapons systems are sometimes a flop, the prime example being the Navy version of the F-111 swing-wing jet fighter.

Pork barrel, 1969 style: While all these factors are relevant, they are not the whole story.

“WALK AROUND” VIETNAM

In hard-rock political terms, what we are seeing is the opening round in a fight over the so-called Vietnam dividend—the billions of dollars which will be up for grabs when the war ends or is drastically reduced.

In this context, the so-called military industrial complex is locked in a struggle with competitive power centers—made up of scientists, educators, anti-poverty warriors, etc.—which want federal money for their own projects.

Since the end of the Vietnam tunnel is not in sight, these interests tend to favor a big slash in the non-Vietnam portion of the defense budget now.

The ABM, because of its controversial nature, makes an attractive target. If the first domino falls, reason the more zealous anti-Pentagon crusaders, the political atmosphere will be conducive to congressional veto of other portions of the defense budget.

Fair is fair: There can be no question but that the attack on America's urban ills—poverty, slum housing, snarled transportation, environmental pollution and the like—deserves a far greater claim on the country's resources than it has enjoyed in the past.

If the new skepticism is to serve a constructive purpose, however, it is important to separate fact from distortion. And the facts are as follows:

In 1960, long before the Kennedy-Johnson escalation in Vietnam, defense spending accounted for 8.7% of the gross national product and 47% of the total federal budget.

In 1969, defense spending is \$35 billion higher than it was nine years ago. But it still accounts for only 8.8% of GNP and 43% of the total federal budget.

During the Vietnam war years, spending for major social programs has more than doubled, while defense outlays are up only 52%.

To cite specifics, the federal contribution to welfare programs is almost twice what it was six years ago. Outlays for education and manpower training have more than quadrupled, as has spending for community and

regional development. Medical expenditures, thanks to Medicare, are up more than 700%.

Where to cut? These statistics hardly bear out the picture, assiduously cultivated by Pentagon critics, of a country which has turned its back on human needs in the name of national security.

Obviously, however, the pertinent standard for “sufficiency” in the war on poverty and environmental blight is not the past but the future.

We can do better—if ways can be found to cut the military budget, which is the largest single category of federal spending. And given sufficient determination, ways can be found.

It is hard to believe, for example, that the United States really needs all the 429 major and 2,972 minor military bases which it maintains around the world. Surely a substantial number can be closed if U.S. overseas commitments are reviewed hardheadedly.

Another obvious target is the Pentagon's contracting and weapons evaluation procedures, so that the problems of cost over-runs and “white elephant” weapons systems can be reduced to manageable proportions.

The Soviet enigma: Inevitably, such a tightening up means that more weapons projects must be vetoed before too much money is invested in them—and Safeguard, all things considered, is a borderline case.

What must be avoided, however, is the know-nothing approach which manages simultaneously to be against the ABM, advanced new bombers and fighters, modernization of the Navy and upgrading of our Minuteman and Polaris missiles—all without regard to what the Russians are up to.

And, the Russians have been up to plenty while the United States has been otherwise engaged in Vietnam.

In fiscal 1965, the last year before the massive escalation of the U.S. role in the war, our defense spending totaled \$50 billion.

As a result of war outlays, the total figure soared to \$80 billion—but the non-Vietnam portion of the military budget is still not much over \$50 billion.

The slowdown in non-Vietnam spending was accomplished, to a considerable degree, by postponing or stretching out new strategic weapons projects.

As Sen. Jackson observed the other day, the budget for strategic forces is actually almost 50% less than it was in fiscal 1962, if inflation is taken into account.

While we were cranking down our side of the arms race the Russians have been cranking their side up.

The Institute for Strategic Studies estimates that total Soviet military spending is now on a parity with the non-Vietnam portion of ours—and as a percentage of GNP, is almost twice as large.

Beyond Parity? Four years ago, we had a four to one lead in ICBMs. Today, the Russians have caught up with us and may be going beyond parity to superiority.

We still have a big lead in bombers, ballistic missile-firing submarines and total number of warheads. But the Soviets are now building Polaris-type subs of their own, as well as subkillers which could be used against our Polaris fleet.

As for the big U.S. lead in warheads, UCLA Prof. William G. McMillan, a long-time defense consultant warns that the Russians may be using a different kind of arithmetic.

They may figure that one nuclear torpedo can destroy a Polaris submarine and all 16 of its missiles. One suborbital missile could take out a bomber field with a score of B-52s and a much larger number of H-bombs.

At this point, no one says for sure that the Soviets are shooting for an intimidating strategic superiority. But the evidence is too strong to be ignored.

Missile Freeze? Both the Administration and ABM opponents agree that the best solution is a Big Two arms control arrange-

ment which would effectively prevent either side from gaining a first strike capability over the other.

Mr. Nixon argues that an immediate start on Safeguard is essential to the U.S. bargaining position in such talks. Sen. William Fulbright (D-Ark.) charges that a start on the ABM would imperil the arms control talks and provoke the Russians to countermoves.

Neither argument stands up to critical analysis.

The Kremlin, it turns out, has accepted President Nixon's announcement on the ABM with more equanimity than the chairman of the Senate Foreign Relations Committee. Arms control talks are still expected within a few weeks or months.

This is not surprising. After all, the Russians have 67 ABMs of their own in place around Moscow, and are thus in no position to argue that defensive missiles are provocative.

U.S. DETERMINATION VITAL

Beyond that, the Kremlin leaders understand, if Fulbright and like-minded senators do not, that deployment of ABMs around ICBM silos—as distinct from cities—is not the act of a nation which is thinking in terms of a surprise attack on the other side.

There would be little point, after all, in spending billions to protect empty silos against a retaliatory blow.

Compromise: It does not necessarily follow, however, that congressional approval of Safeguard is essential to success of arms control negotiations.

What is essential is that the Russians know that the United States is not prepared to indulge in a unilateral missile freeze while the Kremlin indulges in a unilateral drive for strategic supremacy.

Unfortunately, the ABM opponents are coming perilously close to creating the opposite impression.

What, then, is the solution? Two alternatives suggest themselves:

Congress can approve a go-ahead on phase one of Safeguard—with language putting the Administration on notice that construction should be stopped if arms control talks show promise.

Congress can withhold approval—but with language putting the Soviets on clear notice that we are prepared to escalate our side of the arms race if the Soviets do not halt their own missile buildup.

The latter alternative is preferable.

If the lawmakers choose neither of these alternatives, but instead turn the ABM down in a euphoric atmosphere of unilateral disarmament, they will be not only wrong but irresponsible.

[From the Los Angeles (Calif.) Times, May 4, 1969]

AN ELECTRONIC MAGNOT LINE: DESPITE COST, ABM WON'T PROTECT US
(By Irving S. Bengelsdorf)

Whether it is light or thin and costs \$5 billion or 5 billion rubles, or is heavy or thick and costs more than \$50 billion or 50 billion rubles, we and the Russians are deceiving ourselves if we think that the installation of an antiballistic missile defense system will provide adequate defense against thermonuclear attack. It will not.

Just as it was dangerous for the French to deceive themselves prior to World War II with their defensive Maginot Line, an ABM system in an era of massive thermonuclear attack is an electronic Maginot Line that is dangerous in that it provides the illusion of a defense against ballistic missiles that, in fact, is not there.

And, in spite of agreement among many experts that a massive, thick, anti-Soviet ABM system would not work, the thin \$5 billion Sentinel ABM system, proposed by President Johnson and modified to the Safeguard ABM system by President Nixon, ap-

pears to be the "foot in the door" that eventually will expand to a thick \$50 billion super-ABM system.

In a recent discussion entitled "ABM: Yes or No?" just published by the Center for the Study of Democratic Institutions, Santa Barbara, Dr. Jerome B. Wiesner, special assistant for science and technology to President John F. Kennedy and now provost of Massachusetts Institute of Technology, warned:

It is the general technical consensus that Sentinel is not going to buy us any protection against a Soviet missile attack. One might then ask, "Well, why do you care whether or not Sentinel is built?"

"I care because I think it is regarded by most advocates of ABM systems as the down payment on a much more substantial system. I have heard high-ranking officers say that if they thought the Sentinel system was all that the United States ever intended to buy, they would be against it. But they believe that it will lead naturally to the large-scale ABM system."

It has been estimated that in a thermonuclear exchange with the Soviet Union, about 120 million Americans would be killed if there were no ABM defense system. Proponents of an ABM defense system point out that if we had a massive ABM system we might be able to cut the number of American deaths to 30 million or 40 million:

1—If the Russians did not increase greatly their arsenal of offensive missiles in response to our installation of the heavy ABM defense system. It is likely, however, that they would react by strengthening their offensive forces.

2—If a heavy American ABM system would perform well. This also is not very likely for a huge, complex, untested system that must work well the first time it is used. It may not work at all. And even if it did work well it might not accomplish its defense goal.

For not only is there the possibility of it becoming obsolete before it is completed—the defense technology of the 1960s pitted against the offense technology of the 1970s—but the proposed ABM system suffers from severe technical difficulties and shortcomings.

For as Wiesner pointed out in the CSDI discussion, "If we built a \$20 billion ABM system and if it functioned just as the designers predict it will—namely, that everything works, the thousands of GIs who man the launching sites are ready, the computer programing is right, there are no surprises in the incoming missiles, and the tremendous battle that takes place in the skies does not produce such chaos and blackout that everything quits working (all reasons why I think it will not work)—then the casualties would be reduced to 15% of our population, or 30 million people.

"It comes down, then, to a matter of somebody's judgment, because there is no way of knowing what the Soviets are going to do, and there is no way of knowing how the ABM system is going to function."

We may find some solace in the argument that offensive missiles carrying thermonuclear warheads also are complex systems that also have to function well the first time they are used. But, unfortunately, the arithmetic of thermonuclear warfare favors the offense rather than the defense.

As Wiesner points out, "If you have a 10% failure in a defensive system in a thermonuclear war, you have a catastrophe."

And there are many ways that a sophisticated, clever enemy offense can use to slip through even a massive ABM defense system. Thus, aside from the problem of whether the complex equipment of a proposed ABM system will work or not, many scientists feel that even with it working well, the enemy's offensive warheads still can get through.

The various techniques employed by an offense to insure the delivery of its thermonuclear warheads are called "penetration aids."

To understand how penetration aids could

work, one has to consider the detailed make-up of an ABM defense system such as the Sentinel system proposed by President Johnson in 1967 or the essentially similar Safeguard system proposed by President Nixon.

A typical ABM defense designed to protect large areas consists of four parts: two kinds of radars, mammoth computers and two kinds of intercepting missiles.

There is a powerful, large, long-distance radar that can detect incoming objects while they are about 2,400 miles away. About six such radars spotted along the northern rim of the United States are proposed for the Sentinel ABM system to detect missiles coming in from over the North Pole. Since warheads travel at a speed of about 4 miles per second, this rim-radar gives the ABM defense about 10 minutes overall warning time to do something.

Once the incoming objects are detected, the information is passed on to a huge computer that must analyze and process the raw information to decide which of the objects picked up on the radar screen is the real missile or missiles and which of the objects are deceptive and confusing decoys. It is a crucial question of "Will the real missile(s) please stand up?"

Once a genuine warhead is identified, the computer calculates its trajectory or path of travel so that it knows where the warhead will be at any given moment or second.

In conjunction with a second smaller radar located near the antimissile sites, the computer dispatches a long-range antiballistic missile. The second radar is used to guide the missile to interception and destruction of the incoming warhead while it is still a few hundreds of miles from the target.

The particular long-range antiballistic missile proposed in the Sentinel and Safeguard ABM systems is called Spartan. Each one costs well over \$1 million, stands 55 feet high and carries a one- to two-megaton thermonuclear warhead. About 14 Spartan sites, each with many Spartan missiles, were proposed for the country with the Sentinel ABM system.

Since it will intercept an incoming missile in airless near-space—before the missile enters the layer of air, or atmosphere, that surrounds the earth—the Spartan cannot rely on the shock wave of its thermonuclear explosion to destroy the incoming warhead. Air is necessary to cause destruction by the blast of an explosion.

So, the Spartan's thermonuclear warhead will release a flood of X-rays to destroy the heat shield that surrounds the enemy warhead, placed there to keep the warhead from burning up when it reenters and travels through the atmosphere.

But, suppose the radar shows that even after interception by the Spartan, the warhead keeps coming. There is no way of knowing if the warhead is dead or still "live." The defense cannot take a chance—all incoming objects must be destroyed—so a short-range antiballistic missile must be dispatched to take care of all incoming objects that get by the Spartan interception.

The particular short-range antiballistic missile proposed in the Sentinel and Safeguard ABM systems is called Sprint. Each one costs close to \$1 million, stands 27 feet high, is shaped like a cone, and carries a fractional megaton warhead.

Since by this time the incoming warhead has entered the atmosphere, Sprint is able to kill enemy warheads by the shock wave of its thermonuclear blast.

Even for the interception of a single incoming warhead, the radars and computers would have their hands full. This, however, is the "idyllic" situation usually depicted in a drawing to indicate how an ABM system works: one defensive missile rising to intercept one offensive warhead.

But, in the real thing—during a thermonuclear exchange—all hell would break loose. There would be swarms of enemy warheads arriving and on top of all this dense warhead

"traffic" the enemy would use penetration aids balloons, chaff, radar jamming, blackout, etc.

Consider balloons. Along with a genuine warhead, an enemy could send over numerous lightweight balloons. Each balloon made of a thin sheet of lightweight polyethylene plastic coated with a thin film of aluminum—some-what like the Echo communication satellites of a few years back—acts as a reflector of radar rays. To the defensive radar, such a balloon would look just like a warhead.

Suppose the defense radar could discriminate between shapes—detect the difference between a round balloon and a differently shaped warhead. All the enemy has to do is encase the warhead within one of the round balloons.

Balloons are particularly useful to confuse an ABM system like the Sentinel which has to protect large areas. For if large areas are to be protected then every incoming enemy object must be intercepted by a long-range Spartan antiballistic missile as soon as possible—right after radar contact has been made while the object is still above the atmosphere.

But it is precisely at these altitudes at which a radar has the most difficulty in discriminating between deceptive balloons and genuine warheads. Once the balloons and warheads plunge into atmosphere the radar can detect that the heavy warhead moves faster than the lightweight decoy balloons.

If an attacker is clever he also may send over decoys that are sturdier and heavier than balloons. These specially designed frames equipped to reflect a radar beam as does a genuine warhead would confuse the defensive radars even further in their difficult task of trying to differentiate between decoys and warheads. Decoys shaped like "jacks" that children play with in "ball and jacks" are excellent radar reflectors.

If you try to make a decoy look more and more like a warhead, and make it heavier so that it behaves more and more like a warhead, you suddenly realize—why make a decoy at all? Why not use a single missile to carry many warheads—all genuine? This, of course, is the MRV and MIRV concept.

MRV, the abbreviation for multiple reentry vehicles, refers to a missile that carries more than one warhead with all warheads aimed at the same target. MIRV, the abbreviation for multiple individually targetable reentry vehicles, refers to a missile that carries more than one warhead with each warhead capable of being aimed at a different target.

By having three to 20 warheads in a single MRV or MIRV-missile instead of a single warhead with several decoys in a non-MRV missile, then each of the multiple warheads can act as a decoy for the others. This is further confusing to the defensive radar. When a series of objects is observed to be coming in, are they one genuine warhead and many decoys or all genuine warheads?

Or, consider chaff as a penetration aid. The radar used in ABM-defense systems sends out a beam of radar rays that travels as waves with the distance from crest to crest of the waves called the wavelength. A typical ABM-defensive radar wavelength is about three feet.

A piece of copper wire of a length about one-half of the wavelength of the radar waves acts as a powerful reflector of the radar beam. Now suppose an incoming warhead is accompanied by a trail of 100 million fine copper wires each wire one-thousandth of an inch thick.

Such a load weighs only 400 pounds and can be carried easily by an intercontinental ballistic missile. Thus, an incoming warhead can disperse a cloud of copper chaff wires hundreds of miles long.

To the defensive radar, the entire cloud looks "black." Thus, within the chaff cloud the enemy can conceal his warheads and decoys. So, if you want to intercept a warhead above the atmosphere, a number of

Spartan missiles must be directed against the entire cloud—and even then the defense is not sure of a kill.

Or, an enemy also can design decoys that carry small radar transmitters that broadcast with the same wavelengths as do the defensive radars—thus, jamming the defense's radars.

Nor is this all. An ABM defense also has to put up with a serious difficulty called blackout.

When a thermonuclear explosion takes place in the atmosphere above earth it produces both an intensely hot fireball and radioactive debris. The effect of the fireball and the behavior of the radioactive debris is to rip off and tear away electrons from the atoms that make up the air.

Atoms from which electrons have been ripped away are called ions. So, fireballs and radioactive debris from thermonuclear explosions contribute to the ionization of the air.

Ionized air is a powerful reflector of radar waves—particularly those radar waves with the longer wavelengths that are used to detect objects at great distances. So, when a defensive radar looks at the sky in which a thermonuclear explosion has taken place, the sky looks "black"—the radar is not able to see beyond this.

A thermonuclear explosion's fireball can blackout the sky to radar waves 100 miles or more above earth, while the radioactive debris can do the same thing 30 to 40 miles above earth.

Although these radar blackouts last from only a few seconds to a few minutes, the entire ABM system only has a few minutes or seconds in which to operate in the first place.

What is even worse is that the thermonuclear explosions of the defensive antiballistic missiles, Spartan and Sprint, would blackout their own "friendly" radar.

And thermonuclear warheads of antiballistic missiles exploded in the defense of the United States or the Soviet Union could add to the damage and radioactivity spread over innocent bystander nations such as Canada or Finland.

The information-gathering and information-processing problems of ABM defense are put well by Dr. Richard Bellman, professor of electrical engineering, mathematics and medicine at the University of Southern California. Bellman has had a long-time interest in the difficult analytical and mathematical problems of how computers can use raw radar information to discriminate between genuine warheads and decoys.

Bellman said, "If you think of the radars as the eyes of the ABM system and the computer as the brains of the ABM system, then it's not a very difficult problem to blind the eyes and to deceive the brain. A blind and dumb ABM system is not of much value."

Thus, the radars of an ABM system are extremely vulnerable. Obviously, any complex system subject to so much chaos and confusion the first time it actually has to be used cannot be built and tested in any meaningful way. There is no test devised that is valid for its required performance under the actual stress of thermonuclear exchange.

[From the Los Angeles (Calif.) Times,
Mar. 4, 1969]

OF ATOMS AND MEN: MUTUAL VULNERABILITY CALLED WAR DETERRENT

(By Irving S. Bengelsdorf, Ph. D.)

Hidden beneath the surface of Soviet soil, and beneath the surface of the ocean in Soviet submarines, are Soviet missiles tipped with thermonuclear warheads, aimed and ready to fly against American targets. The Soviet Union has enough thermonuclear warheads to destroy both the American population and its industries.

Hidden beneath the surface of American soil, and beneath the surface of the ocean in American submarines, are American missiles tipped with thermonuclear warheads, aimed and ready to fly against Soviet targets. The

United States has enough thermonuclear warheads to destroy both the Soviet population and its industries.

Then why does the Soviet Union not launch a thermonuclear attack to destroy the United States? Or, why does the United States not launch a thermonuclear attack to destroy the Soviet Union?

EITHER COULD RETALIATE

The reason is simple: Although the Soviet Union could destroy the United States, or the United States could destroy the Soviet Union, neither country could inflict total military damage to the other. The attacked nation would have enough power remaining to retaliate and destroy the attacker.

The ability to launch an attack upon a nation and totally destroy the attacked nation's ability to retaliate is called "first-strike capability." Neither the Soviet Union nor the United States has a first-strike capability—and neither nation will permit the other to attain such capability in the future.

The ability of an attacked nation to absorb a surprise thermonuclear attack and survive with sufficient power to launch a retaliatory attack to inflict unacceptable damage on the originally attacking nation is called "second-strike capability." Both the Soviet Union and the United States have a second-strike capability—and both nations will maintain such capability in the future.

OF VITAL INTEREST

In San Francisco on Sept. 18, 1967, Robert S. McNamara, then secretary of defense, spoke before the United Press International Editors and publishers. His address is a remarkable document that should be read widely throughout the world, in general, and in the United States, Soviet Union, and mainland China, in particular. A copy of this address is printed as Appendix XII in Dr. Ralph E. Lapp's recent book "The Weapons Culture" (W. W. Norton & Co.).

McNamara emphasizes, "The blunt fact is that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation; nor can either of us attain a first-strike capability in the foreseeable future."

"The further fact is that both the Soviet Union and the United States presently possess an actual and credible second-strike capability against one another—and it is precisely this mutual capability (the ability of destroying the aggressor to the point that his society is simply no longer viable in any meaningful 20th-century sense) that provides us both with the strongest possible motive to avoid a nuclear war."

COMPLETELY VULNERABLE

"That is what deterrence to nuclear aggression means. It means the certainty of suicide to the aggressor—not only to his military forces, but to his society as a whole."

McNamara continues, "Our strategic offensive forces are immense: 1,000 Minutemen missile launchers, carefully protected below ground, 41 Polaris submarines, carrying 656 missile launchers—with the majority of these hidden beneath the seas at all times; and about 600 long-range bombers, approximately 40% of which are kept always in a high state of alert."

"Our alert forces alone carry more than 2,200 weapons, averaging more than one megaton each. A mere 400 one-megaton weapons, if delivered on the Soviet Union, would be sufficient to destroy over one-third of her population and one-half of her industry. (A one-megaton nuclear warhead can release an amount of energy equivalent to that released by one million tons of TNT, the conventional explosive of the pre-nuclear world.) And all of these flexible and highly reliable forces are equipped with devices that insure their penetration of Soviet defenses."

TIT FOR TAT

The Soviet Union also has its thermonuclear warheads equipped with devices that

insure their penetration of American defenses. Which brings us to the currently debated antiballistic missile system (ABM).

McNamara adds, "It is important to understand that none of the (ABM) systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States."

The installation of an American ABM system could trigger an escalation of the thermonuclear arms race. McNamara explains, "Were we to deploy a heavy ABM system throughout the United States, the Soviets would clearly be strongly motivated to so increase their offensive capability as to cancel out our defensive advantage."

"It is futile for each of us to spend \$4 billion, \$40 billion, or \$400 billion, and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now."

So, after spending \$1.3 trillion (\$1,300 billion) since 1945 on defense—\$80 billion this year—we still cannot prevent the nuclear annihilation of the United States. And after spending trillions of rubles, the Soviets cannot prevent the annihilation of the Soviet Union. What both have bought is nuclear deterrence.

[From the Los Angeles (Calif.) Times, Apr. 27, 1969]

SCIENTISTS AND SCHOLARS MAY SHOOT DOWN NIXON ABM PLAN

(By John H. Averill)

WASHINGTON.—They don't teach lobbying at Caltech or MIT. Yet many distinguished scientists are conducting a lobbying operation that has the earmarks of becoming one of the most successful in memory.

Unless President Nixon comes up in a hurry with some surprise countermeasure, it appears the scientists may well shoot down the Safeguard antiballistic missile system the President wants.

More than any other group, the scientists are responsible for the amazing opposition that has developed in the senate to Mr. Nixon's ABM proposal.

By buttonholing, cajoling, lecturing and writing, the scientists have managed in a little less than two years to convince many in the Senate that the ABM would be a tragic waste of money.

It is an accomplishing that few professional lobbyists can match.

NIKE X WON IN 1966

On Aug. 18, 1966, a proposal to knock out \$153.5 million for the Army's Nike X ABM system, on which Mr. Nixon's Safeguard program is patterned, was defeated by a vote of 73 to 14.

Yet reliable soundings and nose counts now suggest that if the ABM issue came to a showdown in the Senate at this time it would be defeated.

Since the first test vote is not expected before late May or early June the situation could change. But the ABM opponents seem confident it won't.

In the view of the opponents, there are only two things the President might do to save his ABM:

—Come up with unchallengeable proof that the Safeguard system would work to counter the arguments by scientists that it won't.

—Take his case to the country and make support of the ABM a test of each legislator's patriotism.

Senate ABM opponents doubt either possibility will materialize.

Thus it is hardly a happy outlook for a President barely three months in office. For this, Mr. Nixon can largely blame the scientific and academic community. Rarely have so many scientists and scholars been so united on one issue as is the case with the ABM opposition.

The basis of their opposition is a dedicated conviction that the ABM simply won't work, that it would be history's most expensive flop. Many of the scientists also argue that the ABM would inevitably accelerate the nuclear arms race with the Soviet Union.

A Harvard physicist, Dr. Thomas B. W. Kirk, estimates that "about 90% of physicists oppose the ABM on either moral, political or technological grounds."

Kirk, a research fellow in physics, is a member of an informal scientific group at Harvard that is sending petitions to physics departments at universities across the country.

SOURCES OF CONCERN

The petitions, addressed to Mr. Nixon, declare:

"Our concern springs from two basic sources:

"As scientists, we are wholly unconvinced that any proposed antiballistic missile system can defend against a determined missile attack.

"As citizens, we deplore the beginning of a particularly dangerous yet ultimately futile round of nuclear arms escalation when our expanding domestic crisis demands a reallocation of the nation's resources."

Although the Defense Department puts a price tag of \$6.3 billion on the Nixon Safeguard plan, the Harvard group contends it would be only the first step for a heavier system that would cost 10 times as much. The President is asking Congress this year for a first installment appropriation of \$800 million.

LIMITED BEFORE

Opposition to the ABM by scientists, both in and out of government, is not new. It was largely because of scientific arguments that the system wouldn't work that both the Kennedy and Johnson administrations repeatedly refused to go beyond the research and development stage on the Nike X.

When Congress, responding to pleas from the Joint Chiefs of Staff, voted the \$153.5 million for a start on the Nike X in 1966 the Johnson Administration refused to spend it.

But the following year, with the Republicans threatening to make the ABM a major issue in the 1968 presidential campaign, President Johnson suddenly reversed himself.

The Johnson Administration took major elements of the Nike X system, named it the Sentinel program, and embraced it as something vital to counter any Chinese missile threat in the 1970s.

COMMUNITY AROUSED

It was the decision to deploy the Sentinel that began galvanizing the scientific community. In the forefront of the assault on the Sentinel were two former presidential scientific advisers—George B. Kistiakowsky, who served under President Dwight D. Eisenhower, and Jerome B. Wiesner, who served under President John F. Kennedy.

Others included Dr. Herbert York, director of Defense Department research of the Eisenhower Administration and now a physicist at the University of California at San Diego; nuclear physicists Hans Bethe and Ralph E. Lapp, and Dr. George W. Rathgens, former director of the systems evaluation division of the Institute for Defense Analysis.

These scientists and others began cooperating last year in conducting luncheon seminars at the Capitol for interested senators.

Most of the seminars were sponsored by the Council for a Livable World, a Washington-based organization dedicated to arms control and disarmament. The council, founded in 1962 by the late physicist Leo Szilard, also helps raise campaign funds in election years for senators it regards as arms-control-minded.

"We are sort of a scientists' lobby," said Thomas A. Halsted, the council's national director.

Halsted said in an interview that his organization's major accomplishment was in providing ABM opponents with sufficient background information to stand up and debate ABM proponents like Sen. John C. Stennis (D-Miss.), chairman of the Senate Armed Services Committee, and Sen. Henry M. Jackson (D-Wash.), a senior member of the same committee.

Halsted credited the seminars at least in part for the stronger showing by ABM opponents on three separate occasions in the Senate last year. All three attempts, each aimed at deleting spending authority or funds for the Sentinel system, were defeated but one lost by only three votes.

Of more importance to the ABM opposition, however, was the recruiting of such influential senators as John Sherman Cooper (R-Ky.) and Stuart Symington (D-Mo.).

Both Cooper and Symington had argued against the effort to delete funds for the Nike X in 1966. But by 1968 Cooper had changed his thinking so dramatically that he sponsored and led the three assaults on the ABM last year. What happened?

"I simply became convinced the thing wouldn't work," Cooper said. "If I thought it would provide genuine security I would support it." Instrumental in changing Cooper's mind was his foreign policy aide, William Miller, a young former State Department official who has been among the most active behind the scenes in mobilizing opposition to the ABM.

If anything, the turn-about by Symington was even more dramatic. A former secretary of the Air Force, Symington was known for years as one of the most outspoken champions in Congress of supporting spending requests of the military chiefs. He also had been known as a super-Hawk on Vietnam.

But by 1968 Symington was becoming disillusioned with the Vietnam war and increasingly suspicious of the way the Pentagon was spending the billions that an obliging Congress had become accustomed to hand over almost without question.

In a recent Senate speech, Symington displayed a study which he said showed that the Defense Department had spent more than \$23 billion in the last 16 years on missile projects which were scrapped before reaching the deployment stage.

Actually, according to some ABM critics, the history of the missile defense system has been studded with political blunders by both the Johnson and Nixon administrations.

Ralph Lapp, the nuclear physicist-writer-lecturer who has been crusading against the ABM since 1966, said a major Johnson administration mistake was in deciding to plant Sentinels near large population centers as a city defense.

"The opposition didn't really get mobilized," Lapp said in an interview "until the Army goofed and decided to put the Sentinel sites near cities like Chicago, Boston and Seattle."

The political clamor emanating from the Sentinel site cities turned out to be the breakthrough point for the scientists who had long been campaigning against the ABM. They finally were given an official forum.

Largely as a result of the outcry from the ABM cities, the Senate foreign relations subcommittee on disarmament called public hearings on the ABM and a parade of scientists came to testify.

It was the Sentinel uproar from Boston-area citizens that also transformed Sen. Edward M. Kennedy (D-Mass.) from a sideline critic of the ABM into becoming a leader of the ABM opposition.

All this reached a head shortly after Mr. Nixon took office and he quickly suspended the Sentinel program until he could study it further.

LAIRD'S DEFENSE

With Secretary of Defense Melvin R. Laird and the military chiefs strongly defending

the program, Mr. Nixon revived it with modifications. For one thing, the system's name was changed from Sentinel to Safeguard. For another, it was recast from being a defense of the cities to a defense of the nation's Minuteman strategic missile sites.

Mr. Nixon obviously viewed this as a happy compromise that should satisfy both Hawks and Doves and also the jittery cities where the Sentinel would have been planted.

In the view of the ABM opponents, there have been many Administration missteps.

One is said to have been committed by Laird when he said the Safeguard ABM was essential because of new intelligence showing the Russians were aiming at a first-strike capability designed to eliminate U.S. retaliatory missiles.

SOVIET EFFORT DOUBTED

Other Administration officials have cast doubt on whether there is any reliable evidence the Russians are making such an effort. In fact, they say the Nixon Administration has received no significant new intelligence on Soviet missile capabilities or intentions.

The Pentagon's credibility came into further question when Dep. Defense Secretary David Packard said in Senate testimony that his department had consulted with outside scientists before reaching its decision.

When pressed to identify them, Packard gave the name of a close friend, Dr. Wolfgang K. H. Panofsky, director of the Stanford Linear Accelerator Center.

By sheer accident, and unknown to Packard, Panofsky was in the hearing room and heard Packard's words with some embarrassment.

AIRPORT DISCUSSION

The reason for the embarrassment became evident two days later when Panofsky testified before the same subcommittee. He said he had run into Packard at the San Francisco International Airport before the Safeguard decision and there had been a brief discussion of the ABM.

But, Panofsky said, "I did not participate in any advisory capacity to any branch of the government in reviewing the (Safeguard) decision."

In the view of ABM opponents, the most recent Administration boner came with the recent disclosure that the White House had changed its mind about naming Dr. Franklin A. Long, a Cornell scientist, as director of the National Science Foundation because of Long's opposition to the ABM.

President Nixon confirmed the report at his last press conference. It struck the ABM opponents as ironic that the President's acknowledgment came moments after he promised that the ABM controversy "will not be fought on partisan lines."

CONGRESS MUST ACT NOW TO CURB THE FLOW OF PORNOGRAPHIC LITERATURE

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, last week President Nixon asked Congress to provide through legislation the means and tools to curb the flow of pornography and to rid the U.S. mail system of a tremendous burden. His concern seemed to be directed principally to the young people of our Nation who are being victimized by peddlers of filthy and indecent literature.

The three proposals included in the President's message to Congress are contained in legislation which I cosponsored a few weeks ago; namely, H.R. 7167, which purports to deal with pornography which use the U.S. mail system to

flood decent American homes with trash and filth. I am delighted that the President has, in effect, endorsed the provisions of my bill.

Since I joined with Congressman CHARLES E. BENNETT in introducing anti-smut legislation, I have received hundreds of letters from my own State, as well as from other States, all enclosing some of the most obnoxious, deeply offensive, and even shocking advertisements for pornographic literature of the worst degree. Each day's mail brings additional complaints and I now have in my possession a vast file of samples of pandering advertisements which would shock the average individual. The material offered for sale through the mail system are products of sick, sick minds, and these peddlers of smut should be stopped immediately.

It is my understanding that more than 100 bills all dealing with this concept are pending before the House Judiciary Committee. It is imperative that Congress act now. By letter I have asked the distinguished chairman of the House Judiciary Committee to schedule early hearings on my bill and all other related to it so that our citizens will not be forced to receive advertisements for sex-oriented material which they deem to be offensive. It is my understanding that all proposals on obscene material have now been referred to Subcommittee No. 3 chaired by Congressman ROBERT W. KASTENMEIER, to whom I offer my fullest support. Without qualification I urge early committee action now that the administration has also harkened to the serious problem so that we can put an end to the unlawful distribution of indescribably lewd and defiled literature, the purpose of which seems to be the complete degradation of acceptable moral standards of our society.

HOW MUCH IS A GOVERNOR WORTH?

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, Edward N. Hay & Associates, management consultants, have prepared a paper in their Men and Management series, which is published monthly, entitled "How Much Is a Governor Worth?" This paper actually deals with the subject of the proper remuneration of those in Government service.

Considering the keen interest in the subject matter, I would like to take this opportunity to bring this incisive article to your attention. Edward N. Hay & Associates are to be congratulated on the following sensitive comments with respect to this situation.

At this point I insert this paper in the RECORD:

HOW MUCH IS A GOVERNOR WORTH?

As we were mapping out the content of this month's M&M, one of the Hay consultants offered to buy a bottle of champagne for any of us present in the room who could name the current salaries of our mayor, governor, U.S. Senator, and the Chief Justice of the U.S. Supreme Court.

It turned out to be a very dry day.

We mention this not in the belief that

memorizing the salaries of our public servants will automatically make better citizens of us, but to illustrate the point that what we pay people in government has never been the kind of conversational topic that keeps our dinner partner so engrossed he forgets all about his shrimp cocktail. To avoid thinking or worrying about this subject, a citizen can adopt any of several comfortable assumptions.

One assumption is that most public employees are mediocrities, so why worry about their pay? Another idea is that the really good men in government are so dedicated they will gladly sacrifice monetary gain in order to serve their fellow citizens. Still a third notion is that adequate compensation standards and practices have already been worked out, and that the question of how much to pay public employees and officials isn't really much of a problem.

All of these assumptions are dead wrong. We would like to dispense with them, one at a time:

On the myth of mediocrity in government: if there ever was a time when the income-poverty level in government was higher than in other places, that day is vanishing. More and more government posts are turning into pressure-cookers and, to toss in another metaphor, the public servants who can't stand the heat are tending to get out of the kitchen. Government service is becoming a profession; fewer amateurs can apply. Increasing scrutiny of government by the news media and by taxpayers is having a weeding out effect on drones and sinecure-seekers.

The public-spirited executive who will sacrifice his financial interests in order to take a public post is becoming more the exception than the rule. Last month, one state governor told us he had recently interviewed thirty-five fully-qualified men before finding one who would accept the job in question. The job paid substantially less than a position of comparable accountability in the business world, and most of the applicants simply couldn't afford to take a cut in pay. Teaching, law enforcement, and hospital care are three other fields whose workers are no longer willing to accept the theory that the joy of serving one's fellows should take the place of a competitive pay level.

Perhaps the most common misconception concerning public compensation is that "someone has already taken care of all that." Nothing is further from the truth. On the Federal level, crazy-quilt methods of determining compensation have involved everything from Congressional whim to the use of scores of different compensation techniques. The Kappel commission recently concluded a major study of the salaries of management-level Federal employees. A number of states have begun investigations into their compensation programs. In New Jersey, private citizens and members of the business community are paying for a comprehensive study of the state's pay practices. Local government officials, who are closest to the anguished howls of hard-pressed taxpayers, are increasingly on the search for compensation methods that are fair, both to the public employee and to the citizens who must furnish the money.

INCESTUOUS STUDIES

Some government compensation studies tend to be incestuous, in that they focus only on what other government agencies (or cities, or states) are paying their employees. They fail to look at salary practices in the private sector. Thus, one study feeds on another. If Toonerville's salary levels are too low (or too high), Podunk's matching them means only that Toonerville's errors are being perpetuated by imitation.

Another common error in government studies is the comparing of job titles to try to find what should be the incumbent's salary. For comparison purposes, job titles are of dubious value. The nature and scope of

a sheriff's job in a rural county will probably be much different than that of a sheriff whose county lies on the edge of a large city. In addition, some job titles just don't have opposite numbers. To whose job do you compare that of Senate majority leader? In what other agency but NASA are there astronauts?

The crucial weakness in these foregoing methods is that none of them asks the vital questions for evaluating and setting the compensation of any job. Namely: *what is involved in the job itself? What is its actual content? What does it require of the man holding it, in terms of knowledge and ability to think and reason? Exactly how large is the job's impact on end results, i.e., the objectives for which the governmental unit is striving?* Only by evaluating each job according to its true content can the job then be meaningfully compared to a position of similar content within the same organization, in another agency or political unit, or in business and industry.

The use of a common criterion—*evaluated job content*—liberates the job evaluation and salary comparison processes from the shackles of job titles, employee classification grades, seniority policies, and political pressures. It permits the evaluation and accurate content comparison of a government job against one in industry; of a scientific post against an administrative post; of a newly-created job with one that has existed for years; of a job in Sacramento with jobs in Houston and Buffalo. Once this *uniformity of approach* in evaluating jobs has been achieved, then—and only then—can valid salary comparisons be made.

OTHER MISTAKES

It is largely because of the lack of a consistent method of evaluating jobs and of meaningful salary comparison techniques that the compensation of public employees has become so tangled. However, there are a couple of other mistakes in thinking that help to compound the confusion. One of these is the failure to recognize the great influence that the salary of the top man in a government organization has on the salaries of people below him. A specific example would be that of a privately-wealthy governor who is elected to office and, at no personal hardship to himself, is paid a salary that is only half of what, by any rational criteria, the governor's job should pay. To say, "How nice that he can afford it," is to miss the main point, namely, that by accepting an underpaid post the governor suppresses the salary structure of the men who serve under him. This is in accordance with the generally observed rule that no one shall earn more than the top man.

In addition to holding down the salary levels of subordinates, the practice of underpaying a top position tends to cheapen that post, both in the eyes of the public and in the esteem of those men who would seek it. A third mischief wrought by low pay in high position is that it invites government by aristocracy. A hallmark of our republican form of government has been the availability of public office to all men, not merely to the high-born or wealthy. When only the rich can afford to serve, democracy suffers. For this reason, it is important that the rewards of an office are in keeping with its responsibility.

We noted the suppressing effect that comes from basing an entire compensation structure on the highest officer's salary. This practice sometimes works in another, and opposite, way. This can happen when a study reveals that the governor's salary should be substantially increased. Although the governor may agree to the desirability of raising his salary, he may at the same time experience mixed emotions because of the coat-tail effect his increase will almost surely have on the salaries of the officials who serve with him. He will be happy to see their compensation move up to a competitive level, but he will be bracing

himself for the public outcry that is likely to follow.

This leads us to another point. The opposition of taxpayers to raising the compensation of high-echelon public officials is, in many cases, based on shallow or uninformed thinking. To increase the salaries of the men and women who occupy the upper reaches of a governmental unit does indeed cost money. But experience often shows that the increase may apply to only two or three percent of the total number of employees, and may mean a rise of perhaps only one percent of the unit's entire payroll. These top positions are usually the ones whose occupants will bring about the success or failure of critical programs and policies. For that reason, the amount of added salary funds needed to attract and retain competent personnel in these jobs usually turns out to be an investment well worthwhile. In contrast, the price of underpaying public servants can be disaster, in the form of inefficiency, bungling, and, occasionally, a susceptibility toward corrupting influences.

NEEDED: A BROAD VIEW

We have written thus far about some of the mistaken ideas concerning the compensation of public employees and officials; about the need for a uniform system of evaluating government jobs so that they can be meaningfully compared with each other and with jobs and salary levels in business and industry; and about the risks that arise when taxpayers and public officials themselves are reluctant to bring salaries to a more competitive level.

Of equal importance, we feel, is the need for all citizens to take a broader view of what public service should mean. Most of us who work in private business confine our professional or occupational interests to advancing the stated objectives of the company that employs us. The nature of economic enterprise places strong emphasis and approval on the rightness of each economic unit's furthering its own welfare. While this does not necessarily imply a narrow frame of reference, it does bespeak a point of view that has fairly well-defined limits.

Because we live in a business economy, much of government is aimed at helping economic units advance and thrive. However, government and the people who work in government have another, larger accountability. That accountability is to maintain a lively concern with the *total environment*—with the health, safety, and welfare of all individuals and groups that the political body or governmental agency was established to serve. This universality of outlook is perhaps the most distinguishing feature of the able public servant. It is a characteristic that should be encouraged, and increasingly demanded, in all areas of government. But it is not purchased cheaply.

How much is a governor worth? Or a policeman? A mayor, senator, teacher, social worker, judge, foreign service officer? While the answers to these questions cannot be pulled at random from a hat, there is a way to find them. The broadening, intensifying search for these answers is a signal that the time has ended when public servants could be regarded as "them." Government is us, all of us, and the way we treat government employees inevitably becomes the way we treat ourselves.

JUSTICE ABE FORTAS

(Mr. MacGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MacGREGOR. Mr. Speaker, this morning I handed the following letter to the Honorable EMANUEL Celler, chairman of the House Committee on the Judiciary:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 14, 1969.

HON. EMANUEL Celler,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: As a Member of the House Committee on the Judiciary, I respectfully request that the Committee initiate a preliminary informal investigation into the facts giving rise to the current allegations of failure of "good Behavior" on the part of Associate Justice of the Supreme Court, Mr. Abe Fortas.

I further request that the investigation begin at 10:00 a.m. on Tuesday, May 20th and that you as Chairman of the Committee invite Mr. Justice Fortas and Attorney General John N. Mitchell to appear at that time before the full membership of the Committee.

Respectfully yours,

CLARK MACGREGOR.

This morning Mr. James Reston of the New York Times comments on the crisis of belief in America in part as follows:

In the last few weeks, America has witnessed a series of spectacular controversies. The Fortas case, the Bucher case, the trial of Ray for the murder of Martin Luther King and many of the university conflicts have all raised different questions but have dramatized one of the deepest problems and anxieties of our time.

This is the crisis of belief. Justice Fortas is charged with using his position on the Supreme Court for personal gain, and denies it, without giving us the facts. Attorney General Mitchell suggests that he went to Chief Justice Warren on the case because he was disturbed by private information about Justice Fortas, which he does not disclose.

It is hard to know who is right or wrong, * * * but at least we ought to be able to get the facts and know how to decide. Mr. Justice Fortas occupies the seat on the Supreme Court once held by Louis D. Brandeis and Felix Frankfurter. Brandeis went through an even tougher crisis than Fortas before he was confirmed by the Senate. But at least he put the facts on the record and argued his case, and this is what Mr. Justice Fortas had not done.

Mr. Speaker, from various parts of the American body politic we hear the charge that the establishment is corrupt and lacks the capacity to reform itself, and therefore must be forcibly brought down.

Surely we can and must demonstrate that this is a false charge. It is well known that some Members of the House are contemplating the impeachment of Mr. Justice Fortas and are now preparing papers to carry out that purpose.

That may be a proper course, Mr. Speaker, but no one can be sure whether that course is indeed the proper course until there is a preliminary investigation to establish the facts of the matter.

Just such an investigation should be promptly conducted by the House Committee on the Judiciary.

CIGARETTE LABELING AND ADVERTISING

(Mr. SKUBITZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SKUBITZ. Mr. Speaker, the Committee on Interstate Commerce has completed its hearings on cigarette labeling and advertising.

I am a member of the subcommittee and must admit that, insofar as smok-

ing is concerned, I am biased. Although I smoke cigarettes, cigars, and a pipe, I am of the opinion that no healthful benefits are derived from it, and that excessive smoking is hazardous to the health. Insofar as cigarette advertising is concerned, it has reached a point where it is not only disgusting but in fact an insult to the intelligence of the viewing public.

I must say, however, that those who testified and supported the thesis that TV advertising of cigarettes should be banned too often relied on hearsay; too often relied on propaganda and myths rather than fact.

I think Congressman PREYER in his statement of May 12 stated it much better than I possibly could when he said that the bandwagon effect of repeating over and over again a number of false and misleading facts gives the impression that the case against tobacco has been strengthened since the Surgeon General's 1964 report.

Although, I do not agree in toto with Congressman PREYER's release, I do think that on balance it is a fair statement.

The release is as follows:

Congressman Richardson Preyer today called for the re-opening of the Surgeon General's study of cigarette smoking and health declaring that recent evidence raised serious questions about the validity of conclusions in the 1964 Report.

"Experimental research conducted since the Surgeon General's Report of 1964 and brought out in the recent tobacco hearings before the Committee on Interstate and Foreign Commerce, raises the most serious doubts about the conclusions reached in that report," the North Carolina Representative stated. He asked, in a letter to Secretary of HEW Robert Finch, that Finch include a re-evaluation of evidence on cigarette smoking and health in a research program the cabinet member recently announced. "Evidence reveals it is at least as likely that constitutional factors other than cigarette smoking are the cause of lung cancer, heart disease, and emphysema. Not a single witness for the anti-smoking forces testified to any research which he himself had done, while 18 witnesses testified that their own research cast serious doubts on the theory that cigarettes cause disease," Preyer declared.

He commended HEW Secretary Finch for his announcement of a cooperative research program on the problems of tobacco and health. "Mr. Finch has recognized that there are gaps in our knowledge about tobacco and health and has urged that these be attacked through cooperative research," he said. Preyer suggested that this should lead to a new Surgeon General's Report, one recognizing the fact that our knowledge is incomplete, and one based on hearing evidence from all sides, not on an ex parte "review of the literature" which ignores new experimental evidence.

Preyer decried the "bandwagon effect" of repeating over and over a number of false and misleading statements which give the impression that the case against tobacco has been strengthened since the Surgeon General's 1964 Report. "Actually, the experimental and statistical evidence has seriously undermined the conclusions of the 1964 report," he said. Among the "myths" that anti-smoking witnesses repeated at the hearings—even though scientific evidence has destroyed their validity—were these:

1. Myth: "Every smoker is damaged by his smoking."

Fact: Most smokers suffer no impairment or shortening of life. For example, the disease most closely connected with smoking is lung

cancer. The lung cancer incidence among smokers is 5/100 of 1%.

2. Myth: "There is an epidemic of lung cancer."

Fact: There has been a tremendous reduction in overall respiratory disease since 1900, when respiratory death rates were over five times what they are today. It is particularly misleading to say lung cancer is an "epidemic" in view of the declining rate of increase (indicating that the incidence will level off in the next few years).

3. Myth: "Cigarette smoking causes 300,000 premature deaths a year."

(This was the testimony of the Chairman of the Federal Communications Commission. The Chairman of the Federal Trade Commission testified to "500,000 deaths" and also claimed that smokers miss "33 1/3% more working days than non-smokers.")

Fact: These claims have no basis in fact. (The two Chairmen based their statements on findings of the Surgeon General's Advisory Committee but this Committee did not attempt to estimate so-called excess deaths.)

4. Myth: "Cigarette smoking turns the lungs black," or "Doctors can tell cigarette smoker's lung from a non-smoker's lung."

Fact: It is impossible to tell a smoker's lung from a non-smoker's lung upon examination either grossly or microscopically.

5. Myth: "Heavy smoking will shorten your life by 8 years."

Fact: This statement is based on a statistical study by Dr. Cuyler Hammond who has refused to disclose the raw data in his studies so as to permit independent evaluation. To the contrary, recent "twin studies"—where one smokes and the other does not—indicates there is no difference in their death rate.

6. Myth: "Giving up smoking makes one healthier."

Fact: According to the Public Health Service "Morbidity" report former smokers have more ill health than present smokers or those who never smoked! This may only show how misleading statistical information can be.

7. Myth: "There are 77 million excess work days lost each year by smokers."

Fact: The study on which this claim has been based has recently been found to contain such unbelievably large errors that it is worthless. These new analyses have been made available to the Public Health Service with no result.

In addition to replacing "myths" by facts, Preyer said there are many areas of scientific disagreement which additional research can help clarify. For example, testimony relating to nicotine in the recent tobacco hearings was that: (1) nicotine constricts blood vessels; (2) nicotine expands blood vessels; (3) nicotine has no effect on blood vessels. This is the kind of question which Secretary Finch's Committee can help resolve.

CAPITAL UNIVERSITY FAVORS ROTC

(Mr. DEVINE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, with ROTC under attack on many campuses by a handful of dissident, SDS-type malcontents that do not really know what they favor, it is most refreshing to have strong ROTC student and faculty support on a highly respectable college campus, such as Capital University in Columbus, Ohio.

Last month the Department of Defense concluded to discontinue the Air Force ROTC program in a number of colleges, including Capital University. The students, as well as the faculty, immediately responded, and about 75 percent of each

group actively supported a move to have ROTC reestablished, and prevailed upon the Secretary of Defense to reconsider his decision.

Fortunately, the Secretary has authorized the program to be continued, much to the delight and satisfaction of the overwhelming majority of the students and faculty at Capital University.

The attached correspondence and clippings tell the story:

CAPITAL UNIVERSITY,
Columbus, Ohio, May 12, 1969.

Hon. SAMUEL L. DEVINE,
House Office Building,
Washington, D.C.

DEAR SIR: The enclosed letter to President Nixon indicates Capital University's attitude toward its recent campus-wide action to retain its Air Force ROTC Unit. Since you had a hand in helping us keep this unit, I felt you would be interested.

At the same time that Ohio State students broke up their school's ROTC Honors Day program with an egg-throwing battle too profane for local television stations to record on the air, Capital faculty members were joining students with petitions to keep our ROTC group on campus.

We feel we have something special here. We may not be a Harvard or Dartmouth, or Cornell, but in light of what has happened in those hallowed institutions lately, that may be a good thing. While the officially-labeled Students for a Democratic Society attempt to uproot the American way of life, our own "students of a Democratic Society" are perpetuating what great numbers of fellow-Americans fought and died for, all over the world.

Please help spread the word about this action, and about the students who fought to bring it about. They deserve to be an example for the thousands of other young Americans who are just too busy trying to keep this nation great to take time to destroy it, as others are attempting.

Your efforts to benefit "the quiet Americans" are, and will continue to be, greatly appreciated.

Sincerely yours,
JOSEPH A. GOLOVERSKY,
Director.

CAPITAL UNIVERSITY,
Columbus, Ohio, May 12, 1969.

Hon. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Considering the recent policies and attitudes of your administration toward dissent on college and university campuses—particularly those outbursts against Reserve Officer Training Corps, I felt you would be interested in the attitude of Capital University concerning ROTC.

The powers that be saw fit recently to discontinue our ROTC unit because of small productivity. The unit had sponsored the Capital Guards, national drill team champions for the past four years, and its regular Air Force staff had received a Zero Defects Award for the year 1968.

By open vote, 75 percent of the student body of 2,000 and about the same percentage of the faculty of 140 at Capital had been against the discontinuance. Led by President Dr. H. L. Yochum, the university let its congressmen know of its displeasure.

In the same week that student dissenters at Ohio State University (where you speak next month) had broken up the OSU ROTC Honors Assembly, Capital University was rewarded by notification that ROTC would be continued.

We have a school that, I feel, the entire country can point to with pride. When our students "sit in" in a particular building, they do so because a faculty member is at

the front of the group, giving a regularly-scheduled lecture. Our students dissent frequently, but through their elected representatives. They abide by the decisions made for the general good.

Our "students for a Democratic Society" carry no such label, although I am sure the majority of true Americans feel they deserve it much more than the group now bearing the tag.

And, as long as we can continue to produce young people such as we now have, people such as yourself will never become obsolete in the United States of America.

Sincerely yours,

JOSEPH A. GOLOVERSKIC,
Director.

[From the Columbus (Ohio) Dispatch, Apr. 22, 1969]

CAPITAL UNIVERSITY SEEKS TO RETAIN ROTC

Capital University's administration and students marshaled their forces in a meeting Monday night before engaging in a high-level skirmish to keep Air Force ROTC.

Recently, the Air Force told Capital officials it would drop the ROTC program because too few students are enrolled in it. The program would be discontinued after three years, when those now enrolled would graduate and receive commissions.

About sixty-five students are in ROTC at Capital.

President Harold L. Yochum, after the meeting, sent telegrams to Congressmen Chalmers Wylie and Samuel Devine, and to Sen. William Saxbe, pleading for retention of the ROTC program.

Yochum presented no specific cost figures, but said Capital's only expense is in providing a small building in which ROTC classes are conducted.

The university received no subsidy for conducting the program, officials said.

Kent Edie of Findlay, a sophomore, said he is to meet Devine Friday and present facts indicating students favor retaining the program.

A survey of 580 Capital students showed, Edie said, 82 per cent think ROTC on the campus is valid; 77 per cent voted to retain ROTC; and 72 per cent thought it is beneficial to the school and students.

Edie also cited the high scoring men's and women's drill teams which probably would be discontinued if the ROTC program is eliminated.

The two drill teams operate on a \$4,000 annual budget, officials said.

In recent years, Yochum said, Capital has provided about 16 reserve officers annually to the Air Force.

CAPITAL UNIVERSITY REQUESTS CONTINUED AFROTC

A resolution has been forwarded to Air Force officials in Washington urging continuation of the AFROTC program at Capital University.

The seven-member executive committee of the school's board of regents took the action at their Monday meeting.

The Air Force has announced its intention to discontinue the program effective next fall.

Capital has requested assurances as soon as possible that the program will be continued so recruiting of male students can go on as usual.

U.S. REPS. Samuel Devine and Chalmers Wylie and Sen. William Saxbe have notified the school they have written to Air Force leaders urging continuation of the AFROTC program.

The regents' executive committee approved bids on construction of a new \$840,000 women's residence hall to house 140 students.

Construction will be aided by a \$720,000 federal loan. The building—to be located on the west side of Pleasant Ridge av., south

of the present women's dormitories—is scheduled for completion in September, 1970.

A resolution urging passage of Ohio Senate Bill 196 was passed by the committee and forwarded to the legislature.

This measure would provide tuition assistance to qualified Ohio students at Ohio schools where tuition charges are \$1000 or more per year.

Amount of each grant would be determined by the student's family income and number of children in the family. Maximum grant would be \$900 per year.

[From the Columbus (Ohio) Spectator, Apr. 24, 1969]

CAPITAL WANTS TO KEEP CAMPUS ROTC PROGRAM

Keeping Air Force ROTC Officers Training on Capital University's campus was the topic of a meeting between Capital President H. L. Yochum and interested students Monday night.

The meeting was called as a result of the decision of the Defense Department April 11 to discontinue the program for lack of student interest.

The school has failed to meet the required 15 officers per year.

A student poll, which was taken to determine campus opinion on the subject reportedly showed that 82 per cent felt there was a need for ROTC, 77 per cent said they favor the program and 72 per cent said they felt the program contributed in a "very beneficial" way to the campus.

When all the figures were in, it was reported that 94 per cent out of the 580 ballots cast were favorable to the ROTC program.

Yochum has sent telegrams to U.S. Rep. Samuel Devine and Chalmers Wylie and Sen. William Saxbe, asking them to intervene to convince the Defense Department to reinstitute the program.

Some 75 students attended the meeting in the campus center, and no dissenting voices to Dr. Yochum's statements were heard.

Dr. Yochum told the students he hoped the discussion would be free and said he did not expect to change anyone's mind about ROTC, but hoped all sides would have an opportunity to speak.

He outlined what he thought were advantages to keeping the program on campus. He said it gave students a chance to select a branch of the service without being drafted, enabled them to develop advance status because of training, and benefited them financially.

He said the ROTC program was a "service to our nation" and institutions must recognize their obligations to society. He said, "We have the obligation to pay taxes and to bear arms if this is required by our country."

Yochum pointed out that people often forget that involvement of civilians in the services is a safeguard against the "development of a caste of military people who dominate the military scene. If we involve civilians, we help avoid a military caste."

Capital would not be able to attract as many male students if the program were to be withdrawn, according to Yochum.

[From the Columbus (Ohio) Citizen-Journal, May 10, 1969]

AIR ROTC TO STAY AT CAPITAL CAMPUS

Capital University officials learned Friday that its Air Force Reserve Officer Training Corps unit will remain active for at least one more year.

"Naturally we're very happy to hear of this development," a Capital spokesman said.

The Department of Defense told the school by telephone that it had reversed its decision to deactivate the unit in 1972.

Full details on the reversal are being forwarded by mail, a spokesman said. They include an outline of what the school must do to maintain the ROTC unit.

"We anticipate being able to arrive at a point where we can meet these requirements," the spokesman said.

The Pentagon decision will allow Capital to recruit new ROTC students for next fall, but further continuation of the military training program will depend on an official review at the end of the 1969-70 academic year.

Because of a change from the traditional two semester system to a new 4-1-4 course year, there will be fewer students eligible for ROTC commissions at Capital next year.

In later years, the number is expected to return to the past average of 15 or more.

A faculty poll released Friday shows 72 of Capital's 120 teachers favor retaining the ROTC unit. An earlier poll showed 75 per cent of the students favor continuation.

The school's regents had earlier petitioned the Pentagon for reconsideration of the decision to drop ROTC. Columbus Reps. Samuel L. Devine and Chalmers P. Wylie, and Sen. William B. Saxbe were asked to intercede for the school.

REQUEST FOR PERMIT TO MINE IN LAKE OKEECHOBEE SHOULD BE DENIED

(Mr. CRAMER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CRAMER. Mr. Speaker, the U.S. Army Corps of Engineers has scheduled a public hearing to be held in West Palm Beach, Fla., on June 12 regarding an application by the Coastal Petroleum Co. to drill for limerock in Lake Okeechobee.

This public hearing is being held pursuant to U.S. Army Corps of Engineers' regulation No. 1145-2-203 which provides that a public hearing shall be held on permit requests when sufficient public interest is shown. I am happy to point out that this same regulation provides that when State or local authorities object, it is "not usual for the corps to issue a permit." It is my understanding that State and local authorities are properly opposed to the granting of such a permit and they will have an opportunity to make their position known at this public hearing.

On May 9, I directed a letter to Col. John McElhenny, district engineer, U.S. Corps of Engineers in Jacksonville in which I stated some of the reasons for my strong opposition to the granting of this permit. I am pleased to enclose a copy of this letter at this point in the RECORD:

MAY 9, 1969.

In Re Limestone Mining Permit, Lake Okeechobee Coastal Petroleum Co.

Col. JOHN McELHENNY,
District Engineer, U.S. Army Corps of Engineers, Jacksonville, Fla.

DEAR COLONEL McELHENNY: This will acknowledge your wire and our recent telephone discussion relating to the above-referred matter.

Pursuant to your wire and our conversation I understand the purpose of the public hearing is to give all parties involved an opportunity to be heard including the many opponents who have voiced their concern about this matter. As you know, I have publicly announced my strong opposition to the granting of such a permit.

I understand further that when the hearing is concluded that you, the Corps of Engineers, and the Department of Army in Washington expect to review the matter carefully and I would hope that, based upon this review, the permit will be denied. I un-

derstand that in order to adequately justify the exercise of your discretion in this matter the gathering of evidence is determined to be essential, particularly in view of certain litigation which is presently pending challenging the authority of both the State and the federal government in this matter.

If legislative duties do not permit my attendance at the hearing, I shall have a representative present with my prepared statement in opposition.

It is my opinion that the permit should be denied on the following grounds: (1) that the mining of limestone at Lake Okeechobee is contrary to public interest and that the public interest is paramount; (2) that the 1941 Exploration Agreement between the State and Coastal Petroleum requires the approval of the Corps and the State before actual exploration or mining can take place which gives both agencies the power to determine whatever action is taken should be in the public interest; (3) that any such mining or exploration would obviously affect the waters of Lake Okeechobee adversely and thus hinder and interfere with water pollution control, proper fish and wildlife management, and basic conservation; and, (4) such mining would deny the people of Florida and the nation the needed lake bottom material for building the dike around the lake in the interests of preserving water and preventing floods. This is a right paramount to any leasehold interests and the Corps has a duty to protect the public interest.

It is for these reasons and others and because of my great interest in the basic principles and problems involved that I advise you of my opposition and intention to make my views known. As ranking minority member on the House Committee on Public Works that authorizes public works projects, I feel it is my duty to assist on protecting the public interest.

With kindest regards, I am

Sincerely,

WILLIAM C. CRAMER,
Member of Congress.

JOB CORPS CENTERS

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, I suppose the Nixon administration is taking some sadistic pleasure in yesterday's defeat of the Cranston resolution in the other body.

But it is a hollow victory because it means further aggravation of the tensions that have beset our cities.

Some 55 Members of the House have joined in cosponsoring my resolution, House Resolution 381, which expresses the sense of the House that the administration take no further action on its decision to close down 59 of the Nation's 113 Job Corps centers and camps until Congress has an opportunity to review the program. It is similar to the Cranston resolution in the other body.

The action yesterday in the other body makes it all the more urgent that the House Education and Labor Committee report out our resolution so that Members of this body will have an opportunity to debate and vote on this very important question.

Despite the large number of protests expressed in both the House and the Senate in opposition to the administration's decision, the administration appears determined to proceed with its plans to dismantle the Job Corps centers.

One camp, Camp Kilmer, in New Jersey, which has had hundreds of ghetto youth from New York City, has been told that all trainees are to be out of the camp by May 29. The entire facility is to be completely shut down by June 13.

Prior to the announced cutbacks in the Job Corps, between 850 and 900 New York City youths—youths whose lack of skills previously made them virtually unemployable—were receiving vocational skill training at Camp Kilmer. Other young people from New York were enrolled at camps at Wellfleet, Mass., Acadia, Maine, and Poland Spring, Maine, which are also being closed.

The total number of youths at Camp Kilmer was 1,728, of whom approximately 60 percent were from New York City. Today only 521 trainees remain at the camp.

The fate of Camp Kilmer is typical of most of the 59 Job Corps centers and camps which the administration has decided to close. Deprived of this chance to obtain essential skill-training thousands of youth—bitter and disillusioned—have quit the program. Many will no doubt return to the streets of the ghetto and to the poverty and hopelessness that was their lot before they began their training programs.

The turning out of these trainees constitutes nothing less than a national disgrace. Communities throughout the Nation—many of which lack the fiscal base to offer any supplementary training programs—will have to suffer the consequences if the administration's decision to reduce the number of Job Corps enrollees by one-third—from 35,000 to 24,000—is implemented.

The administration's purpose is to reduce the Job Corps budget submitted by President Johnson by \$100 million. Not only is this false economy—the House Education and Labor Committee staff estimates that it will cost \$101.8 million to close the centers—but it is a vivid illustration of the imbalance of our national priorities.

Mr. Speaker, if the administration will not effect the reordering of priorities that is necessary to stop the decay of our cities and alleviate the misery of the Nation's poor and disadvantaged, then Congress at last must take that responsibility. We cannot tolerate policies which bleed already anemic domestic programs in the name of "economy" and combating inflation but feed more dollars to the bloated military budget, the principle cause of inflation in the first place.

I urge my colleagues to support the resolution to suspend the closing of any Job Corps center until Congress has had an opportunity to review this program and to chart its direction through the normal authorization and appropriation process.

THE U.S. CHAMBER OF COMMERCE FIGHTS ORGANIZED CRIME

The SPEAKER pro tempore (Mr. KLUCZYNSKI). Under a previous order of the House, the gentleman from Florida (Mr. FASCELL) is recognized for 20 minutes.

Mr. FASCELL. Mr. Speaker, a basic truth upon which any expanded Government programs against organized crime

must be predicated is that the fight cannot be won without direct involvement of the private sector.

As stated in a report by the House Government Operations Subcommittee on Legal and Monetary Affairs, which I chair:

Organized crime cannot exist in any community that is determined that it shall not exist, and which backs up that resolve with effective action. (Federal Effort Against Organized Crime: Report of Agency Operations, H. Rept. 1574, June 20, 1968.)

A significant development which augurs well for a comprehensive attack on the underworld took place recently here in the city of Washington. The Chamber of Commerce of the United States at its 57th annual meeting emphasized the necessity for business participation in the war against organized crime and other forms of crime. One of the highlights of the annual meeting was an action forum on organized crime in which Justice Department officials responded to questions from the audience on the nature of organized crime in the United States and the role of the business community and the citizenry in helping to combat these dangerous activities.

Henry Petersen, who is head of the Organized Crime and Racketeering Section of the Justice Department's Criminal Division stated at the forum that in 1960 it would have been impossible to bring together as many law-enforcement officials from the entire United States to discuss organized crime as there were business members of the national chamber present at the session.

Attorney General John Mitchell addressed the annual meeting and stressed that organized crime, in many of its operations, can neither "withstand the pressure of the marketplace" nor survive the threat of free competition. The Attorney General called upon the business community to work closely with the Justice Department in its fight against organized crime and offered some imaginative suggestions on how the American businessman can stem the flow of illegal revenue to the syndicate.

Not to be overlooked among the significant points in the Attorney General's address is the announcement that the facilities of the Justice Department are being organized to assist chambers of commerce and other organizations in their efforts against organized crime. Furthermore, Mr. Mitchell stated that the Department's personnel would be made available for conferences and discussions at the local level.

The national chamber, Mr. Speaker, is particularly well equipped to join in this war against crime in our country. There are 3,800 organization members of the national chamber; 2,700 of these are local chambers of commerce and some 1,100 are associations. There are also about 35,000 business members of the national chamber. These organizations represent approximately 5 million businessmen. They are joined together by a federation which is united by the leadership of the U.S. Chamber of Commerce in Washington.

Because of this structure, which includes federation members in communities all over the United States, the na-

tional chamber has the capability of rendering tremendous assistance in local crime prevention and control programs.

Already the national chamber is co-operating through its local members and with the Justice Department in the implementation of the recently enacted Omnibus Crime Control and Safe Streets Act of 1968. The national chamber is doing this—

First, through membership activities in State, regional, and local advisory committees;

Second, by providing individual citizen support to the police and to local enforcement officials in activating programs after they have been established; and

Third, by assisting in the organization of crime prevention and control committees through the leadership of the local chambers of commerce.

A brochure entitled "Guidelines for Effective Business Action To Help Prevent and Control Crime" has been published by the national chamber and is available to local chamber organizations to assist them in properly organizing and executing the functions of a crime prevention and control committee. This organization process has already been completed in many cities.

Pointed out in the brochure, which also includes a working bibliography, are areas in the field of crime prevention and control in which local chambers of commerce have been active: building the police image; the use of the crime check program, which helps build the police image; police recruitment programs; police recognition; organized crime seminars and meetings to alert businessmen to the symptoms of organized crime and to learn what to do about it; shoplifting; courts; court watchers; voluntary probation programs; misdemeanor probation programs; school cooperation programs; speakers bureaus; police-community relations programs; riot control; safety budget and program analysis; case studies on successful crime prevention and control programs; radio watch; lighting programs; and legislative committees to study crime prevention and control legislation.

The national chamber has an advisory panel on crime prevention and control which meets regularly and which includes in its membership businessmen, representatives of all phases of police, courts, and correctional institutions, and has on its membership, Charles Rogovin, Administrator of the Law Enforcement Assistance Administration, and Martin Danziger, Chief of the Organized Crime Programs Division of the Law Enforcement Assistance Administration, both of the Justice Department. This panel already has recommended that the national chamber give leadership to its members, especially in the area of organized crime and street crime. They recommend close cooperation between chambers of commerce, local government, and businessmen in setting up anti-crime programs, and encourage the development of programs of public education to establish a good law enforcement image.

The national chamber is committed to give full-fledged leadership at the grass-

roots in the fight on crime prevention and control. As mentioned previously, it has a built-in network of organization and business members throughout the entire country. If these members resolve that organized crime shall not exist and act effectively to accomplish that objective there can be no doubt that their efforts can be extremely effective.

The national chamber fosters the philosophy of solving problems through the involvement of many individuals. To accomplish problem-solving techniques it has developed a program called Forward Thrust. This is an approach to problem-solving based on the concept that only comprehensive areawide action involving all the major segments of a trade community can truly attack urban problems. Forward Thrust is the "trademark" for materials prepared by the national chamber providing organizational techniques and other assistance to help community leaders bring diverse groups together, establish priorities, define alternative solutions, and mobilize available resources for action.

The program for crime prevention and control is one of the important programs which the national chamber includes under the banner of Forward Thrust in the solving of urban problems.

I commend the national chamber for its expanded commitment in this vital area and wish it every success in achieving universal support for its program from its 35,000 business members.

CONSTITUTIONAL AMENDMENT TO ALLOW PRESIDENT TO VETO INDIVIDUAL ITEMS ON GENERAL APPROPRIATION BILLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, today I have introduced a resolution calling for a constitutional amendment to allow the President to veto individual items on general appropriation bills. I commend it to your attention for I believe it to be one of the most significant steps we can take toward scaling down nonessential Government spending at a time when legitimate governmental outlays are at an unprecedented high and we are threatened by spiraling inflation.

Our present system of general approval of appropriation bills, which forces the President to take all-or-nothing when a bill comes before him for his signature is one of the most dangerous and most extravagant practices in Government. Frequently, the President must accept pork-barrel projects in order to approve other measures vital to our national security, development, and economy.

Frequently the bargaining and bickering on appropriation bills can reach ridiculous proportions. As the hypothetical Congressman Nubbs said to Congressman Tubbs:

If you don't vote for digging out Old Mill Stream, I'll oppose your item on flood control for the Lazy River.

And so the bill goes through and all its pork is laid before the President. My proposal would provide a new safeguard

against such unnecessary governmental spending at a time when pressing national problems go unmet because we lack the funds.

Such a procedure is not without precedent. Our State governments have provided testing grounds for the workability of such a proposal. Thirty-nine of our States now permit the item veto and the results in all cases have been favorable. It is urgent that as legitimate Government outlays rise we in the Federal Government insure effective control over our fiscal procedures and eliminate irresponsible spending.

PRESIDENT'S PROPOSED DRAFT SYSTEM FUNDAMENTALLY FAIR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BUSH) is recognized for 5 minutes.

Mr. BUSH. Mr. Speaker, President Nixon's prudent proposals for draft reform are consistent with the enlightened ideas presented through his previously announced programs. The President has proposed a system that is fundamentally fair.

I have long favored constructive change in the draft system and have been sympathetic to the efforts of those who have sought revision. Therefore, I applaud the President's suggested reform calling for a change from an oldest-first to a youngest-first order of call. As I have spoken out for a draft system founded on a lottery basis, I am in full accord with the President's proposal for a random draft system, distributing the risk of call equally by lot.

If adopted, I believe President Nixon's draft reform measures would be a significant step toward muting the voices of cynicism on the campus.

It is time to return to our educational environments the real purpose for their existence; namely, the developing and unleashing of intellect—not of mob violence.

In these times of contention, when students and administrators have repeatedly been on a collision course, when criticism, agitation and disruption have fused to create a potential schism of national proportions, when universities that should be exploring new educational processes are instead closing their doors—when these conditions exist—then it is time to translate suggestive rhetoric into substantive reform.

The directives proposed by the President represent the sort of substantive measures that cannot only cure our draft system deficiencies, but can help nullify a longstanding argumentative device used by campus dissidents.

In essence, a fairplay change on the draft will help defuse the excesses of dissent.

QUASI-PUBLIC CORPORATION TO STIMULATE PRIVATE INVESTMENT IN UNDERDEVELOPED COUNTRIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBERSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I am today introducing legislation to establish a quasi-public corporation for the purpose of stimulating private investment in underdeveloped countries.

Foreign aid has fallen into disfavor in the United States and, although we are the richest and most powerful nation in the world, the mood of the country has caused the U.S. contribution of assistance to the lesser developed countries to drop considerably. Diminishing authorizations and appropriations for foreign aid over the last several years have made it apparent to me that some substitute must be found to fill the gap created by these reductions.

I introduce this legislation today in the hope of establishing a mechanism through which private enterprise and particularly small- and medium-sized U.S. companies can step in to fill at least a part of the void by operating through the profit motive. It should be made perfectly clear at the outset, however, that this legislation is not intended as a replacement for foreign aid, but simply as a supplement to it. Private enterprise can undertake many valuable functions in stimulating the economic development of underdeveloped countries, but it cannot be expected to undertake all of the foreign aid functions.

One of the most striking features of my legislation is that it establishes a quasi-public corporation to stimulate private investment in lesser developed countries which would revert to the control of private stockholders when all Government loans and guarantees have been repaid and the President makes a determination that the corporation is capable of remaining in existence without further U.S. Government assistance. In other words, my proposal is not merely a reshuffling of existing functions within the governmental structure—it is a serious attempt to tap the potential of the private sector and in more than a token fashion. This is what distinguishes my bill from others which have been submitted to Congress.

This concept extends to the financing of the corporation as well. Initial financing of the corporation would come from the transfer of the investment guarantee fund from the Agency for International Development to the corporation and from \$25 million in annual congressional appropriations for a period of 4 years. Primary reliance for large scale and sustained capitalization would be placed on the public sale of stocks and bonds. Bonds would be guaranteed by the U.S. Government and would entitle the purchaser to one free share of stock. During its period under U.S. Government auspices, the corporation would also be authorized to borrow up to four times the value of public bonds. All money derived from Federal sources would, however, eventually have to be paid back through a requirement that at least 10 percent of the annual profits be placed in a sinking fund for this purpose.

Most of the Western European countries which have programs of aid to underdeveloped countries utilize a mechanism such as the quasi-public corporation I am today proposing to bring the private sector into the development field. Those functions which cannot be accom-

plished by the private sector are, in turn, handled by governmental agencies. Such arrangements are found in Germany, England, and France.

The corporation would be governed by a 14-member board. Five would be appointed from the business or financial community by the President. No more than three of these may be from the same political party. One of these would also serve as chairman of the board. Five would be elected by the shareholders. The remaining four members would be appointed from within the Government, including the Director of the Agency for International Development or its successor agency.

The corporation would establish an Investment Development Center—IDC—which would identify and evaluate investment opportunities in developing countries. The IDC would also furnish technical assistance and managerial expertise in the promotion, establishment and operation of economic development projects.

Many of the concepts for this corporation came from hearings I held last year on this subject as chairman of the Subcommittee on Foreign Economic Policy, Committee on Foreign Affairs.

U.S. private enterprise can provide key ingredients, namely capital, skills and technology so urgently needed in the less developed countries.

Since 1946, we have disbursed over \$160 billion in foreign aid to 117 nations for economic and military purposes. Less than one-third has actually been for "economic development"; the larger percentage was disbursed in the rehabilitation of war-ravaged, previously industrialized nations. As most of the so-called less developed countries—now estimated to be 91 in number—have achieved independence only since 1960, it is evident that a small percentage of our aid has been devoted to their development. As our aid totals have been decreasing, it is also evident that smaller totals of our aid are being made available to the very areas that need it most.

Our current understanding of "developing" means simply that such a country is adjudged poor in economic terms. Among the many causes of this poverty should be mentioned such factors as rapid growth in population, shortages of basic foods, rapid urbanization, inadequate production, small exports, low rate of capital formation, and a scanty technology. Most needed of all for the less developed countries is an increase in their resources of skills and capital and, thereby, their ability to rely increasingly on themselves and less upon outside assistance. Essentially, economic development of a less developed country means an increase in per capita income—and this must come first of all by local private enterprise.

Currently the gap between the industrialized and the developing nations seems to be widening rather than narrowing. Note the difference between the United States and the developing countries of Africa, Asia, and Latin America. In 1960, the comparative GNP per capita was \$2,800 for the United States versus \$590 for the combined developing nations—a gap of \$2,210. In 1965, the difference had increased to \$2,735—United

States, \$3,500 and less developed countries, \$765. Today with their exploding populations, the gap is close to \$3,000 between the less developed countries and the United States.

The question of our investment, particularly by overseas firms, is important. At the end of 1966, our direct foreign investment outstanding was \$54.5 billion, of which \$21.5 billion—39 percent—was in the less developed countries. However, over 50 percent of our investment in the less developed countries was in petroleum, mining and smelting industries and only 25 percent in manufacturing. Since 1960, our total direct investment in the less developed countries has amounted to only \$4.4 billion and is now leveling off at \$250 million per year.

The World Bank has estimated that the less developed countries will need around \$4 billion per year in aid and investment for some time to come to enable them to achieve a viable form of industrialization. This will come mostly from Government aid and international agencies. This is aid that is primarily devoted to the building of sound national infrastructures such as communication and transportation facilities, reclamation, hospitals and schools. In fact, this aid is a prerequisite for the ability to induce private capital to move into the less developed countries for purposes of industrialization and development.

This is where the rationale of my bill applies. American private enterprise—small or large scale—with its know-how, expertise, and machinery can contribute a most essential share in the development of the less developed countries. Among our nearly 500,000 private enterprises, only a couple of thousand have entered the foreign field. By means of my bill, the way will now be cleared for many more of them to participate in realistic measure in the development of those countries unable to raise themselves by their own bootstraps, as it were. Participation is the keyword, and my bill will make that possible. As you have noted, the initials of the organization of my bill calls for spell out, "We can do." That is the spirit behind my bill. Let us, with this bill, show what "We can do."

A summary and the text of the bill follow:

SUMMARY OF QUASI-GOVERNMENT CORPORATION BILL

This bill would establish a quasi government corporation with the following main features:

Function to stimulate private investment in underdeveloped countries;

Funding from sale of bonds to public, with some initial government loans and guarantees;

Reverts to control of stockholders when all government loans are paid and the President makes a determination that the Corporation is capable of remaining in existence without further US Government support.

FUNCTIONS OF THE CORPORATION

The Corporation is designed to stimulate an expanded flow of US private investments to developing countries and to encourage development of indigenous private organizations and institutions to contribute to economic development in such countries.

The Corporation would do this by operating the current investment survey program, and the specific and extended guaranty programs.

It would also provide financial assistance to projects in which there is a substantial private participation, which appear to be financially sound, are potentially profitable, and offer reasonable prospect of repayment of their obligations.

The Corporation would provide assistance through a broad range of guaranties of investor loans, direct loans and, to a limited degree, by the purchase of minority equity participation.

It would in addition furnish technical assistance and managerial expertise in the promotion, establishment and operation of investment projects in underdeveloped countries.

Within the Corporation would be established an Investment Development Center to identify and evaluate investment opportunities in developing countries, to actively promote such investment opportunities in developing countries and to actively promote such investment opportunities within the US private sector.

SOURCES OF FUNDING

The primary source of funding of the Corporation would come from the sale of bonds to the public. These bonds would have a maturity of ten years or less, and be guaranteed for principal and interest by the United States Government. Each bond would also carry one share of common stock.

The Corporation would issue Common stock at par value of \$2.50. Such stock would be eligible for dividends and would entitle the stockholder to voting rights.

The Corporation could also borrow from the United States at prevailing Treasury rates up to 4 times the amount of the value of its outstanding public bonds. Such loans would not be for longer than 10 years. For initial establishment and operation, the Corporation would receive \$25 million a year Congressional appropriation, for each of up to the first four years of its operation.

The Corporation would be required, in addition, to put at least ten percent of its profits into a sinking fund to repay outstanding loans and bonds.

TRANSITION TO PRIVATE CONTROL

During its initial period of operation the Corporation will be governed by a 14 member Board of Directors, five members of which shall come from private life (including the Chairman) and be appointed by the President with the advice and consent of the Senate, (no more than three of these five may be from the same political party) four members of which shall be governmental personnel (one of whom shall be the Director of the Agency for International Development); and the other five members of which shall be elected by the share-holders.

At the time that 1) the United States Treasury has been reimbursed for all funds derived from United States Government sources, including guaranty funds, but minus any losses incurred; 2) appropriate measures have been taken to insure the payment of all outstanding government guaranteed bonds; and 3) the President has determined that the Corporation is capable of remaining in existence without United States Government support; the Corporation shall revert to the control of the stockholders and the President shall transfer the insurance guarantee functions to the appropriate governmental agency.

H.R. 11244

A bill to establish a World Economic Cooperation and National Development Organization to encourage the contribution of United States enterprise toward the economic development of less developed countries, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CONGRESSIONAL DECLARATION OF POLICY

SECTION 1. (a) The Congress recognizes the vital role of free enterprise in the economic development process. Free enterprise contributes to achieving rising levels of production and standards of living essential to economic progress and development. It further contributes to the social and political growth of a society through the direct involvement of citizens. Such involvement is consistent with our domestic principles and with United States foreign policy objectives of a peaceful and prosperous world.

(c) The Congress hereby declares that it is the policy of the United States to establish a Corporation for private development dedicated to encouraging an expanded flow of United States private investments to developing countries and to encouraging development of indigenous private organizations and institutions to contribute to economic development of such countries.

ESTABLISHMENT OF CORPORATION

Sec. 2. (a) There is authorized to be created a World Economic Cooperation and National Development Organization (referred to in this Act as the "Corporation") which shall be an independent agency of the United States of America. The Corporation shall be subject to the provisions of this Act. The right to repeal, alter, or amend this Act at any time is expressly reserved.

(b) The principal offices of the Corporation shall be in the District of Columbia but the Corporation may establish such branch offices in other places as may be determined by the Board of Directors.

OFFICERS AND BOARD OF DIRECTORS

Sec. 3. (a) The Corporation shall have a Board of Directors consisting of individuals who are citizens of the United States.

(b) The President shall appoint five members from private life, by and with the advice and consent of the Senate, who shall collectively possess broad experience in various areas of economic development or in foreign business operations, one of whom he shall designate to serve as chairman, to serve for terms of five years. No more than three of five members from private life may be from the same political party. The terms of office of those first appointed as designated by the President at the time of their appointment shall expire as follows: Two after three years, two after four years, and the Chairman after five years.

(c) The President shall appoint four members from various United States agencies concerned with development to serve at the pleasure of the President, one of these to be the Director of the Agency for International Development or any successor agency.

(d) The Chairman of the Board shall serve as chief executive officer of the Corporation and shall receive compensation at the rate of \$50,000 per annum. The members of the Board of Directors who are not officers or employees of the United States shall receive compensation for their services at a rate fixed by the Board of Directors, not to exceed \$400 per diem when actually engaged in the performance of their duties as members of the Board.

(e) The Board of Directors shall provide for the appointment of such officers and employees of the Corporation as may be necessary for the conduct of the business of the Corporation, define their duties, and fix their compensation.

(f) Shareholders of the Corporation shall annually elect five of their number to serve on the Board of Directors of the Corporation.

(g) Before entering upon his duties, each of the Directors shall take an oath faithfully to discharge the duties of his office. A majority of the Board shall constitute a quorum, and the Board shall act by a majority vote. The Board of Directors shall adopt, and may from time to time amend, such bylaws as are necessary for the proper

management and functioning of the Corporation.

(h) No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

FUNCTIONS

Sec. 4. (a) The Corporation shall provide direct financial assistance to economic development projects in which there is substantial private participation, which projects are determined to be financially sound and potentially profitable, and which offer reasonable prospect of repayment of financial assistance provided under this subsection. The Corporation shall provide assistance under this subsection through a broad range of guaranties of investor loans, direct loans by the Corporation and, when it deems advisable, by the purchase of minority equity participation. The Corporation may provide working capital loans to new businesses and to expand existing ventures which make an additional contribution to economic development. Financial assistance shall be made available under this subsection to supplement private sources of financing, when such private financing is not available on reasonable commercial terms.

(b) There are hereby transferred to the Corporation all functions delegated to the Administrator of the Agency for International Development by the President under titles III and IV of part I of the Foreign Assistance Act of 1961, relating to investment guaranties and survey of investment opportunities.

(c) Section 221(b)(2)(C) of the Foreign Assistance Act of 1961 is amended by striking out "75 per centum" and inserting in lieu thereof "90 per centum".

(d) Section 231 of title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to general authority for surveys of investment opportunities, is amended by redesignating subsection (b) as subsection (c) and by inserting immediately after subsection (a) the following new subsection:

"(b) Notwithstanding the proviso contained in subsection (a), the President is authorized, subject to such regulations as he shall prescribe, to finance up to 75 per centum of the cost of a survey approved by him when he determines that such survey will be undertaken to investigate investment opportunities for a small or medium-sized company."

(e) The Corporation shall establish an Investment Development Center to identify and evaluate investment opportunities in developing countries, to actively promote such investment opportunities in developing countries, and to actively promote such investment opportunities within the United States private sector. The Center shall furnish technical assistance and managerial expertise in the promotion, establishment, and operation of economic development projects on such terms and conditions as it deems advisable. In carrying out its functions under this subsection the Center shall work with domestic, foreign, and international agencies, governments, business organizations, and financial institutions, as well as private entrepreneurs and corporations.

REPORTS TO CONGRESS

Sec. 5. (a) The President shall transmit to the Congress in January of each year a report which shall include a comprehensive description of the activities and accomplishments of the Corporation during the preceding fiscal year, together with an evaluation of such activities and accomplishments in terms of the attainment of the objectives of this Act.

(b) The Corporation shall transmit to the President and the Congress, annually and at such other times as it seems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this Act.

(c) The Corporation shall give study to additional measures which would further promote the flow of private development assistance from the United States to developing areas of the world. It should prepare for transmission to Congress at the earliest possible date and from time to time thereafter the results of such studies, including legislative recommendations.

FINANCING

SEC. 6. (a) The Corporation is authorized to issue bonds for public sale. Such bonds shall be in such denominations and shall bear interest at such rate as the Corporation may deem appropriate. Each such bond shall bear a maturity date of ten years or less from the date of its issuance. Such bonds shall be guaranteed as to principal and interest by the full faith and credit of the United States until such time as the private shareholders assume full control of the operation of the Corporation.

(b) The Corporation is authorized to issue common stock for public sale. In addition, such stock may be issued in a ratio of one share of common stock for each bond sold under subsection (a) of this section. Each such share of stock shall bear a par value of \$2.50, and shall be entitled to such voting rights, and eligible to receive such dividends, as may be provided by the bylaws of the Corporation.

(c) The Corporation is authorized to issue, in addition to the bonds and common stock referred to in subsections (a) and (b), such nonvoting securities, and other certificates of indebtedness as it may deem appropriate.

(d) The Corporation is authorized to borrow from the United States Treasury up to four times the aggregate value of bonds outstanding under subsection (a) of this section. Such loans shall bear interest at the prevailing Treasury rate for loans of comparable maturities. No such loan shall be made for a period in excess of ten years.

(e) The Corporation shall set aside, as a reserve to repay outstanding bonds, not less than 10 percent of the profits derived by the Corporation from its activities under this Act.

(f) There is authorized to be appropriated \$25,000,000 annually for initial operating costs of the Corporation for each of the fiscal years 1970, 1971, 1972, and 1973. At such time as the Corporation reverts to the control of its shareholders, all funds received by the Corporation from the United States, including guaranty funds (minus losses), shall be repaid to the United States.

SUPERVISION OF NEGOTIATIONS

SEC. 7. Whenever the Corporation shall enter into negotiations with any international or foreign entity, it shall notify the Department of State of the negotiations, and the Department of State shall advise the Corporation of relevant foreign policy considerations. Throughout such negotiations the Corporation shall keep the Department of State informed with respect to such considerations. The Corporation may request the Department of State to assist in the negotiations, and that Department shall render assistance as may be appropriate.

EXECUTIVE RESPONSIBILITY

SEC. 8. The President shall—

(1) coordinate the activities of governmental departments and agencies with responsibilities in the field of foreign affairs, so as to insure that there is full and effective compliance at all times with the policies set forth in this Act; and

(2) exercise such supervision over relationships of the Corporation with foreign gov-

ernments or entities or with international bodies as may be appropriate to assure that such relationships shall be consistent with the national interest and foreign policy of the United States.

POWERS OF THE CORPORATION

SEC. 9. The Corporation—

(1) shall have the power to adopt, alter, and use a corporate seal, which shall be judicially noticed;

(2) shall have the power to make and perform contracts with any individual, corporation, or other body of persons whether within or without the United States of America, and with any government or governmental agency, domestic or foreign;

(3) shall have the power to determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid;

(4) may employ and fix the compensation of such personnel as it deems necessary to carry out its functions under this Act;

(5) shall have the power to acquire by purchase, devise, bequest, or gift, or otherwise lease, hold, and improve such real and personal property as it finds to be necessary to its purposes, whether within or without the United States, and in any manner dispose of all such real or personal property held by it, and use general funds or receipts arising from the disposition of such property;

(6) shall be entitled to use the mails of the United States in the same manner and on the same conditions as the executive departments of the Government;

(7) may, with the consent of any board, corporation, commission, independent establishment, or executive department of the Government, including any field service thereof, avail itself of the use of the information, services, facilities, officers, and employees thereof in carrying out the provisions of this Act;

(8) may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise;

(9) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction; and

(10) shall have such other powers as may be necessary in order to carry out its purposes under this Act.

AUDIT

SEC. 10. At the end of each fiscal year, the financial transactions of the Corporation shall be audited by the Comptroller General of the United States in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the Corporation are normally kept. The Comptroller General shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audit, and he shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians.

TRANSITION TO SHAREHOLDER CONTROL

SEC. 11. (a) At such time as the President determines that the Corporation is capable of continuing its operations without financial support from the United States, that the United States has been reimbursed for all funds received by the Corporation from the United States (minus losses), and that the Corporation has made adequate provision for the redemption of all outstanding bonds issued by the Corporation and guaranteed by the United States, the President is authorized to provide for the transfer of control of the Corporation to its private shareholders.

(b) At the time of transfer of control to private shareholders under this section, the President shall transfer the guaranty functions of the Corporation to an appropriate

Federal agency and shall make such provisions as he deems necessary to terminate benefits accruing to the Corporation as an agency of the United States, including but not limited to the use of the mails in the same manner as an executive department.

FUTURE OF THE FOOD STAMP PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mrs. SULLIVAN) is recognized for 30 minutes.

Mrs. SULLIVAN. Mr. Speaker, I was in the Canal Zone last week, holding hearings by my Subcommittee on the Panama Canal of the House Committee on Merchant Marine and Fisheries, when the President and his Secretary of Agriculture revealed their long-awaited views on the future of the food stamp program. This is the first opportunity I have had to review those recommendations and comment on them.

First of all, I want to say that I am glad that the new administration recognizes the great value of the food stamp approach to the problems of malnutrition in this country. The previous Republican administration not only opposed passage of any food stamp legislation from 1954 onward, but refused to put into operation the Food Stamp Act we did enact in 1959. I think every single Republican Member of the House Committee on Agriculture, and nearly all Republicans in the House, voted against the Food Stamp Acts of 1959 and 1964, and most of them also opposed the extension and improvement of the 1964 act in 1967 and 1968. Only about 30 or 35 Members of the President's party in the House joined in the successful effort we made here last year to remove from the law the arbitrary ceilings on appropriations when the bill first passed the House.

Had the open-ended authorization agreed to in the House bill last year also been accepted by the Senate, or at least by the conferees from the Senate Committee on Agriculture, nearly every single recommendation made by President Nixon and Secretary Hardin last week for changing or improving the food stamp program could now be put into operation without changes in the basic law, assuming the additional funds needed can be obtained in appropriation bills.

The only exception involves the new proposal to permit side-by-side operation of Federal surplus food distribution programs in the same counties or localities in which there are food stamp projects. Present law requires the termination of direct distribution of surplus foods once a food stamp project begins. This has always been a subject of much controversy; there are good arguments on both sides.

VERY SUBSTANTIAL INCREASES IN FUNDS NEEDED

On the main issue of expanding and improving the program to provide more food to participating families at less cost than they now pay for food stamps, it will be necessary to amend the Food Stamp Act to increase the authorization for fiscal 1970 to at least \$610 million from the present ceiling of \$340 million if the Nixon administration's recommendations are to be put into effect. And for

fiscal 1971 and thereafter, about \$1 billion more would be needed.

One question in my mind is whether the administration intends to ask for legislation to raise the ceiling, or to eliminate them—as we tried to do here last year. I sincerely hope that the administration's decision is to try to remove the arbitrary limitations on appropriations for this program so that Congress each year can appropriate whatever amount is necessary to operate the program effectively, rather than be held to a ceiling which is out of date before it is even enacted.

That is what happened in 1964, in 1967, and in 1968. The limitations imposed on appropriations under those three authorization acts have always been too low to permit expansion of the program into all the areas which had applied for it and wanted it and were ready to put it into operation.

Further, from the moment this program started as a pilot operation in early 1961, the purchase requirements have been too high and the value of the coupons issued to most families too low to comply with the intent of the program. The purpose of the food stamp program has been to assure an adequate diet for each member of every participating family, and to provide this food purchasing power for the same amount of money such a family would normally be expected to spend for food out of its limited income. Those, in fact, are the standards laid down in the 1964 act.

AGRICULTURE DEPARTMENT POLICIES ALWAYS WERE TOO RESTRICTIVE

The Agriculture Department has always administered the program on standards a little different from those set down in the law. Never sure in advance how many persons would actually be participating, because of changing economic conditions, and mindful of the requirement of the law that if monthly costs exceeded the annualized appropriation figure, everyone participating in the program would have his coupon allotment reduced proportionately. The Department has always charged most families for their food coupons more than they felt they would normally spend for food and gave them in return somewhat less in food purchasing power than the family actually required for a good diet.

For the families participating, the program has meant a great improvement in nutrition and in food purchasing power. Most participating families—certainly most of them in my city of St. Louis—have been deeply grateful for this extra help in achieving a better diet. Their letters of appreciation are truly heartwarming. On the other hand, most of the complaints about the program—about the cost of the stamps or the amount of food the stamps buy—have come not from those participating, but from those who are eligible to join in the program and have not done so. Often, they are not taking part because they were misinformed about the requirements. In other instances, they say frankly that they would rather eat less than others do and have more money out of their limited incomes to spend on things which they prefer to food. This is their right, of

course, although it is unfortunate that children in such families are the ones who suffer when the family, by choice, puts a higher priority on other items and skimps on food.

Nevertheless, even for the great majority of the families receiving food stamps each month, the program is not giving them as much assistance as the law intended they should derive from it. I have emphasized this point over and over in every debate we have held in the House on this issue, in order to bring home to my colleagues the fact that we were just not appropriating sufficient funds to make the program as good as it is supposed to be.

As all of the Members know who served in the 88th, or 89th Congresses, we could not get sufficient votes to take off the restrictive ceilings on appropriations, and when we did succeed in doing that here in the House in the 90th Congress, we lost that fight in conference. Therefore, we could never appropriate enough funds to carry out the improvements Secretary of Agriculture Orville L. Freeman wanted to make.

MANY SIMILARITIES TO SECRETARY FREEMAN'S SUGGESTIONS

Mr. Freeman always favored an open-ended authorization and asked for substantially more funds for this program than Congress ever gave him. I call attention to Mr. Freeman's final report to Congress on the food stamp program, which I placed in the CONGRESSIONAL RECORD on April 2 at pages 8404 through 8407. In all of the dozens of news articles on the hunger situation, I have seen no mention whatsoever of the analysis made by the previous Secretary of the shortcomings and needs of the program as outlined in this report he made to Congress as required under the 1968 act.

Now the new administration seeks to do some of the things Mr. Freeman was not permitted to do. And, from what I have read since returning to Washington, I gather that many of those who opposed Secretary Freeman's proposals for the program now hail his successor's proposals as a "breakthrough" in recommending:

First. Expansion of the program to far more areas;

Second. Increasing to at least \$25 per person per month the value of the food stamps available for each participant;

Third. Limiting to 30 percent of income the portion of a family's own funds it would have to spend for the stamps;

Fourth. Free stamps for the very poorest families—those whose incomes are in the neighborhood of \$30 a month or less;

Fifth. Expanding the "outreach" efforts of the program to locate eligible families and bring them into the program; also, stepping up the nutrition education efforts of the Extension Service in teaching participating families how to use their stamps more effectively and get value received for their coupons.

Every one of these things can be accomplished under the present law if sufficient funds are appropriated. But the funds cannot be appropriated until the unrealistic ceiling of \$340 million for the coming fiscal year is raised or eliminated.

FREE SURPLUS FOOD VERSUS FOOD STAMPS WHICH COST MONEY

Then there is, as I mentioned earlier, the additional Nixon administration suggestion that food stamp and direct surplus distribution programs be permitted to operate side by side in the same localities. This would, as I said, require a change in the law.

If low-income families have a choice between the two programs, many of those families which are most in need of better diets for the children will, unfortunately, choose to take the free food hand-outs instead, under the direct distribution program. When we went on food stamps in St. Louis in 1963, under the pilot program then in operation, many families which had been living on the free monthly food parcels of flour, dried milk, powdered eggs, corn meal, peanut butter, lard, and similar fare were bitterly disappointed that they had to begin to pay some of their own money for food stamps when they were used to getting nearly all of their food free. Limited and unsatisfactory as the free food was in variety, and nutritional qualities, it was preferred by many families to a good, well-rounded diet which cost them some of their own money.

This can be a real problem in an area where both programs operate simultaneously. Why spend money for food stamps when you can get food free? Those most likely to take that attitude are families which are most in need of better diets.

In any event, Secretary Hardin, in putting together the administration package of ideas for improving the levels of nutrition in the United States testified in the Senate last week that at least \$270 million more would be needed in the coming fiscal year than the present law permits to be appropriated, if the improvements in existing food stamp projects are to be put into operation. If new areas are to be added, as everyone desires, he said an additional \$1 billion over present ceilings would be needed.

MANY OF US PREPARED TO HELP ACHIEVE IMPROVEMENTS

As I have said on numerous occasions since January 20, if the new administration plans to fight for much higher appropriations, I will be glad to do everything I can to help. I reiterate that offer. I am sure the other Members who joined me last year in cosponsoring the bill we passed to take off the ceilings would be willing to join once again in such an effort, if the new administration will back us up and provide some help.

There were more than 130 House Members among the cosponsors last year—more Members than have cosponsored any other bill ever introduced in the House. I am sorry to say that not very many of them were from the Republican side. But this has never been a partisan issue, and I have not tried to make it one. I have repeatedly singled out Congressman JOHN P. SAYLOR, of Pennsylvania, as the first, and for a long time the only Republican House Member who completely endorsed this idea, along with Senator GEORGE AIKEN in the Senate, from the start of my efforts beginning in 1954 to get through the first Food Stamp Act which eventually became law in 1959. Some other Republicans have

joined in this effort, and I have always welcomed their assistance. I trust now that their numbers will be greatly increased in support of their own administration.

To all of the cosponsors of the 1968 act, I want to say that the act as it now stands can accommodate virtually all of the improvements Secretary Hardin wants to put into effect.

THE ISSUE OF FREE STAMPS

That is not to say, however, that I endorse every one of those proposals. I do not endorse the idea of free stamps. The present law does not preclude giving free stamps to any family which would have so low an income that it would not normally be expected to spend any money for food. The Washington Post this morning reported that some individuals in the District of Columbia with zero income now get free food stamps. But I think every family, no matter how destitute, now spends something for food. It may be more than it can afford. But I think it should be something—at least a token payment, no matter how small. At present a family with an income of \$30 a month in the South, or \$20 in the North, pays 50 cents per person, up to a maximum of \$3 per family, for an entire month's supply of food coupons.

If there are people who do not have 50 cents for a whole month's supply of food, or a family of six, eight, ten, or more which cannot scrape together \$3 a month for a good diet, then some agency of the Federal, State, or local government, or some private charity, or some relative, or someone, has the obligation to make sure that such an individual does get his hands on 50 cents a month, or that family does get \$3 somewhere, to buy enough food to eat properly for a month. This is the best food bargain in the entire world.

If people could have a blank check for a free choice of \$25 worth of food per person in any grocery store each month, and pay absolutely nothing for it, irresponsible use of the stamps could destroy the integrity of the whole program. At least now, when some families use their food stamps less intelligently than they perhaps should, they are spending money of their own as well as the supplementary coupons. But if you say to low-income families that it is the Government's duty to feed them free—give them free choice of any domestic food items they want to buy in the grocery store without any charge to them—who could justifiably complain if the recipients then spent whatever money they had of their own for whisky, beer, cigarettes, gambling, or anything else? After all, it would be their money to spend as they please without having to worry about using any of it to buy food, because the Government has to give them all the food they need.

How do we teach any sense of personal financial responsibility, to people who need such instruction, if they are entitled by right and by law to all the food they require for good nutrition regardless of how they spend, or waste, their own funds?

I realize we are talking now about very little money in relative terms. So few families would qualify for free food stamps that the total dollar cost would be low in a program of this magnitude.

But the moral cost would be high, I am afraid.

FOOD STAMPS VERSUS GIFTS-OF MONEY

But that is a side issue, a minor one, compared to the major issue of appropriating sufficient funds to make this program work as effectively as it can and should work.

If the new administration is sincere in its desire to make the program more effective, it will have every help I can give it.

At the same time, however, I am worried over the comments attributed to Secretary of Health, Education, and Welfare Robert Finch, that the proposed administration improvements in the food stamp program would be of only short duration, pending a complete revamping of the entire welfare program so that, instead of giving food assistance to families unable to afford an adequate diet, we will just give them more money to spend as they please.

Such a policy would undoubtedly help many of the working poor who do not now earn enough to enjoy a proper diet and adequate living standards, even by working hard. To help such families, minimum wages must continue to rise as living costs do. Also, their tax burden should be reduced. But you would find it very difficult to get legislation through Congress to give low-paid workers a direct Federal handout of money to spend as they like. On the other hand, everyone can see the value of providing special help in meeting the cost of decent housing and medical needs and enough food. That is why we have been able to enact such programs as food stamps, rent supplements, and Medicaid.

Everyone on social security should be enabled to live decently on their annuities. The payments have never been high enough to achieve that goal. We all know how hard it is to get the necessary legislation through to increase monthly benefits. Yet no one objects to helping those on social security to meet rent or food or medicare costs.

But many of the poor in this country who do not work or cannot work and never have worked—who have always lived on welfare and have never enjoyed an adequate standard of living—cannot just be handed a blank check and expected to spend it for those things we know they need most. That has been the lesson of our whole welfare program in recent decades. Many of these people must be taught how to add and subtract, how to shop, how to buy the right kind of foods, how to avoid being cheated. The war on poverty was intended to accomplish this purpose. It has made some headway, but not enough. Our obligation to these people is to try to bring them into the mainstream of middle-class America. But our more immediate obligation—a pressing and urgent one—is to make sure that in the meantime their children do not suffer and fall ill or die from malnutrition and neglect.

Even though it goes against the grain of the Department of HEW, as it always has, the food stamp program goes directly to this problem of underwriting minimum standards of nutrition by earmarking for food—and for nothing but food—some of the Government assist-

ance that a welfare mother who is perhaps illiterate or semilliterate might otherwise spend for less urgent purchases.

NEED TO TEACH POOR FAMILIES WHAT TO BUY

I am glad the Nixon administration decided, at least for the time being, against trying to transfer responsibility for the food stamp program to HEW. HEW flatly opposed the food stamp idea in a report to Congress back in 1957, and, as shown by the recent comments of Secretary Finch, it still prefers straight money grants to the very poor unencumbered by any restrictions on how they are spent.

If hunger and malnutrition concern us, as I know they do, then we must use our abundance of food to make sure all who are suffering from malnutrition have food first—before anything else they might prefer to buy.

Just as free handouts of all the food a family needs are a mistake, in my opinion, if there is no way of assuring that the family uses its own limited resources for other necessities, so a handout of money without strings, without restrictions, without assurances of how it will be spent to clothe and shelter and sustain the children, is also in my opinion a grievous mistake.

Mr. Speaker, we can outlaw hunger in America, as the food stamp program has been intended to do, but we can do so only if we seize the opportunity now presented to us to teach very low-income families not only how to eat properly but what to buy, and how to live. We have career welfare families onto the third generation, living in abject misery, because we merely gave these families money without guidance. Nothing in the background of many of them had ever taught them how to spend this money reasonably well. The food stamp program has been teaching many such families for the first time how to set aside a certain amount each month for food, and for nothing but food. Rent supplements can also be used to help them budget for shelter. Poor families with young children must learn also how to budget for shoes and clothing.

Everything else is secondary. Yet the poorest families are often those which are enticed into buying expensive stereos or television, and used cars in deplorable condition, and other items which they just cannot afford except by neglecting the basic needs of food, shelter, and essential clothing.

The great majority of the people on the food stamp program already know how to stretch their limited incomes to meet their basic needs but cannot afford sufficient food without some extra help. Anything done to increase their incomes will be of great and lasting benefit to them. They will know how to spend any extra money they receive. But let us not forget that those hunger case histories which have made the most horrifying television spectacles, and the most disturbing articles in the newspapers and magazines, usually involve families which are not skilled in spending a dollar once they do get it.

The malnutrition of their children is a shocking rebuke to every well-fed American. But merely giving these fam-

illies some money will not by itself solve the problem. Giving them the opportunity and incentive to buy the right food, at a cost they can afford, can point the way to ending hunger and malnutrition in this country.

Therefore, the most important task in improving the food stamp program for those in the lowest income levels is to provide sufficient food purchasing power to enable them to eat properly and then give them some guidance in spending the coupons for the right foods. This will cost far more than we have been appropriating for food stamps, but it must be done.

Let us get on with that challenge.

THE TOBACCO AND HEALTH CONTROVERSY

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, recent hearings conducted by the House Interstate and Foreign Commerce Committee on bills affecting the tobacco industry resulted in an astonishing amount of illuminating information which indicates that tobacco has been cast in an undeserved role. Among other things eminent pathologists confirmed that it is impossible in autopsy to differentiate the lungs of smokers and nonsmokers either by casual observation or microscopically; that claims of ill health and lost man-days work from smoking have been the result of poorly constructed statistical studies which actually fail to bear out the claims attributed to them; that officials of the American Heart Association testified that no causal relationship has ever been established between heart disease and smoking; that the Institute of Allergies and Infectious Diseases of the National Institutes of Health has said that the cause or causes of emphysema remain unknown.

The above are a few of the revelations disclosed by the hearings and I cannot overencourage my colleagues to review the hearings as soon as they are in printed form. Certainly the evidence disclosed supports the preemption set by the Congress in the present Tobacco Labeling Act and my bill, H.R. 6545, which supports the continuation of the preemption after June 30, 1969.

Probably no industry in the history of our country has been maligned to the extent experienced by the tobacco industry. On the other hand, it is refreshing to note the various editorials which point out the simple fact that no conclusive proof has ever been offered linking cigarettes to any of the many diseases attributed to it. An editorial in the Salt Lake City Utah Tribune of April 22, 1969, contains a significant paragraph which I would like to quote:

The fact that nobody has seriously suggested declaring tobacco a dangerous and illegal narcotic suggests that those seeking to discourage its use by flanking attacks don't have enough factual ammunition for a direct frontal assault.

The entire editorial is printed below:

TOBACCO IS STILL LEGAL

As senators and individuals Sens. Wallace F. Bennett and Frank E. Moss have every

right to believe that smoking is a serious health hazard. They are on solid ground in attempting to warn the public of the alleged dangers. And, if they really believe in their cause they should work to have tobacco placed on the list of harmful narcotics and made illegal.

As things now stand, tobacco growing and smoking are both entirely legal. Tobacco farmers, like sugar beet farmers, benefit from government programs. By Sen. Bennett's figures some 650,000 families are engaged in the production of the U.S. tobacco crop. Many others throughout the country earn a living in some phase of tobacco processing and marketing.

As one way of discouraging smoking, Sen. Bennett has cosponsored legislation to phase out price supports for tobacco producers over a four-year period beginning in 1970 and to prohibit use of government funds to advertise tobacco.

Sen. Moss is attempting to have cigarette advertising banned from television. If the Utahans prevail a perfectly legal product would be discriminated against in the production stage and later in marketing. Is it too much to suggest that someday the buying and selling of tobacco company stocks might likewise be curbed by government? Or that price supports for grains going into whisky production will be withheld? Or that the government would in no way assist in the promotion of California wines in Europe?

The tobacco industry dates from Colonial times. Tobacco has long been recognized as a major agricultural crop. So long as it is legal, tobacco is entitled to the same government support and assistance as sugar beets (which can be converted to alcohol), corn (a source of liquor) or cotton. If the use of tobacco is indeed as harmful as Sens. Bennett and Moss and a lot of other people are coming to believe then the forthright thing to do is declare it off limits like marijuana.

The fact that nobody has seriously suggested declaring tobacco a dangerous and illegal narcotic suggests that those seeking to discourage its use by flanking attacks don't have enough factual ammunition for a direct frontal assault.

Mr. Speaker, from my perusal of editorials over the past several months that have appeared in newspapers throughout the United States, it is obvious that thinking people object to that paternalistic attitude of various government agencies on the subject of smoking and have spoken out clearly on the subject. At this point in the Record, I include a representative group of such editorials for the information of my colleagues:

[From a KOOL Radio-TV editorial, Feb. 11, 1969]

Tobacco companies spend more than 200 million dollars a year advertising on radio and television. That's a lot of money, and because it is, there will be many who think that's the only reason for this editorial. They will be wrong.

Personally, I don't smoke. I used to smoke as many as three packs of cigarettes a day. However, I made the decision not to smoke about ten years ago.

We don't believe that cigarettes are beneficial. We don't know anyone who says they are. However, and we know this is not the popular thing to say, the truth is that no one has ever proven that cigarettes are harmful or that they are the cause of any disease. In fact, there is a large body of research, although little publicized, that indicates cigarette smoking to be relatively harmless.

The Federal Government encourages the production of tobacco by subsidies to growers. In fiscal 1968, the government paid out 61 million dollars in price supports. We sent nine and a half million pounds of tobacco to Viet Nam under our food for peace pro-

gram. Last year, federal, state and local governments collected from the sale of cigarettes four billion, 96 million, 696 thousand dollars in taxes, of which two billion, 66 million went to the Federal Government.

These are some of the reasons we believe it is wrong for the government to say that cigarettes, a perfectly legal product whose production is encouraged by government, from whose sale the government collects billions in taxes, cannot be advertised on radio and television. Now, if the government really believes that cigarettes cause disease and death, then let's make it illegal to grow tobacco and sell cigarettes. Let's not be hypocritical and widen the governmental credibility gap.

[From the Phoenix, (Ariz.) Gazette, Feb. 25, 1969]

CIGARETTES AND THE AIRWAYS

At the core of the Federal Communications Commission defense of its proposed ban on all cigarette advertising over the airways is the following argument:

The obligation is imposed upon broadcasters to operate in the public interest one of the foremost facets of which is health. "It would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of the product (cigarettes) posing . . . a danger measured in terms of an epidemic of deaths and disabilities."

The rebuttal to that FCC syllogism which is most often heard has been that the evidence that cigarettes cause cancer is still inconclusive. It is hardly in keeping with American legal traditions to deal out punishment—as cigarette manufacturers would be punished by such a ban—on the basis of inconclusive evidence.

While this rebuttal may be valid, it nevertheless bypasses the real issue that is involved in the proposed ban. That is, how can a government agency outlaw the principal marketing method used by a product's manufacturers when that product is perfectly legal as a saleable item? There is no law against the sale of cigarettes, thus there should be no more restrictions placed on its mode of advertising than should be placed on cars, mouthwash or lawnmowers.

Spokesmen for the FCC can line up their arguments in defense of the ban until they stretch from the deep South to Washington, D.C., but those arguments must still be labeled irrelevant unless Congress declares cigarettes illegal.

And if the FCC attempts to impose its ban despite congressional inaction in the matter, then Congress should, in turn, overrule the commission.

[From the Alhambra (Calif.) Post-Advocate, Feb. 21, 1969]

AD BAN IS UNCONSTITUTIONAL

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, high-handed and unconstitutional.

FCC is taking the draconian step because it believes cigaret smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television cigaret ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigaret advertising. The law expires June 30—the day the FCC ban is designed to take effect. This is an unwarranted pressure upon Congress to enact further restrictions.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Phoenix (Ariz.) Republic,
Feb. 7, 1969]

FCC'S HEALTH ROLE

The proposal by the Federal Communications Commission for an eventual ban on television and radio of all cigarette advertising is certain to raise a storm, not only in Congress, with which final decision on the proposal would rest, but in the courts, to which the matter would be brought by the cigarette companies if Congress OKs the ban.

The attempted proscription against TV and radio advertising of cigarettes is prompted, of course, by the results of numerous scientific studies which show that cigarette smoking does exert a deleterious influence on the heart, lungs, and blood vessels of the smoker. We doubt, however, if prohibiting cigarette advertising on TV and radio will have much effect on the nation's smoking habits. For example, hard liquor isn't advertised over the air, but millions still drink it.

Further, the banning of cigarette advertising alone is not enough. To be really effective in safeguarding the nation's health, the ban also should include cigars and pipe tobacco. A recent report from the University of Washington in Seattle shows that pipe and cigar smokers have a higher incidence of kidney cancer than do non-smokers, or even cigarette smokers. Obviously, the FCC has to go beyond cigarette smoking if it is going to play the role of guardian of the nation's health habits.

But none of the medical authorities who object to smoking has yet found in tobacco the causative factor that produces cancer. There are a lot of other things—foul air, polluted water, prepared foods, etc.—that may be to blame. Statistical evidence is convincing, but it is not proof positive that smoking tobacco causes cancer.

The real danger in the action contemplated by the FCC is that it opens a Pandora's box. Suppose the commissioners become convinced that automobile exhausts are bad for the health—and they certainly can't be good. Would it then be justified in telling the radio and TV stations that they can't run auto ads?

[From the Corona (Calif.) Daily Independent,
Feb. 17, 1969]

THE CIGARETTE AD BAN

The Federal Communications Commission has raised a serious constitutional question by its proposal to prohibit the broadcast of cigarette advertising on radio and television.

There is no proposal to ban such advertising in newspapers or magazines. Any such effort would be struck down immediately in the courts as a violation of the First Amendment to the Constitution which, among other things, prohibits the government from passing laws interfering with freedom of speech and press.

The difference here is that newspapers and magazines are privately owned and produced in plants which are privately owned and there can be as many such institutions as the traffic will bear.

Radio wave lengths and television channels are presumed to belong to all the people and are limited in number, hence parceled out to applicants by the federal government and subject, in the person of the FCC, to some federal regulation.

We are quite willing to accept evidence of the relationship between lung cancer, heart

and respiratory diseases and smoking. While the evidence may not be absolutely conclusive, it certainly has become overwhelming.

However, there is overwhelming medical evidence that the over-use of alcohol can produce cirrhosis of the liver, which can become fatal, and that alcoholism is a major social problem in the United States, far more serious, as a matter of fact, than is the use of narcotics and dangerous drugs.

In terms of social consequences, alcoholism is far more of a public concern than smoking.

Yet the use of alcohol is perfectly legal and practiced in varying degrees by a substantial majority of the people, and the idea of making smoking illegal has undoubtedly never been given serious consideration by any legislative body in the United States.

Prohibition was tried once in this country and was a colossal failure.

So how far should the government go in being its individual citizen's keeper? Dying of lung cancer, while one of the more terrible ways to die, doesn't create a social problem. We all must die. Social problems arise when alcoholics have to be institutionalized, and often becoming public charges! A heavy smoker may keep his wife awake all night with his coughing, but that can be solved by using another bedroom, rather than his becoming a public charge.

Several years ago we watched Bertrand Russell being interviewed on television. This was about the time when the relationship between lung cancer and tobacco was starting to be widely publicized. He being a celebrated British scientist as well as a philosopher, he was asked about his smoking. His reply made a lasting impression on us. He said:

"I understand the problem and am impressed by the evidence, but why should I give up something which gives me great satisfaction for the dubious privilege of living perhaps an extra four years in a nursing home?"

[From the Burbank (Calif.) Review,
Feb. 22, 1969]

ARROGANT ACTION

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, high-handed and unconstitutional.

FCC is taking the step because it believes cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigarette advertising. The law expires June 30—the day the FCC ban is designed to take effect.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Escondido (Calif.) Times-
Advocate, Feb. 14, 1969]

OPINION: SMOKE SCREEN

Smoking cigarettes may sometimes cause disability or death. The Federal Communications Commission wants to ban cigarette advertising on radio and television.

Driving automobiles may sometimes cause

disability or death. The FCC has not yet suggested a ban on automobile advertising.

By proposing to scuttle cigarette commercials, the FCC seeks to improve the nation's health. A commendable goal. We wonder, though, whether the ban would really do much to cut tobacco consumption and whether it isn't an infringement of the right of free expression.

To begin with, only radio and TV would be affected. Cigarette promotion would continue on billboards, in publications and on point-of-purchase displays.

Advertising of a commodity like cigarettes does not, it's generally believed, increase the market. It only affects the competitive position of various brands. If this is true, a cessation of broadcast advertising wouldn't do much to decrease the market.

Stations which now run cigarette commercials must also run public service warnings that smoking is a health hazard. As a whole these are well done and thought provoking. And they are an extension of free speech rather than a denial of it.

If the sale of a commodity is forbidden by law, advertising it should also be forbidden. But if its sale is permitted, inducing people to buy one brand over another should also be permitted.

[From the San Clemente (Calif.) Sun-Post,
Feb. 18, 1969]

FREEDOM'S NOT FOR BURNING

The Federal Communications Commission voted 6-1 to ban cigaret advertising on radio and television. If it gets away with that arrogant stand, a part of every American's freedom will go up in smoke.

If, for example, Congress lets the commission muzzle broadcast advertising for cigarettes, what is to stop it from banning the huckstering of other proved or assumed hazards to life and health, such as autos, fats and sweets?

No one is forcing Americans to smoke cigarettes, nor are they being denied access to warnings about the possible perils of smoking. In effect, the FCC is saying the public is a boob and must be protected from its own gullibility and lack of character.

Nuts to you, Big Brother. And here's hoping Congress administrators such an ear-boxing to the agency that it will forever repress its pipe dreams of playing public censor.

[From the San Diego (Calif.) Tribune, Feb.
14, 1969]

FTC BAN ON ADS FOR CIGARETTES WOULD VIOLATE INDIVIDUAL RIGHTS

A recent Federal Communications Commission proposal to prohibit broadcast on radio or television of cigarette advertising has raised questions as to the constitutionality of such a rule.

Significantly, there has been little more than mild protest from those most affected, the broadcasters and the tobacco companies.

The broadcasters have few qualms about their ability to fill the revenue gap the loss of cigarette advertising would bring.

In all probability, if the new regulation is made effective, the constitutional challenge will come from the advertising agencies who arrange for the cigarette company commercials. They would be hardest hit by the broadcast ban.

The action taken by the FCC, according to the commission, was due to federal studies, which show "a serious unique danger to public health" from cigarette smoking.

Commission Chairman Rosel H. Hyde said the regulation would be effective July 7 unless Congress takes contrary action.

The Cigarette Labeling and Advertising Act of 1965 restrains any agency from regulating cigarette advertising. The same act provided for a printed warning on cigarette packages as to health hazards involved in smoking. The act expires July 1.

Constitutional objections to the new pro-

posals will be based on the Bill of Rights, primarily the amendment guaranteeing freedom of the press. The question of discrimination will also be raised since no restrictions are contemplated on advertising in media other than broadcasting.

While most Americans, including confirmed smokers, can do without the often inane commercials currently the rage among cigarette manufacturers, we must also object to increased meddling by government in what can only be considered a matter of personal choice.

Even if we accept without reservation the conclusion that smoking causes cancer, we must also recognize that it is not illegal.

Until Congress sees fit to call for a constitutional amendment outlawing cigarettes, the government should not meddle with personal freedom. Experience with the attempt to prohibit use of alcoholic beverages makes that improbable.

Banning cigarette advertising is no more logical than prohibiting the advertising of autos—machines that have also proved to be "a serious, unique danger to public health."

[From the San Diego (Calif.) Union, Feb. 19, 1969]

ARROGANT ACTION

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, high handed and unconstitutional.

FCC is taking the draconian step because it believes that cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as do all Americans.

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The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigarette advertising. The law expires June 30—the day the FCC ban is designed to take effect. This is an unwarranted pressure upon Congress to enact further restrictions.

The dangers of smoking remain to be seen. There can be no doubt of the dangers to a free society if the FCC ruling stands.

[From the Santa Ana (Calif.) Evening Register, Feb. 18, 1969]

DO AS I SAY?

We note that the Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspooled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

There are some who will object to the fact that the federal government has not yet decided that cigarettes are illegal, and that what is legal can be advertised. There are some others who have the idea that prohibition on any legal communication such as this is a violation of the free speech-free communications amendment to the Constitution. They seem to have forgotten that federal government seized ownership of the airwaves

and has presented it to the FCC, as licensing agent, and that the power to license is the power to deny a license unless the licensee does as he's told.

We don't like the idea of any governmental agency dictating what can and cannot be said. We don't think it's any bureaucrat's business how a legal product is advertised.

But if federal bureaucrats really are against cigarette smoking, as they say, why do they not go to work on stopping federal subsidies for tobacco? Tobacco growers are subsidized, and only a couple of years ago there was quite a to-do over the fact that the state department was promoting the sale of American cigarettes in foreign lands. Also, when some folks hereabouts suggested stopping purchase of all cigarettes containing tobacco from a communist-ruled land, the State Department charged that the would-be boycotters were interfering with the nation's foreign policy.

If cigarettes are as bad as the health and television bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product instead of interfering with private activities.

[From the San Pedro (Calif.) News-Pilot, Feb. 25, 1968]

ARROGANT ACTION

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, high-handed and unconstitutional.

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The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Turlock (Calif.) Journal, Feb. 26, 1969]

DO AS I SAY?

We note that the Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspooled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

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If cigarettes are as bad as the health and television bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product instead of interfering with private activities.

[From the Santa Monica (Calif.) Outlook, Feb. 10, 1969]

CIGARETTE AD BAN ILLEGAL

Whether cigarette smoking is injurious to health is not the real issue in the proposal by the Federal Communications Commission that cigarette advertising be barred from television and radio. In its jurisdiction over airwave facilities, the commission is charged with regulating operations through the allocation of channels and frequencies, but is not given final authority to decide what the stations may program.

The stations' control over programs is protected under the First Amendment guaranteeing the right of free speech and freedom of the press. The prohibition which FCC proposes cannot be legal unless a new constitutional amendment, covering the cigarette-advertising prohibition, is adopted by both houses of Congress and three-fourths of the states. That was the procedure which ended, theoretically, at least, the sale of alcoholic beverages from 1919 until repeal of the 18th Amendment in 1933.

The argument which FCC is using against cigarette advertising is based on the 1964 report of the U.S. surgeon general, declaring that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action." The surgeon general told a Senate committee the following year that "in general, the greater the number of cigarettes smoked, the higher the death rate."

There are other things being advertised and sold today which some people consider injurious to health if used in excess. Should liquor advertising also be banned without a new constitutional amendment? The W.C.T.U. would say yes but the courts would surely say no. Because excessive consumption of candy may be injurious to health, should candy advertising be prohibited? What is involved is the power of FCC or any other agency to determine what may be advertised for sale to the public.

If it is lawful to manufacture and sell a certain article, advertising it is the exercise of a proper right to conduct business. Furthermore, if a federal agency has the power to tell radio, television and the press they cannot offer an article for sale through their media, it would be discriminatory to permit sale of the same product over the counter. To be consistent with precedent, the U.S. government would have to prohibit the sale of cigarettes not merely cigarette advertising.

FCC has indicated that its directive would not be effective until June 20 in order to give Congress an opportunity to review the proposal. Should Congress fail to act, the cigarette companies, will, no doubt, ask the courts to decide the constitutionality of the FCC order. FCC should withdraw its proposal and spare the courts the trouble of declaring it unconstitutional.

[From the Denver (Colo.) Post, Feb. 9, 1969]
EASY THERE FCC

We've said it before, but let's say it again: we take a dim view of the Federal Communications Commission's proposal to curb the advertising of cigarettes on radio and television.

The FCC proposal doesn't go as far as did the proposal of the Federal Trade Commission a year ago, which would have asked Congress to ban all cigarette advertising on radio and television. The present FCC proposal would permit cigarette advertising if it stressed the tar and nicotine content of the smokes.

Maybe congressional hearings on this topic will suggest a compromise acceptable to all.

As we see the situation, the evidence is that cigarette smoking is harmful to health, but the evidence does not say that cigarettes are poisonous.

Until scientific evidence against cigarettes gets that strong, if it ever does, we feel cigarettes must be treated as at least a legitimate product; which means it should be possible to advertise them on television or wherever.

There are restrictions now on the content of cigarette commercials; they should be kept. So should the printed warning on every pack of cigarettes. Perhaps one or both should be strengthened.

But the American Cancer Society, which has been the main agency prodding the FCC for more restrictive action, has some beautifully effective anti-cigarette commercials on television too, these days. But we don't see many of them in prime time.

We would suggest that that is a better answer, and probably one where some good FCC prodding of the television industry would do the most good.

[From the Whittier (Calif.) News, Feb. 10, 1969]

FCC IS OFF ITS ROCKER

Let us suppose that a majority of the Federal Communications Commission arrives at the decision that the excessive speed of outboard motorboats makes them a hazard to the safety of a substantial number of citizens.

The same FCC majority might conclude that drinking ale or stout can also adversely affect someone. Or hard liquor. There may be numbers of persons who for health reasons do not drink milk or eat green beans or any fried meats.

Should the FCC have the authority to ban television and radio advertising of such products?

Of course it should not, and the 6-1 vote by the FCC commissioners proposing a ban on cigaret advertising on radio and television bids fair to stand out as the most indiscreet proposal in the history of that questionable board—questionable because it seeks to take unto itself the power to forbid people from hearing about consumer products even if those people desire to be told about them.

Millions of us do not use tobacco in any form. Millions do. Yet six men on the FCC contend that they are so much more intelligent than the millions who do use cigarets that they should forbid public advertising of such products.

It is not within the province of the FCC to determine what is healthy or not healthy for Americans. Its authority should stop long before any such question comes before it.

Neither the Congress nor the courts has in

any way established that the smoking of cigarets is illegal.

True, a number of competent authorities have declared that such smoking is injurious to the health of a person. There is not too much dispute of that claim. Most people acknowledge that the introduction of certain foreign elements into the body can be harmful. They know this by experience if nothing else. But those same people have the option of using cigarets or not using them.

They do not have to depend upon the FCC or any other opinionated government bureau to decide what is good or bad for them.

Banning cigaret advertising from radio and television will not cure any of the harm that cigarets might cause. It may reduce the subliminal suggestion that such smoking is fun, popular or tasteful. But the proposed rule, if enforced, could not provide a cure for lung cancer, as an example. So what does the FCC hope to accomplish?

It has invaded a field which it should get out of instantly. It has no business attempting, through curbs on advertising, to dictate what independent people should eat, smoke, feel, see, use or wear.

[From a WMFJ editorial, Feb. 7, 1969]

The Federal Government . . . or a branch of it . . . has taken the first step in attempting to control what you see and hear on radio and television. The Federal Communications Commission has voted to recommend that cigarette advertising be banned on radio and TV . . . the National Association of Broadcasters said "never to our knowledge has an agency of the Federal Government banned the advertising of a product whose sale is legal." . . . We agree. . . . If the ban is adopted, what will be next . . . who is to ultimately decide what we see and hear??? Will another Federal agency ultimately decide that cigarettes can't be advertised in newspaper and magazines too??? It's been our experience that Governmental regulation is like taxation . . . once it starts, there is no end. We still believe that the public should be the final answer as to what they see and hear on radio and television.

[From the Wilmington (Del.) News, Feb. 10, 1969]

ADVERTISING BAN IS WRONG WAY

The Federal Communications Commission's plan to clear the airwaves of all cigarette advertising would, if authorized by Congress, be poor public policy, however laudable its intent.

The proposed ban cannot take effect unless Congress permits a provision of the Cigarette Labeling and Advertising Act of 1965 to expire on June 30. The provision prohibits federal, state and local regulation of cigarette advertising.

The outlook between now and the time Congress either renews or revises the labeling act or lets it lapse is for a continued barrage of charges and counter-charges from such as the Tobacco Institute, on one side, and the American Cancer Society, on the other, on the health consequences of cigarette smoking.

The United States Public Health Service estimates that 300,000 cigarette smoking Americans die prematurely each year. A variety of studies, some more persuasive than others, have associated smoking with increased death rates from various forms of cancer, particularly lung cancer, several respiratory ailments and heart disease. Anyone who looks at the statistics without prejudice cannot ignore the fact that he jeopardizes his health by smoking cigarettes.

But the link between smoking and disease is not at issue in the FCC's proposed ban. The commission's move is irrelevant to the health question.

If cigarettes are a menace to the public, their sale and use should be banned, by an appropriate regulatory agency or by Con-

gress—or by an amendment to the Constitution, if necessary. If they are not deemed sufficiently dangerous for such action, advertising should be permitted.

When misused, automobiles kill people, yet no serious attempt has been made to curb automobile advertising and certainly none is warranted. Potentially harmful liquor is advertised in newspapers and magazines, but not over the air, a line of reasoning that makes little or no sense. Non-prescription drug advertisements are permitted on radio and television, assuming that they are not misleading, although abuse of them can be fatal.

It would seem that only when a product or service is misrepresented or illegal should advertising restrictions apply—and they should apply to all media equally. The media and the advertisers themselves, in their own self-interest, should deal with questions of good taste.

If a doctor, for example, should appear in a television commercial, point to his T-zone and claim that smoking improved his health, government regulation would clearly be called for.

But television and radio advertising today is subtler—the gorgeous girls, the virile cowboys, the general joie de vivre associated with smoking. This is attempted seduction, but it is not rape, and it is being rather effectively combated by the recently authorized "anti-smoking" commercials produced by groups such as the cancer society and the American Heart Association.

In 1967, cigarette advertising accounted for 8 per cent of all television advertising revenues (\$216.7 million) and 5.9 per cent of all radio advertising revenues (\$17 million). More than three-quarters of all cigarette advertising is devoted to television.

A ban on cigarette advertising as proposed by the FCC could, then, deprive the networks of a substantial source of income and deprive the cigarette manufacturers of what they consider their most effective advertising medium, television.

One suspects that the broadcast organizations would continue to muddle through and that the cigarette companies would merely revamp their advertising campaigns. But even if both encountered some hardship, few would find their condition particularly pitiable if a broadcast advertising ban were in the public interest.

But it is not, and it will not be unless cigarettes should be outlawed, a most improbable event. In all likelihood, the FCC's proposed ban on advertising will die in Congress, and smokers will simply have to rely on their willpower, combined with the statistical evidence, to resist temptation. If advertisements make a former or would-be smoker's hand tremble, one might suggest that he turn off the radio or the television set.

[From the Jacksonville (Fla.) Journal, Feb. 11, 1969]

FCC IN ERROR

The Federal Communications Commission has inhaled a drag that it may choke on trying to exhale.

The FCC's attempt to bar cigarette advertising from television and radio goes far beyond protecting the public's health; it invades the tricky area of trespassing on the public's right.

There's little argument now that habitual cigarette smoking is injurious to the smoker's health. Medical science has produced just about as incriminating a case as anyone could come up with.

But warning the public and laying all the facts before it is just about as far as science can go. By the same token, warning the public is just about all the jurisdiction the FCC should have.

The FCC is primarily a guard against infractions of the law as pertaining to broad-

casting and a guardian of good taste for public consumption. But nowhere we can find gives them the authority to ban cigarette advertising (as noxious as some of it is) any more than an increase in alcoholism permits them to ban beer advertisements or an upshoot in highway deaths should lead to a ban on motorcar commercials.

If cigarette advertising is vulnerable to a ban by the FCC, then should pipe tobacco and cigars reap the benefit by being allowed to remain on the air? And if cigarette smoking is to be banned in commercials, mightn't a similar ban be handed down against any performer using cigarettes?

Such a prohibitive law pertaining to television and radio might seem a boon to newspaper and magazine advertising, which could profit in the hundreds of millions from the loss by their sister medium.

But the hand of censorship grows greedy with each new triumph. If a federal agency succeeds today in instigating new policy for television and radio, who is to stop a similar move tomorrow for newspapers and magazines? By the same token, if advertising is fair game for federal dictatorship, then why not news and editorial content for all publications?

Does any of the FCC board really believe for a minute that outlawing of cigarette commercials will solve the problem of excessive smoking any more than prohibition did for excessive drinking?

Clearly, this is a move outside the lawful authority of any federal agency. Congress should so declare at its earliest opportunity.

[From the Jacksonville (Fla.) Times-Union, Feb. 11, 1969]

WHO GUARDS THE GUARDS?

The controversial Federal Communications Commission proposed ban of cigarette advertising over radio and television may smoke out an issue far wider than the cigarette health hazard.

Already there appear some Congressmen who would like to require the FCC and similar agencies to precede each pronouncement with the following:

"Warning: The following directive may be an arbitrary usurpation of rights not delegated by the people and injurious to the national interest."

The "big seven" federal regulatory agencies are the FCC, Interstate Commerce Commission, Federal Trade Commission, Federal Power Commission, Securities and Exchange Commission, Civil Aeronautics Board and the National Labor Relations Board.

They have been accused of being a "fourth branch" of government and the extensive effect of their collective influence is little suspected by the average citizen.

They have no constitutional authority for either legislative or judicial powers.

But when the CAB, for example, promulgates a ruling which all U.S. airlines must abide by it is, for all practical purposes, legislating. And when it decides which of several competing airlines be awarded a particular route, it is, for all practical purposes, adjudicating.

Some critics of the agencies contend that, in their exercise of quasi-legislative and quasi-judicial powers they probably account—in share volume—for the bulk of both the legislating and judging done in this nation.

In many areas the influence of these board members—who are not elected but are rather appointed by the President for fixed terms and hence insulated from public pressure while serving that term—can be greater than the influence of the elected representatives.

For example, it is true that Congress passes such major pieces of legislation as, say, the Taft-Hartley Law.

Yet some will argue that even such major legislative actions do not exert as much influence on the nation's labor scene as the

day-by-day, week-by-week rulings, interpretations, regulations and guidelines of the National Labor Relations Board.

The FCC, in its proposed cigarette ad ban, was thoughtful enough to give itself an "out" by leaving this particular issue in Congress' lap. But such discretion is the exception rather than the rule, and even this approach probably will not avoid raising the bigger issues of the agencies' concentration of power.

President Nixon has promised a "searching, fundamental reappraisal" of the federal government structure. And many members of Congress may be quite ready to lend an assist.

At present both the President and Congress do exert some restraining influences upon these regulatory agencies, through appointive and appropriations powers, respectively. But both the President and Congress may well be wondering: Is this enough?

In short, who regulates the regulators?

[From the Panama City (Fla.) Herald, Feb. 13, 1969]

FCC WAY OFF BASE

The Federal Communications Commission is wandering pretty far afield in proposing to ban cigarette advertising from radio and television stations. Fact is, the Commission seems to be away from third base and way out in left field.

It was never the intention, we're sure, of the people who formed the FCC to allow the august members of the body to say to any tax-paying free enterprise system, or otherwise, that it shall not be allowed to advertise its legitimate product on radio or that young upstart TV.

It was the purpose of the FCC, under the original plan, to allocate wavelengths and frequencies to licensed operators and to forbid outlaw stations from operating on those channels. The supposition was that there were only so many wavelengths and channels available and that if we didn't have some control over them some sections of the country would not have radio facilities (TV had yet to come).

If cigarette advertising is to be banned, as the FCC desires, then would it not be far afield to predict that advertising of other products might also be banned? We might wake up some wintery morning to hear a news broadcast stating the FCC had banned advertising for Elberta peaches or California Sunkist lemons. Who knows?

This proposal of the FCC should be slapped down once and for all and then forgotten. It smacks back to the days of Henry Wallace who wanted all brand names of merchandise eliminated and just plain wrappers put on cans of peaches, or apples, or preserves' jars. Since those days some extra liberals in Washington from time to time have managed to take cracks at advertising but it has survived them, and we feel cigarettes also will survive them.

Banning cigarette advertising is, frankly, unjust. There has not been positive proof that cigarette advertising brings on cancer. Until there is proof positive then the FCC should close down its big trap, and even then it is problematical whether the Commission has the authority to ban advertising.

[From the Sanford (Fla.) Herald, Feb. 27, 1969]

IT'S HAZARDOUS

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health. But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigarette smoking, said the Commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials." Perhaps there is no such intent by these Commissioners. But the precedent would be established.

Suppose a majority of a future Commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads. The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. But advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

The appetite of a government censor grows with every bite of power. If a Federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines? And if censorship of advertising is permissible, why not the news and editorial content? The FCC proposal plainly constitutes a "unique danger" to a free press and free enterprise. Congress should rule it out on the ground it is hazardous to the national health.—Tampa (Fla.) Tribune.

[From a WTVT Editorial, Feb. 10, 1969]

CIGARETTES AND FREEDOM

Most sensible people have known for decades that cigarette smoking isn't very good for your health. They called them "coffin nails" long before the researchers found a probable link to lung cancer. But now we have reached a point in this nation where the danger of cigarette smoking has blinded some people to the graver danger of destruction of our individual freedom. Most viewers are aware that television stations carrying cigarette advertising are now required to give free time on the air for announcements about the danger of smoking. Now there is talk of banning cigarette ads on television altogether.

WTVT hesitates to comment on this subject, because of the possibility of being misunderstood. But we think there is a serious threat to the freedom of all Americans involved here, and we can hardly leave the responsibility for speaking out to others. What concerns us is the precedent this sort of control would set, and the direction in which it would head us.

If government has the authority to impose such a ban on TV ads on grounds that it's in the public interest, it would be an obvious extension of logic to impose the same ban on all means of advertising . . . newspapers, magazines, billboards or what-have-you. WTVT can't see that it's a problem peculiar to broadcasting, and we can't see what business the Federal Communications Commission has regulating public health. If it's a proper government concern at all, then it's certainly not limited to electronic communication.

And if we concede that the government should have the authority to decide that something is bad for us to see in ads, it's reasonable that it should also have the authority to prevent such merchandise from being made, and to prevent individuals from using it. And, since many things of this nature are dangerous only in quantity, and not significantly harmful in small or infrequent doses, we should then logically concede that the government should control

consumption. If we get this far, we must realize that a great many things can be harmful if used to excess, including food. We also realize that if our aim is maximum health for all citizens, it's important that they consume enough of the right things as well as avoiding an excess of other things.

WTVT is willing to concede that smoking too much is bad for most people, just as alcohol is, and many other things, such as overindulgence in food or an unbalanced diet. But we would like these decisions left to individuals, not forced on them by an all-powerful government. We don't know what penalty the government might set for someone caught smoking if it were banned, but it would be insignificant in comparison to the loss of our personal freedom.

[From the Macon (Ga.) News, Feb. 18, 1969]
LONG NOSE OF THE FCC

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Congress has seen no need for another noble experiment. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air.

What the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Tampa (Fla.) Tribune, Feb. 7, 1969]

IT'S HAZARDOUS TO NATION'S HEALTH

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health.

But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio.

The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

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Suppose a majority of a future Commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads.

The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves.

But advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

The tangled web which the FCC would

spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would gain an advantage over others. Similarly, cigar manufacturers would profit by being able to use a mass advertising medium denied to cigarette makers. Newspapers and magazines could expect to pick up some \$300 million in advertising barred from the TV and radio stations.

So it would go. The possibilities for enequity and favoritism, through bureaucratic action, are alarming.

The appetite of a government censor grows with every bite of power. If a Federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines? And if censorship of advertising is permissible, why not the news and editorial content?

The FCC proposal plainly constitutes a "unique danger" to a free press and free enterprise. Congress should rule it out on the ground it is hazardous to the national health.

[From the Boise (Idaho) Statesman, Mar. 12, 1969]

AN ENCROACHMENT ON FREE EXPRESSION

A proposed Federal Communications ban on cigarette advertising on television may be desirable from the standpoint of public health. But it would represent another encroachment by government on free expression over the public media.

If a federal agency can ban cigarette advertising in the public interest, what other control over the broadcast media might be exercised for the same purpose?

It would be more logical, since cigarettes are a health hazard to millions of people, to bar their production and sale outright. If their sale and distribution are legal, advertising should be legal also.

Should the FCC attempt to ban from television all that might be found harmful to the public, it would assume powers at odds with the First Amendment. Once the concept of freedom of expression is compromised, the descent of government control could be rapid.

Government is properly concerned with the purity of the air people breathe, the water they drink and the food that they consume. Its powers over what people are allowed to hear or see, in the form of advertising or other expression, ought to be restrained.

So long as it permits cigarettes to be sold, by what logic can government deny their advertising?

If cigarette advertising is banned, wouldn't it be as logical to ban advertising of other products which are or might be dangerous?

Cigarettes are a public health problem. Government can legitimately enact regulations concerning the makeup and content of cigarettes. It could ban their sale outright.

A ban on advertising, however, is an attack on the First Amendment, as well as on the tobacco business. A government which can ban the advertising of a commodity for the "public good" may be tempted to exercise other forms of censorship under the same banner.

[From the Savannah (Ga.) News, Mar. 18, 1969]

A BAN ON SMOKING?

If cigarette advertising on television is considered as promoting a menace to the public health, shouldn't cigarettes and other tobacco products be prohibited altogether?

It would seem to be the next step, though there are questions surrounding the constitutionality of the federal government's proposed action on advertising.

Yet seldom recognized is that not only the tobacco industry and leaf farmers are de-

pendent upon the product, but that even non-smokers benefit from the taxes each pack of cigarettes brings in to sources of government. In Georgia alone, millions are raised each year through the eight-cent tax per pack which goes to the state, and though the taxes could be directed elsewhere it is well to ask what other product is an alternative source.

Would those taxes be applied to the already heavily taxed liquor or gasoline industries? Because, in effect, they are looked upon as a form of "luxury" tax, would they fall upon other products, such as soft drinks? Most certainly government, in the face of rising costs, could not risk dropping the tax or even reducing it in any sizable amount; truly, it would be affixed to other products.

This is just one aspect of the problem, and it is not to say that taxes should preclude health; indeed, an industry which helps the economy and pays its taxes can also pollute the air we breathe and consequently warrant controls. Yet, though there is abundant evidence that cigarettes are contributing factors in cancer and heart disease, the same hazard to health could be applied to liquor. But it is over-use which mainly makes the hazard more real, and prohibition in this country has never been practical.

Complicating any ban on smoking is the fact that the individual chooses to take the risk, and though the end result may affect his family, smoking—unlike air and water pollution—is not a threat to community health. As long as the individual is aware of the possible dangers, it is additionally well to ask if he should be allowed to make this choice—as one might choose to walk a tightrope across Niagara Falls.

There are multiple reasons to disagree with a ban on tobacco by governmental authority. And concerning advertising, as long as anti-tobacco commercials are presented, we think smokers get the picture.

[From the Chicago (Ill.) News, Feb. 13, 1969]

THOSE TV CIGARETTE ADS

The Federal Communications Commission's new proposal to ban television advertising of cigarettes is impertinent on several counts.

To begin with, it makes little sense to legalize the advertising while the product itself is legal. A judicial body would readily recognize this; as a quasi-judicial body the FCC has let its arrogance outrun its good sense. And it compounded the mischief by indicating it might discriminate in favor of cigarettes low in tar and nicotine. Is the FCC going to set itself up as medical authority as well as judge and jury?

The FCC proposal deliberately puts pressure upon Congress to provide collaborative support in the drive to ban TV cigarette ads.

A 1965 congressional act prohibits any federal, state or local agency from regulating cigarette advertising. The provision will expire June 30 unless Congress acts to retain it. Congress is thus pushed into the position of having to act by that deadline or accede to the "law" that has been promulgated by the agency.

We urge Congress to take this matter decisively out of the hands of the FCC. It should at least continue its restriction on the FCC. Meanwhile it should do what the FCC, in its arrogance, neglected to do. That is to examine the legislative alternatives in depth and detail, and to find out what the likelihood is of voluntary industry action. We do not know how the industry would view such a voluntary ban or curtailment. But we believe Congress will perceive its duty to pass such regulatory laws as it considers in the public interest but stop short of proscribing the advertising of a lawful product.

[From the Aurora (Ill.) Beacon-News, Feb. 20, 1969]

ARROGANT ACTION

Understanding the issue, the plan of the Federal Communications Commission to bar

cigarette advertising from radio and television is arrogant, high-handed and unconstitutional.

FCC is taking the draconic step because it believes cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television cigarette ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigarette advertising. The law expires June 30—the day the FCC ban is designed to take effect. This is an unwarranted pressure upon Congress to enact further restrictions.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Chicago (Ill.) Tribune,
Feb. 13, 1969]

CIGARETTES AND THE FCC

As long as it is lawful to grow tobacco and manufacture and sell cigarettes, does an agency of the executive branch of government have the power to prohibit advertising of them on television and radio? If the government can ban advertising of cigarettes in the electronics media, could it not also place similar restrictions on the printed word? And if a federal agency can outlaw cigarette advertising as not being "in the public interest," could it not act similarly on other products?

These would seem to be central issues in the Federal Communications Commission's proposal to prohibit cigarette advertising on TV and radio. When the matter last came up four years ago Congress answered with a law forbidding any federal, state, or local agency from regulating cigarette advertising. This law expires next June 30, and unless Congress extends it, the FCC has announced its intention to proceed with its proposed ban.

The FCC maintains its authority to do so "flows, we believe, directly and as a matter of common sense from the public interest standard in view of the hazard to public health here involved." Its critics assert, with considerable justification, we think, that the commission's licensing authority over TV and radio stations is being converted into arbitrary acts of censorship in violation of the free speech provisions of the 1st amendment.

What Congress will do is anybody's guess at this point. If it fails to continue to curb the FCC's grab for power, the whole matter probably will be tested in the courts by the tobacco and broadcasting industries. This is what they should do, for a substantial constitutional issue is involved.

It is important to keep the legal and medical aspects of the controversy separate. By law, cigarette packages are required to carry the printed warning that smoking may be hazardous to health. Presumably, the FCC considers that persuasion, supported by some medical evidence, is insufficient to meet the problem, and so has assigned to itself the role of public protector.

If Congress should decide to go along with this philosophy, then to be consistent it might be expected to go a step further and

stop federal subsidization of tobacco growers. Government-guaranteed prices for tobacco farmers have for years encouraged production of ample supplies of this commodity. Can Congress sanction a prohibition against advertising of a product it subsidizes?

[From the Chicago, (Ill.) Sun Times, February 14, 1969]

TUNE OUT THE FCC

The Federal Communications Commission is assuming more authority than it is entitled to. It has proposed that a ban should be put on the television advertising of cigarettes on the ground that cigarettes are a health hazard. It would exempt—perhaps—those cigarettes that are low in tar and nicotine.

The FCC is dead wrong on several counts. One is that it makes no sense at all to say a product is legal and may be manufactured but that it is too dangerous to be advertised for sale on one specific medium of public information. We dare say more persons die in auto accidents than die from the effects of smoking cigarettes. Why not ban auto advertising as well—or the advertisements for every other product that might be an instrument of death to the unwary, including the family bathtub?

In 1965 an act of Congress decreed that no federal agency could regulate cigarette advertising. The prohibition runs out June 30. The FCC is, it would seem, deliberately pushing Congress to either renew the prohibitory regulation or meekly accept the FCC's arrogant assumption that it is qualified and authorized to censor advertising.

We do not believe the FCC should have that power.

We suggest that Congress let the FCC know where its place is and put it there, by renewing the 1965 act which prevents federal, state and local agencies from regulating cigarette advertising. Once that is done Congress should then take up the admittedly difficult problem of resolving the conflicting medical opinion on the dangers of cigarette smoking and decide if the product should be changed to protect the public or let alone.

[From the Joliet (Ill.), Herald-News, Feb. 20, 1969]

AN ARROGANT ACTION

Understanding the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, highhanded and unconstitutional.

FCC is taking the draconic step because it believes cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television cigarette ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

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Congress passed a law in 1965 banning further restrictions upon cigarette advertising. The law expires June 30—the day the FCC ban is designed to take effect. This is an unwarranted pressure upon Congress to enact further restrictions.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Elgin (Ill.) Courier-News, Mar. 5, 1969]

AN ARROGANT ACTION

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[From the Rockford (Ill.) Star, Feb. 7, 1969]

FCC WAY OFF BASE

The issue: FCC's proposed ban on cigarette advertising over television and radio.

Principal purpose of the Federal Communications Commission (FCC), established in 1934 as the successor to the Federal Radio Commission, was and is to ensure that there is equitable use of available broadcast channels to prevent chaos on the airwaves.

The FCC's proposal this week that a ban be placed on cigarette advertising over television and radio is an unprecedented abuse of the democratic process.

The FCC has no authority to tell either television or radio stations what they may say in their programming and advertising. This right is protected under the First Amendment of the Constitution, which guarantees the right of free speech and freedom of the press.

If any government agency or even the executive or legislative branches of government has the power to prevent the advertising of cigarettes on radio or television, it also has the power to prevent similar advertising from being presented through the printed word.

There are many products being sold today which could be injurious to the health of citizens if used unwisely. Many medicines, if taken in excess, could result in death. Automobiles in the hands of dangerous drivers are lethal weapons.

If the federal government or any of its arms, without constitutional amendment, can lawfully rule out the advertising of any product which might be injurious, then the American people are subject to the whim of the government.

Congress in 1965 outlawed any federal or state controls on cigarette advertising. Instead, it required a health hazard warning on cigarette packages. But this law is due to expire on July 1.

Unless Congress extends the present law, or passes a new law, the decks presumably would be clear for regulatory agencies to impose new rules.

There is one real way to deal with the cigarette problem. If the public desires it, a constitutional amendment prohibiting the manufacture, sale or transportation of such products could be adopted.

That was the route taken in 1919 on alcoholic beverages. But prohibition was repealed in 1933.

If Congress ducks the issue and the FCC does implement its proposed ban on cigarette advertising on television and radio, a court test of the constitutionality of such an action will be demanded immediately.

And it is beyond comprehension how the Supreme Court of the United States can possibly rule that a federal agency can bar the advertising of cigarettes on radio and TV, while at the same time cigarettes may be advertised in print.

This FCC action is a display of bureaucratic arrogance at its worst.

[From the Mt. Carmel (Ill.) Republican-Register, Feb. 7, 1969]

PUBLISHER'S COMMENT: THE RIGHT HAND KNOWETH NOT

(By John F. Hurlbut)

The latest furor over cigarettes is indicative of what can happen when a government becomes a huge, sprawling complex of bureaus.

What often emerges is an indefinite and contradictory pattern of action.

This week the Federal Communications Commission—the body which licenses and regulates radio and television broadcasting stations—proposed that cigarette advertising be eliminated from the air waves.

Previously, the FCC had directed stations which carried cigarette advertising to carry a "significant amount" of anti-cigarette smoking public service messages.

Another arm of government had, of course, directed that all cigarette packages be labeled with a warning about the possible hazards of smoking cigarettes.

And publication of findings concerning the probable harm from cigarette smoking involved even more government funds.

And this action adds up to discouraging the sale of cigarettes and indirectly the production of tobacco.

Meantime, though, back in the Department of Agriculture (same government, same city), there have continued subsidies, research and all sorts of other aids to help farmers produce more tobacco more efficiently.

So out of Washington has come this curious pulling and hauling having to do with tobacco.

This is a serious matter. In Kentucky alone, some 70 percent of the agricultural crop is tobacco. In the Carolinas and Virginia, substantial industrial employment is involved.

And as far as TV is concerned, about 10 percent of its national advertising revenue is concerned with cigarette advertising.

So there is considerable economic interest involved and understandable pressure.

What seems unfair is this. If indeed, the government has proof positive that cigarettes are that dangerous, why is it that this government resorts to sporadic, half way measures?

If it is concluded that cigarettes are a hazard to American health, why not regulate and limit the sale to those, say who cannot kick the habit, who have a medical need (if indeed such exists)?

It seems unfair to find taxpayer money, on the one hand stimulating the production of tobacco and on the other, limiting the sale of some tobacco products (and cigarettes account for the bulk of tobacco sales.)

But it's just more proof that often the right hand knoweth not what the left is doing . . . especially in Washington.

CXV—786—Part 9

[From the Anderson (Ind.) Herald, Mar. 1, 1969]

THE BIG POWER PLAY

The recent proposal of the Federal Communications Commission to ban all cigarette advertising from radio and television could well be the first step in a gigantic power grab that eventually will encompass all forms of advertising.

Advertising exists as a method for the manufacturer or retailer to explain the merits of his product to the consumer. Most consumers follow advertising and try many products on the basis of what they have heard and read in the advertisements.

It is not within the province of any governmental agency or bureau to decide what is good or bad for the American public. If cigarettes can be "hazardous to your health" as manufacturers are forced to declare on all packages, then so is overeating, excessive use of alcohol and some patent medicines. We do not feel, however, that it is the business of the FCC to pass judgment on such matters.

Congress has the duty and the responsibility of protecting the people it represents and of preventing regulatory agencies from grabbing power to control what Americans see, hear and read.

[From the Rock Island (Ill.) Argus, Feb. 7, 1969]

TV CIGARETTE AD BAN?

The Federal Communications Commission, which has proposed a ban on all cigarette advertising over television and radio, will sit back and wait to see what Congress does about it. We suspect it will have a long wait.

Although statistical evidence has linked cigarette smoking with lung cancer, this is just one hazard of life, like driving on any business highway.

Moreover, we suspect the members will ask themselves whether the advertising ban would really curb smoking. The cigarette makers would concentrate on other advertising media. Put a ban on them too? And on automobile ads as well? There are constitutional limits in such matters, which the highest courts would have to pass on.

[From the Indianapolis (Ind.) Star, Feb. 26, 1969]

GRAB FOR POWER?

The recent Federal Communications Commission proposal to ban all cigarette advertising on radio and television could be the first step in a grab for power to control all advertising of any product by government edict.

Whether a person smokes tobacco, in any form, is after all, the business of the individual involved. So is it his business what he eats, what he wears, what toothpaste, deodorant or headache potion he uses, what automobile he drives, what gasoline or oil he prefers. These are matters of individual preference.

Advertising exists to explain the merits of a product to the consumer, to point out that an item is being offered for sale. In strictly institutional advertising the message is less clear but is usually dedicated to extolling the company presenting the ad.

If the FCC can succeed in eliminating the broadcast advertising of cigarettes it can also succeed in eliminating the advertising of other products.

It is not the province of a government agency to decide what is good and what is bad for the American people. More than an issue of health is involved here. If the FCC can censor cigarette ads then it can also censor other material presented over the airwaves—programs as well as ads.

Cigarette smoking may, as the government-instituted warning on the package says, "be hazardous to your health." So is

overeating or excessive consumption of certain patent medicines. But it is not the business of the FCC to pass judgment on such matters.

It would appear that the FCC has leaped to a conclusion on a subject still in controversy among many persons better qualified to judge than the would-be censors.

Congress has the duty and responsibility of protecting the people it represents, and of preventing regulatory agencies under its control from grabbing power to control what Americans see, hear and read.

[From the Indianapolis (Ind.) Star, Feb. 9, 1969]

THE FCC REACHES OUT

The proposal of the Federal Communications Commission for a ban on radio and television advertising of cigarettes is glaring evidence of the evils of unbridled regulatory power.

As things now stand the FCC is prohibited from issuing such an order. The 1965 law requiring a health warning on cigarette labels forbids the FCC to impose changes in cigarette advertising. This law will expire in June, unless extended.

Thus the FCC proposal amounts to fair warning of the sort of thing the commission will do if it has a free hand.

The power of the FCC to make such a ban—if the present prohibition should expire—was immediately challenged by the National Association of Broadcasters. We hope the NAB is right.

The power to ban—by decree—the advertising of a legal product would be an awesome power for the FCC or any other regulatory agency to have. This is power to strike a severely damaging blow to whole industries, on the basis of nothing more substantive than the opinions of the commission members.

Even more than that is involved. If the FCC has power to ban the advertising of a particular product, what is to prevent the extension of that power to complete control over all advertising and programming on radio and television?

The FCC has in fact been moving toward assertion of such power. Last June the FCC issued an order that broadcasters who carry cigarette advertising must also broadcast "a reasonable amount" of anti-cigarette announcements. It claimed authority to do this under its "fairness doctrine."

That was a precedent-setting action. It was the first time the fairness doctrine had been applied to advertising. If the precedent stands, who knows what other demands the FCC may make on broadcasters to give time for answers to their advertising?

Even more significantly, this order of the FCC imposed on broadcasters the obligation to give time to a specified kind of propaganda. If this precedent stands, what other kinds of propaganda may the FCC decree to be imposed on the ears and eyes of American radio and television audiences?

The power to do that is terrifying in its potential.

As to the specific controversy about cigarettes and health, decisions on action to be taken should be made by Congress. They should not be made by a regulatory body, and especially not by one whose competence and jurisdiction lie far outside the field of health.

In the absence of an authoritative, documented finding that cigarettes are so injurious that their manufacture ought to be prohibited, Congress has already gone about as far as it ought to go in attempting to discourage their use.

More urgently, Congress should review the authority of the FCC and the ways in which it is using its authority to control what Americans hear and see. On its present

course, the FCC has the makings of a powerful manipulator of the feeding of propaganda to the public.

That's not what it was intended to be, nor what it should be. Congress should trim it back to proper size.

[From the Muncie (Ind.) Star, Mar. 1, 1969]
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Whether a person smokes tobacco, in any form, is after all, the business of the individual involved. So is it his business what he eats, what he wears, what toothpaste, deodorant or headache potion he uses, what automobile he drives, what gasoline or oil he prefers. These are matters of individual preference.

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It is not the province of a government agency to decide what is good and what is bad for the American people. More than an issue of health is involved here. If the FCC can censor cigarette ads then it can also censor other material presented over the airwaves—programs as well as ads.

Cigarette smoking may, as the government-instituted warning on the package says, "be hazardous to your health." So is overeating or excessive consumption of certain patent medicines. But it is not the business of the FCC to pass judgment on such matters.

It would appear that the FCC has leaped to a conclusion on a subject still in controversy among many persons better qualified to judge than the would-be censors.

Congress has the duty and responsibility of protecting the people it represents, and of preventing regulatory agencies under its control from grabbing power to control what Americans see, hear and read.

[From the Muncie (Ind.) Star, Feb. 16, 1969]
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The proposal of the Federal Communications Commission for a ban on radio and television advertising of cigarettes is glaring evidence of the evils of unbridled regulatory power.

As things now stand the FCC is prohibited from issuing such an order. The 1965 law requiring a health warning on cigarette labels forbids the FCC to impose changes in cigarette advertising. This law will expire in June, unless extended.

Thus the FCC proposal amounts to fair warning of the sort of thing the commission will do if it has a free hand.

The power of the FCC to make such a ban—if the present prohibition should expire—was immediately challenged by the National Assn. of Broadcasters. We hope the NAB is right.

The power to ban—by decree—the advertising of a legal product would be an awesome power for the FCC or any other regulatory agency to have. This is power to strike a severely damaging blow to whole industries, on the basis of nothing more substantive than the opinions of the commission members.

Even more than that is involved. If the FCC has power to ban the advertising of a particular product, what is to prevent the extension of that power to complete control

over all advertising and programming on radio and television?

The FCC has in fact been moving toward assertion of such power. Last June the FCC issued an order that broadcasters who carry cigarette advertising must also broadcast "a reasonable amount" of anti-cigarette announcements. It claimed authority to do this under its "fairness doctrine."

That was a precedent-setting action. It was the first time the fairness doctrine had been applied to advertising. If the precedent stands, who knows what other demands the FCC may make on broadcasters to give time for answers to their advertising?

Even more significantly, this order of the FCC imposed on broadcasters the obligation to give time to a specified kind of propaganda. If this precedent stands, what other kinds of propaganda may the FCC decree to be imposed on the ears and eyes of American radio and television audiences?

The power to do that is terrifying in its potential.

As to the specific controversy about cigarettes and health, decisions on action to be taken should be made by Congress. They should not be made by a regulatory body, and especially not by one whose competence and jurisdiction lie far outside the field of health.

In the absence of an authoritative, documented finding that cigarettes are so injurious that their manufacture ought to be prohibited, Congress has already gone about as far as it ought to go in attempting to discourage their use.

More urgently, Congress should review the authority of the FCC and the ways in which it is using its authority to control what Americans hear and see. On its present course, the FCC has the makings of a powerful manipulator of the feeding of propaganda to the public.

That's not what it was intended to be, nor what it should be. Congress should trim it back to proper size.

[From a WMT stations editorial,
Feb. 13, 1969]

A SHORT STEP

The Federal Communications Commission has begun action to eliminate all cigarette advertising from radio and TV. The FCC believes that cigarette smoking is a habit which, in their words, may contribute to the early death of the user; that broadcasters have a duty to operate in the public interest; and that it is not in the public interest to advertise something which is harmful.

First, let's dispose of the suspicion that we may be influenced by self-interest. It's true that the WMT Stations are paid to advertise cigarettes, but this represents a small part of our income, not too hard to replace. It is our opinion that the FCC attempt to deal with the cigarette issue is ill advised for three reasons. First, if its object is to curtail cigarette smoking, it's not likely to be effective. England banned cigarette advertising on television in 1965 and forced a cut-back on advertising in other media. Yet cigarette smoking has increased in England.

Second, this new move by the FCC represents a new extension of government power. It's the first time they've proposed to ban any kind of advertising. If a government agency can control advertising, it's a short step to control other kinds of information.

Finally, we believe the cigarette issue involves a basic question of national policy which more properly should be determined by Congress. If cigarette smoking is, in fact, as deadly as some health authorities believe, then we should adopt a national program designed to discourage it by every possible means. But it should be tackled head-on by Congress, not indirectly by a single government agency.

[From the Topeka (Kans.) State Journal,
Feb. 7, 1969]

FCC REACHES FOR POWER

At this point, it is difficult to determine whether the Federal Communications Commission is attempting to pressure Congress into continuing the health warning on cigarette packages, or is trying to break new ground in censorship of radio and television advertising.

Either effort falls beyond the legal and ethical authority of the FCC, and will certainly draw plenty of fire from interested congressmen and senators.

A 1965 law, which requires cigarette manufacturers to print the warning, "Caution: Cigarette Smoking May Be Hazardous to Your Health," on every pack, expires June 30 this year unless Congress re-enacts it.

That same law, possibly anticipating the FCC, prohibits it from imposing any change on cigarette advertising on radio and television, which, an industry spokesman reported, produces about \$215 million annually in advertising income.

Wednesday, FCC members voted 6 to 1 to ban all cigarette advertising on radio and television if Congress allows the 1965 statute to lapse.

Although the FCC now lacks the authority for its action, Rosel H. Hyde, FCC chairman, said the action amounts to giving notice to Congress of the FCC's intentions should the law be allowed to die.

Apparently the FCC selected this sensitive area to test its authority to regulate, change or prohibit certain types of advertising from radio and television. FCC members were aware adversaries on the question of cigarette advertising and smoking are both powerful and articulate.

If the FCC, moving behind the sound and fury of the controversy over cigarette advertising, should succeed in establishing its authority to control all radio and television advertising, it truly would be the czar of the industry.

Already there are controls which prohibit fraudulent, misleading and dishonest advertising. This is as it should be. Federal agencies concerned, aided strongly by advertising industry organizations, are constructively scrutinizing advertising in all media, including the press, to make certain it meets minimum standards.

Congress may simply re-enact the 1965 statute which, beyond opposition by tobacco interests, drew no public criticism or attention.

It appears the FCC, like the cold camel, is attempting to get its nose under the tent.

[From the Waterloo (Iowa) Courier,
Feb. 7, 1969]

START NEW PROHIBITION EXPERIMENT?

The Federal Communications Commission has asked Congress for authority to ban cigarette advertising on radio and television.

We are confident that Congress will see the inherent fallacy of such a proposal.

If cigarettes are so bad that they should not be advertised, then they obviously are so bad that they should be banned entirely.

There is no argument which could be used to ban advertising a product which is not equally valid for national prohibition.

Perhaps the nation should embark on a new prohibition experiment. The Women's Christian Temperance Union has entirely valid arguments regarding the abuses of liquor. People did get drunk and do terrible things. They still do. People ruined their health with alcohol. They still do. So Congress passed the Volstead act and created bootlegging operations which resulted in more abuses than the sale of liquor.

It is, of course, a tribute to the power of advertising that the FCC believes that elim-

inating radio and TV commercials on cigarettes would cause their use to decline. Certainly the advertising will play a large role in determining which brand the purchaser may buy.

But the elimination of liquor advertising during prohibition did not cause the American people to cease buying liquor. Prohibition merely caused the price to increase and the distribution system to be organized by gangsters who killed each other for exclusive territorial rights.

We see no reason to think that prohibition of cigarette sales would have any different result.

[From the Lexington (Ky.) Leader, Feb. 14, 1969]

CIGARETTES AND TELEVISION

Though the matter hasn't really been settled with any scientific exactitude, it's pretty clear by now that cigarette smoking—like a lot of other things—may indeed be hazardous to your health. And that does raise the question whether cigarette makers should be touting their products with abandon on radio and television.

If you answer that question in the negative, and many people do, a couple of other questions arise: Who should remove cigarette commercials from the broadcast media? And how, precisely, should they go about it?

Well, the Federal Communications Commission, never exactly bashful, appears to feel sure it has the answers to all those queries. Last week it announced that it planned to bar cigarette ads from radio and television.

The commissioners presumably are responsible men, sincerely concerned about the nation's health. Even so, however, there were other approaches open to the agency. For example, it could have proposed detailed legislation to Congress or encouraged current tobacco industry consideration of a voluntary ad ban.

Congress, after all, passed a 1965 law designed to prevent further restrictions on cigarette advertising. The FCC ban is scheduled to take effect only after that law expires on June 30. The agency thus is putting extreme pressure on Congress, a procedure that is—to put it mildly—fairly arrogant.

The arrogance of the agency shows up even more clearly in the suggestion that it may exempt cigarettes that are low in tar and nicotine or include certain types of filters. Thus the commissioners, presumably chosen for their ability to oversee the communications business, not only propose to rule that a product is bad for the citizens but may even hold that some types of that product are less bad than others.

[From the Ashland (Ky.) Independent, Feb. 18, 1969]

FCC'S CENSORSHIP

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Congress has seen no need for another noble experiment. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air.

What the FCC offers is another example of what President Eisenhower once derided as "Washington poking its long nose where it has no right to be."

[From the Paducah (Ky.) Sun-Democrat, Feb. 7, 1969]

THE FCC—EVERYBODY'S BIG BROTHER

The Federal Communications Commission has just proposed to ban cigarette advertising on radio and television. A 6-to-1 majority of the board members of the regulatory agency announced the decision to take this step, unless Congress does it for them or takes away the authority they claim to have.

Not unexpectedly, the decision was hailed with enthusiasm by the cancer society and other enemies of cigarette smoking; and with cries of anguish from the tobacco industry and the broadcasters. They all, however, are missing the main point—which is, that no governmental administrative agency in this country, federal or otherwise, has the legal right to do what FCC proposes to do. Perhaps Congress can give FCC such powers, and perhaps it will do so some day. But we can safely bet long odds that even Congress, if it attempts an outright ban on advertising cigarettes or another product whose retail sale has not been prohibited, will have to await the final word of the Supreme Court.

There must be something special about serving as a member of the FCC. We suspect we know what it is. FCC is the only agency having extensive regulatory powers over a major medium of news and information. Therefore it affords its policymakers unique opportunities for imposing, or attempting to impose, their personal opinions on the entire public. That is why Congress, in the Communications Act creating FCC, specifically excluded from the agency's powers any license to influence or censor programs or program content.

Whether this restriction applies in the present circumstances is for Congress and the courts to decide. But this fact does not seem to inhibit the FCC from trying to be everybody's Big Brother.

[From the Morganfield (Ky.) Union County Advocate, Feb. 20, 1969]

WHY SINGLE OUT CIGARETTES?

The Federal Communications Commission, long a governmental bastion of dispute and whose recent rulings have caused nothing but confusion for the radio and television stations affected by their decisions, recently concluded that broadcasters must carry anti-smoking messages during their programming hours.

Actually what the FCC ordered is that broadcasters carrying cigarette commercials contribute a significant amount of time, on a regular basis, for information and education about the hazards of smoking.

Quite naturally the cigarette lobby has appealed to the Supreme Court, hoping for a reverse of a U.S. Circuit Court of Appeals decision last November which upheld the FCC's rule.

The tobacco industry's appeal is based primarily on the protection guaranteed by the First Amendment to the Constitution which they say protects broadcasters from "governmental dictation of what (sic) may say." The broadcasters and the tobacco industry rightly feel that the current warning imprinted on cigarette packages is sufficient. What is really needed is an in-depth study of the Federal Communications Commission.

[From the Salem (Mass.) News, Feb. 11, 1969]

SMOKING ONE HAZARD—GOVERNMENT ANOTHER

The Federal Communications Commission has embarked on still another new course for the U.S. Government by moving to ban cigarette advertising from television and radio programs.

The FCC's motives are of the highest and we all know that cigarette smoking has been characterized as a hazard to one's health, but we question the move.

The question comes down almost as to whether smoking or the long arm of the

federal government represent the biggest hazard.

Prohibition proved a colossal flop because Americans, by their very independent nature, chose to drink alcoholic beverages whether "big brother" told them to or not.

Too much of anything, booze or cigarettes, is bad for one's health.

Too much of the federal government is bad, too.

Our younger people will have to become educated to the dangers of cigarette smoking. We can lead them by the hand but we cannot force them not to start smoking, nor to stop if they have begun.

The example of parents, the advice of medical men and education in our schools should be the controlling segments if we are to keep the next generation from smoking themselves to death.

The federal government should only advise and consent, as it has done in competent fashion through the office of the U.S. surgeon general.

The message which have been placed on cigarette packages advising of the possible health hazards are other acceptable warnings.

Despite all this, we harbor serious reservations about the federal government's sticking its cotton-picking hands into the advertising business and telling us what products we can and cannot advertise.

[From the Athol (Mass.) News, Feb. 8, 1969]

CIGARETTE ADS

The Federal Communications Commission would like to bar cigarette advertising from television and radio. By a six to one vote, the commission adopted a regulation banning the advertising and it will become effective unless Congress allows the present labeling provision to lapse on July 7.

The commission holds power over TV and radio because of the necessity for licensing. Both use the public airways and have exclusive rights to assigned channels in their own territories. They are, therefore, not in the same position as newspapers and other publications, which have no such exclusive rights and do not make use of public property.

Nevertheless, since TV and radio are allowed to carry advertising, and since cigarettes are legal, the commission's position is unsound. It should be possible to advertise anything that can be legally offered for sale.

On a selfish basis, newspapers might be inclined to approve the commission's ban. Television took in about 264 million dollars from cigarette manufacturers last year and newspaper income from them has declined to a dribble. But the principle involved is more important than dollars. If the FCC is so desperately concerned about the use of cigarettes, it should propose that all sale of them be prohibited.

[From a statement of the Springfield Television Broadcasting Corp., Mar. 27, 1969]

A while ago the Federal Communications Commission announced that it would consider the adoption of a rule to forbid its licensees to advertise cigarettes. Their reason for considering this is that the Surgeon General some years ago found cigarette smoking to be hazardous to health, and, people who use the public's airways should not be urging people to buy these awful things.

Now maybe it is possible that the public wouldn't buy cigarettes if they weren't advertised on the air but only in the newspapers, billboards, magazines, direct mail and all the other countless varieties of advertising. We are inclined to think however that even though television and radio are very effective media they, unfortunately, are not the only ones. I guess popularity has its price—the FCC has to do something and this looks like action. But the Postmaster hasn't started to take away his subsidy—a very real dollar expenditure—from the newspapers and

magazines because they engage in this evil practice.

It is sometimes frightening to think how close 1984 really is. Our federal government has mammoth research programs designed to improve the growing of tobacco. We spend millions of dollars in aid to this kind of farming through the Department of Agriculture. To smoke cigarettes is legal. It may be harmful to your health, like countless other forms of human activity but it is not against the law. It merely aids in the consumption of a commodity that our government is encouraging people to grow.

Cigarettes are probably not a great deal more hazardous to health than automobiles which kill hundreds of thousands each year. There is no arguing about it—they are dead and automobiles give off vast quantities of smog that we are told aids in the killing of many others; but automobiles are legal. You can advertise them. This is, unfortunately, an example of what happens when government instead of doing its fundamental and proper tasks finds itself catering to minutiae which are none of its business in the first place.

[From the Springfield (Mass.) Union,
Feb. 19, 1969]

A DISCRIMINATORY PLAN

The intent of the Federal Communications Commission to ban cigaret advertising from television next June, unless an existing law against new restrictions on the promotion or sale of cigarets is extended by that time, does not promise much in the way of a decline in cigaret smoking.

By now it is quite apparent that the clear statistical link between cigaret smoking and the incidence of lung cancer and other diseases has not interfered significantly with the smoking habits of Americans. The report of the U.S. surgeon general five years ago showed only a temporary deterrent effect. Just as there are excuses for not using safety belts, reasons are found to continue smoking cigarets. Strict curbs on cigaret advertising in Great Britain have produced no significant decline in the habit there.

The question, then, of why the manufacturers bother to advertise at all can be answered in one word: competition. The proliferation of brands in the past 20 years or so has been accompanied by the pouring of millions of dollars into the fight, via radio and television, for the cigaret smoker's favor. If expenditures on such promotion must be withdrawn, tobacco company stockholders may have something to cheer about. But radio and television stand to lose between 6 and 7 per cent of their total annual revenues.

There is merit in the argument that any product which is manufactured and sold legally should have the right of legal advertising. Liquor, automobiles and guns can be extremely dangerous if not handled properly, but there is no prospect of restrictions on the advertising of such products. An FCC ban on cigaret advertising would have to be discriminatory.

Preserving the income from such advertising for the radio and television industry would not guarantee better programing; but taking it away would impair the quality of what is good now and make the bad even worse.

[From the Worcester (Mass.) Telegram,
Feb. 10, 1969]

AN ALARMING PROPOSAL

The Federal Communications Commission proposal to ban all cigarette advertising on the air is alarming.

For the first time in its history, that federal agency is trying to prohibit one kind of broadcast advertising. Inescapably, that is government censorship.

It is possible to sympathize with the FCC's motives, yet find its methods terribly

wrong. The commission is required to see that the airwaves are used in the public interest. It had decided that cigarette smoking is bad and, to protect the public interest, must not be promoted on the air.

The degree to which cigarettes may be dangerous to health is not the real issue here. Agency-decreed censorship is.

If a government bureau can decide to bar the advertising in a licensed medium of any consumer product that it believes is harmful, where does that lead? Why stop at cigarettes? A variety of other items, ranging from beer to automobiles, might be given the same treatment. If the restriction on cigarette ads were to stick, tomorrow a simple edict from a federal agency could outlaw advertising of coffee or detergents or fluoridated toothpaste, or whatever else the agency decides is not good for the public.

If smoking is as dangerous as the U.S. Public Health Service and some private agencies claim, the logical way to deal with the problem would be to ask Congress for a law prohibiting the manufacture, sale and transportation of cigarettes. Presumably the public would not stand for such a measure.

So the backdoor approach is tried. Sales would be perfectly legal, but the manufacturer couldn't talk about his product on the air. He could not even buy the time to reply on his own terms to criticism of that product.

Cigarette smoking is not compulsory. There is an unending stream of anti-smoking warnings, including those on radio and television. By now, surely, hardly anyone is unaware of the Public Health Service's view of the dangers of excessive smoking.

The issue here is not the truthfulness of advertising. That is a matter for the Federal Trade Commission. In this case, the communications commission suggests rather that certain advertising must be barred no matter how truthful it is and no matter how freely the product may be sold.

Millions of dollars are being spent in scientific exploration of ways to curb cancer and heart disease. That is an established government function. Cigarette smoking itself can be discouraged in many ways, with education being the most effective tool. Government is active in that field.

But it is not a sound rule, in a free society, for a government agency to tell persons they can't talk about a product, if they intend to praise it. If they want to knock it, they are free to advertise endlessly.

The FCC may have the right problem, but it has the wrong solution. Government prohibitions against advertising of legitimate products will not serve the public interest well in the long run.

[From the Detroit (Mich.) Free Press,
Feb. 24, 1969]

FCC LIKELY TO GET NOTHING

The Federal Communications Commission and its chairman, Rosel Hyde, are coming in for assorted mayhem these days, and rightly so. The FCC recently voted, 6-1, to ban cigaret advertising from radio and television, shortly after June 30, unless Congress decides otherwise.

The FCC's concern is legitimate. Though the tobacco industry still insists that no links have been proven between smoking and lung cancer, it is a defense which is hard to support.

But the FCC's method is heavy-handed, if not outright unconstitutional. It is proposing to deny to an industry the right to use the airwaves to sell a legal product.

This newspaper would almost certainly profit from such a ban. The cigaret industry would merely put more of its advertising budget into the print medium. That does not alter our opposition. Nor should it alter the opposition of anyone else.

Mr. Hyde, in defending his proposal, pointed out that lung cancer kills some 50,-

000 people a year. So, by coincidence, do automobiles.

Cigaret advertising does indeed sing the siren song of sex and success, of babbling brooks, virile men and gorgeous, pliant women. So do auto ads. As the Charlotte Observer asks, "What would that be the next category for a ban? Or would beer come next?"

Perhaps the FCC should first get together with another agency of government, the Agriculture Department, so that the right hand can learn what the left hand is doing. On the day of the FCC announcement, Agriculture announced it was giving 9.5 million pounds of tobacco to South Vietnam to help control inflation there. Agriculture also supports tobacco prices through the Commodity Credit Corporation, and spends millions annually promoting American tobacco in foreign nations.

The FCC has the power to see that ads are truthful, accurate and not misleading. But the built-in conflict in government spending, plus the FCC's all-or-nothing approach, are more likely to result in nothing at all.

[From the Flint, (Mich.) Journal, Feb. 7, 1969]

TV CIGARETTE AD BAN ALARMING PATERNALISM

Eleven months ago, the Federal Trade Commission adopted by a 3-to-2 vote a recommendation to prohibit all advertising of cigarettes on television and radio.

The Flint Journal expressed concern that such a proposal was dangerously paternalistic and smacked of the type of thinking that plunged this nation into the pitfall of the 18th amendment and all its attendant ills.

There was a surprising, to us, lack of reaction to the proposal, but it might have been because many persons thought of it as only a trial balloon, or as being so farfetched as not to be worth worrying about.

Now the Federal Communications Commission has advanced the proposal one more step.

The FCC (by a 6 to 1 vote) has announced that it will, in effect, carry through such a prohibition unless it is prevented from doing so.

The Tobacco Institute and the National Association of Broadcasters naturally have issued a protest. The American Cancer Society has applauded the move.

Both sides are special-interest groups which have a right and an obligation to speak out on matters so vitally affecting them. The public should listen to them, bearing in mind that they are speaking from a self-interest viewpoint but at the same time admitting that each side has legitimate points to make.

The Flint Journal has no brief for the tobacco industry. The industry has no greater influence over our editorial policy than any other segment of society, and certainly no greater influence than the American Cancer Society.

Prohibiting tobacco advertising on radio and television would, if anything, only increase revenue from that source for newspapers and other publications. Neither way would it be a factor in our condemnation of the philosophy behind such a decision.

What the FCC is saying is simply it knows best what is good for the adults of our nation and it is its duty to protect them from their own bad habits.

It is not, despite any sophistry, a case of protecting the people from a deliberate deception. No person who can read or can hear today can be unaware of the fact that smoking is strongly suspected as a cause of lung cancer and other serious ailments. The packages, themselves, tell the smoker of his risk.

The FCC has, therefore, concluded that it must do the thinking for adults who still choose to smoke, just as the government once decided that the citizens hadn't gotten the

message about "the devil rum" and therefore it must protect the individual from himself.

Even more presumptuously, the FCC has decided it must do the thinking for Congress, its creator, which certainly has never given the FCC any indication it believes the FCC would suppress cigarette advertising over the airwaves.

This proposal is bureaucratic paternalism of the most dangerous kind and should be squashed as fast and as completely as possible.

[From a Grand Rapids (Mich.) WOOD Radio-TV editorial, Feb. 10, 1969]

We pride ourselves on our freedoms . . . among them, the freedom to listen, look at, or read whatever, whenever we please.

But those freedoms can be lost. Take what happened a few days ago. A federal agency proposed a rule which will remove your right to watch or listen to cigarette advertising on radio and television.

Your personal feelings about smoking shouldn't cloud the issue at stake here. The point to keep in mind is the unalterable reality that cigarettes, like wash tubs or automobiles, are a legally accepted, legitimate product in the United States. In a free enterprise system a legally accepted legitimate product can be advertised by any method the advertiser chooses . . . newspapers, billboards, magazines, radio, and television.

Government has now interfered with this free enterprise process. Because radio and television are licensed, government chooses to use its authority to keep you from hearing or seeing any more about cigarettes. Government took this action even though there are differences of opinion about damage caused by cigarette smoking; even though some people may think such advertising is proper and enjoyable and even though it severely penalizes legitimate companies manufacturing legitimate products . . . products which the same government encourages by awarding agricultural subsidies to tobacco farmers.

Some of you may think we're objecting to the advertising ban because we'll lose some advertising money. Well, we may lose some money, but not enough to affect WOOD Broadcasting. Cigarette advertising on WOOD accounts for six percent of our business. Obviously, in today's television market there are plenty of other sponsors who would be glad to take over the cigarette time. Our financial status isn't the issue. The real issue—without frills—is whether government can dictate what you ought to see and hear about any legally accepted, legitimate product in this country.

If cigarettes are a menace, then government should, first, ban their production and use. Then all advertising will cease. But the government didn't do that because it couldn't be done.

There is an off and on button on radio and television sets. We'd be a lot more comfortable and the country would be better off if you retained your right to see and hear rather than government deciding what's best for you.

Your basic rights in a democratic system are usually lost an inch at a time. This decision, if allowed to stand, takes you down the road a lot more than an inch!

[From the Port Huron (Mich.) Times-Herald, Feb. 9, 1969]

CIGARETTE BAN IS NOT FCC'S JOB

The Federal Communications Commission is once again threatening to stop cigarette advertising carried on radio and television.

It is a conditional proposal at this time. The FCC would not take action if the federal law on cigarette labeling and advertising, which expires this summer, is extended by Congress.

Even if the law is not renewed, the FCC suggests it might be willing to settle for

a voluntary ban on the part of the broadcasters, or on selective restrictions in favor of the low-tar, low-nicotine brands.

This attitude, at first glance, appears to be both responsible and reasonable. A closer look, however, indicates that it is neither of these.

The FCC cannot rightly claim the authority to decide which legitimate commodities may be offered for sale over the airwaves.

FCC officials have been quoted as saying: "There is a most serious, unique danger to public health authenticated by official and Congressional action. It would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of the product posing this danger, a danger measured in terms of an epidemic of deaths and disabilities."

That the danger exists is not for the FCC to establish. This has already been done—more or less convincingly, depending on point of view—by health authorities.

Means to reduce the danger is not the FCC's prerogative either. That is in the province of science, to find a preventive or cure, or of Congress, to legislate controls.

There is no law at the present time to prevent the production and sale of cigarettes. That is not to say that cigarettes are therefore good. But they are completely legal.

And as long as they are legal, surely it must be legal to offer them for sale, and to announce their qualities. An FCC move to prevent such announcement would be legislation by indirection.

The inequity of banning such ads in one media while no such restrictions affect other media, is obvious. Not so clear are the abuses that could creep into selective bans of this sort, or the degree to which such usurped legislative authority could be extended.

Practically any product, or any kind of merchandising, could be written off by one governmental agency or another if the FCC is allowed to exercise this kind of control.

If it has been shown by sufficiently competent authority that cigarettes do indeed pose a significant threat to the American people, then the action should be against the dangerous product.

With legislative backing, an agency such as the Food and Drug Administration could logically do something about it, even as it restricts production and merchandising of many other hazardous materials.

As we said before, the FCC proposal is conditional at this time. We hope it stays that way, and that the power of legislation is kept firmly within Congressional chambers.

[From the Muskegon (Mich.) Chronicle, Feb. 8, 1969]

AS THE CHRONICLE SEES IT: FCC ON WRONG FREQUENCY IN THREAT TO BAN CIGARETTE ADS FROM AIRWAYS

The Federal Communications Commission assumes authority it does not have in its proposal to sweep all cigarette advertising off radio and television.

The FCC has jurisdiction over communication facilities, primarily to regulate their operations through allocation of channels and frequencies, but it has no authority to tell either radio or television stations what they may or may not say in their programs. This is protected by the First Amendment to the Constitution, which guarantees the right of free speech and freedom of the press.

The only way such a ban could be enforced would be through a constitutional amendment similar to the Prohibition Amendment, which would have to be adopted by both Houses of Congress and three-fourths of the states.

This is not likely to happen.

The evidence is compelling that cigarette smoking is a serious health hazard. So, for that matter, are many other items being advertised and sold—certain medicines, for instance, guns and ammunition, even cars. If the executive branch of the government, or

any of the independent agencies, or Congress, has the power to ban cigarette advertising from radio and television, then it also has the power to extend the ban to the printed word.

The tobacco and broadcasting industries will not lack for supporters in fighting the FCC proposal (The commission can't act until June 30, when a 1965 law forbidding new regulations is due to expire), and the Tobacco Institute has fired the first answering shot, characterizing the threatened ban as "arbitrary and extreme." It is all of that.

But the Institute missed its target in calling it "an obvious threat to usurp a congressional function." It is no function of Congress, the FCC or any other agency to decide what may or may not be advertised for sale to the public. If it is lawful to manufacture and sell cigarettes—or anything else—then it is both lawful and proper to advertise them for sale through any of the existing media.

The way to get at the problem—if it can be determined that a majority of the public believes cigarette smoking is injurious to a degree warranting the action—is to prohibit all sales of cigarettes. The only legal way to do this is to adopt a constitutional amendment prohibiting their manufacture and sale; that is, retrace the legal steps leading to the alcohol ban of 1919-1933.

Obviously, if the FCC can tell radio, television and the press what can or cannot be offered for sale through their media, then it would be discriminatory to allow the same products to be sold over the counter.

Congress has time between now and June 30 to brief the FCC on its powers and prerequisites, and on the meaning—and applicability here—of the First Amendment. When it is realized that the basic issue is not whether smoking is dangerous, but whether Congress or a federal agency has authority to violate a constitutional right, the proper action is obvious. The order should be withdrawn.

If allowed to stand, the issue will go directly to the Supreme Court, where it is likely to receive rough treatment. It is extremely unlikely that the high tribunal will support the FCC in the assertion of a right to interfere with freedom of speech by suppressing advertising of cigarettes on radio and television, while at the same time newspapers, magazines and all other forms of public communication are free to plug them at will.

[From the St. Cloud (Minn.) Times, Feb. 20, 1969]

EDITOR'S NOTEBOOK

(By Harold Schoelkopf)

Efforts to forbid or curtail the advertising of cigarettes particularly on the air waves, radio and television, probably will not get very far. Of course the government controls the air waves, but the rather delicate question of what the controls specifically are, and to what ends they may go, has never been laid out precisely.

After all, there appears to be little essential difference in whether cigarettes are advertised on the television screens, or by radio, or by ads in newspapers and other periodicals. The message will be carried to possible consumers, regardless of the medium used.

Some states now have a law which provides that cigaret packs must contain some such words as "may be dangerous to your health" but the figures show the sales have not declined very much in recent years despite medical warnings.

For that matter, there has been no move made to enforce such a warning on alcoholic beverages, the abuse of which is certainly also dangerous "to your health."

There are a lot of things involved when a government steps into the field of prohibition, no matter what its form. In the matter of cigarettes, it is a billion dollar industry,

paying substantial federal and state taxes, and in some instances, also municipal taxes. It spends many millions of dollars each year for the advertising media, and of course tobacco growing itself is a major industry, and one of the most productive in the entire agricultural field. Most of the states grow tobacco in some form or another, and it has been grown with some success right here in Central Minnesota, although it is still very much of a minor cash crop compared with others.

This restrictive business on the sale and advertising of cigarettes reminds us that not long ago some straight-faced legislator in Illinois introduced a bill which would require that credit cards carry this warning: "excessive use of credit may be injurious to your economic health."

[From the Lincoln (Nebr.) Evening Journal, Feb. 11, 1969]

BANNING CIGARETTE ADS

If the Federal Communications Commission goes through with its proposed ban on television and radio advertising of cigarettes, it will have pierced, perhaps fatally, at least two of the fundamental freedoms of this country.

One is the constitutionally-guaranteed freedom of the press; the other is the freedom of private business to merchandise and promote the sale of goods not prohibited by law.

Granted, the right of business to operate as it pleases has been impeded in various ways. But the outright ban of a certain medium of advertising would go far beyond any restrictions presently in effect.

The FCC rational, of course, is that cigarettes may be injurious to human health. This possibility has been pretty thoroughly proven and, as far as we're concerned, humanity would be far better off if it had never devised the senseless practice of drawing hot smoke into the lungs.

But until and unless the government outlaws the manufacture and sale of cigarettes—which we don't envision very quickly—then government has no business telling a firm how it may or may not advertise its product.

There are, of course, many items advertised on radio and television that are potentially injurious if misused or used excessively. This indictment could cover anything from razorblades and automobiles to drugs and beer.

By prohibiting the advertising of a certain product on the basis of its potential harm, the FCC would open up a can of worms that it never could control. Where would the line ever be drawn?

The FCC, incidentally, exists to oversee communications facilities, primarily to regulate the allocations of channels and frequencies to electronic media. It has no authority to dictate the content of what the stations broadcast, either in their programs or their commercials. It would be well if Congress were to spell out more precisely the limitations of the jurisdiction of the FCC.

As for the evils of cigarettes, the only defense that is effective, as well as acceptable, lies in education—and radio and television, like the printed media, have been engaged in this.

SMOKE AD NONSENSE

The Federal Communications Commission's proposed ban on TV and radio advertising of cigarettes is probably unconstitutional and certainly beyond the scope of FCC.

The regulatory agency has no power to say what should or should not be broadcast.

The agency has voted 6-1 for the ban with the prohibition to take effect after July 1 if Congress allows a five-year ban on regulation of cigarette ads to expire on that date.

The FCC is out of its field to be judging the dangers of cigarettes. Statutes entrust that judgment to the Food and Drug Administration.

The FCC's majority based its action on findings that some 50,000 deaths a year can be traced to lung cancer, which has been linked to heavy smoking of cigarettes.

About the same number die each year in auto accidents. Does FCC propose to ban car ads or advertising for such other killers as sleeping pills and alcohol?

The agency seems to think it has that power. And they might even get away with it because broadcasters are beholden to the agency.

A free society cannot tolerate such authority.

Most Americans know smoking doesn't contribute to health or longevity. Nor does liquor, wine, beer, or for that matter, over-indulgence in coffee, ice cream or potatoes. The issue here isn't the danger of cigarettes.

It's whether a federal agency may, by decree, say what may or may not be advertised to the public when there is no question of fraud or crime involved.

Most cigarette advertising is ridiculous but it's no sillier than the FCC proposal.

[From the Newark (N.J.) Evening News, Feb. 13, 1969]

FCC'S CENSORSHIP

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Cigarettes undoubtedly are injurious to the health. The medical profession generally believes smoking is a factor in cancer, heart and other ills. Statistical support for this position is marshaled regularly, and every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Therefore it may be reasonably assumed that virtually everyone is on notice that cigarettes have no redeeming qualities. That being so, Congress has seen no need for another noble experiment, one to a century being enough. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air. Accordingly, what the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Omaha (Nebr.) Morning World-Herald, Feb. 7, 1969]

FCC'S PROPOSED BAN

The Federal Communications Commission's proposal to prohibit cigaret advertising on television should come as no surprise.

The FCC has been moving toward such a position for some time, and took a large step in that direction in June, 1967, when it ruled that broadcasters who carry cigaret ads must carry antismoking announcements as well.

Under present law, the FCC is prohibited from imposing further changes in cigaret advertising. However, the law expires June 30, and that is when the FCC would like to receive authority from Congress to order the removal of cigaret commercials from TV.

The commission favors a total prohibition, but leaves open the possibility of a milder rule that would allow advertising of "safer" cigarettes, those meeting Public Health Service standards for low tar and nicotine content.

The commission also has left open an option for the broadcast industry to adopt a voluntary ban on cigaret ads.

The tobacco industry and the networks have an enormous financial stake in the issue, but implications of the FCC's proposal go far beyond the tobacco people and the broadcasters.

The core question, as David Lawrence points out in his column today, is whether Congress or the FCC or any agency should have the power to decide what may or may not be advertised for sale to the public.

If it is lawful to make and sell the article, then the right to advertise it is part of the right to conduct a business. If it is wrong to make and sell the article, Government should prohibit manufacture and sale.

To give Government power to exclude advertising of products that might be injurious to the public would open the door to vast abuses of governmental power and unprecedented interference in the lives of the people.

[From the Elmira (N.Y.) Star Gazette, Feb. 21, 1969]

YES, CIGARETTES ARE STILL LEGAL

In proposing a ban on cigarette advertising over television and radio, the Federal Communications Commission seems to have overlooked the considerable self-regulation already imposed by the broadcasting industry.

The television and radio codes of the National Association of Broadcasters provide:

"The advertising of cigarettes shall not state or imply claims regarding health and shall not be presented in such a manner as to indicate to youth that the use of cigarettes contributes to individual achievement, personal acceptance or is a habit worthy of imitation."

Opinions may differ on whether cigarette commercials comply fully with that restriction. But the broadcasting industry could make certain that they comply and could even ban them completely, as it now bans commercials for hard liquor.

Further, there has been good cooperation by the TV networks and stations with FCC regulations requiring free time for commercials pointing up the health menace of cigarettes. These anti-smoking ads have contributed in no small measure to the current decline in cigarette consumption.

The dilemma is how to control any harm of cigarette commercials in inducing Americans to smoke without setting the dangerous precedent of FCC prohibition of advertising for a product legally sold throughout the nation.

The FCC and Congress should give the industry a fair chance to review and, if needed, strengthen its self-regulation of cigarette ads before there is any consideration of censorship.

[From the Perth Amboy (N.J.) News, Feb. 20, 1969]

WHAT WILL GOVERNMENT BAN NEXT?

The indication that the Federal Communications Commission plans to bar all cigarette advertising from radio and television is disturbing.

It would appear to represent an unwarranted intrusion by government into the right of a company to do business and to attempt to sell its wares through whatever media it chooses.

The tobacco industry has already been subject to severe governmental harassment. Despite the lack of definitive scientific proof, cigarette makers are required to place labels on their packs, alerting the consumer to the alleged hazards of smoking. The FCC has also required the tobacco industry to pay for anti-smoking commercials as a "balance" for the cigarette commercials.

Where will it stop?

It is a dangerous trend if the government can by edict arbitrarily curb any product not

socially desirable or potentially harmful when there is no legal basis whatever for such curbs and harassment. No laws are being violated and no crime committed and yet a huge and legally operating industry can be threatened with serious losses by government edict alone.

Cars are unsafe and provably so. Why could not the government forbid them to be advertised on radio or television under the same logic?

Secretary of Welfare Robert Finch, the administration's chief in the health field, said he does not agree with the argument that a product that can be used legally should necessarily have a right to advertise on radio or television.

But the danger in the situation is that this rule, which would have the effect of law, is issued by a regulatory agency.

If such action is to be taken, the proper point of origin is in Congress.

In any case, the proposed ban cannot go into effect before June 30, when a 1965 law forbidding new regulations of the tobacco industry is scheduled to expire. Congress could block the FCC's aim by renewing the law or passing a new one.

Government interference in private rights and the rights of companies to do business is a dangerous thing. If such regulation is deemed necessary in this instance, it should come from the action of the nation's lawmakers, not the whim of a governmental agency.

[From a Corinthian Broadcasting Corp. Press Release]

NEW YORK, February 7, 1969.—The following statement was made today by C. Wrede Petersmeyer, President of Corinthian Broadcasting Corporation:

"Corinthian is strongly opposed to the Federal Communications Commission's proposed ban on cigarette advertising on radio and television.

"Corinthian's opposition is based on principle and not on dollars. Obviously, if a ban is imposed, the broadcasting industry and Corinthian will lose some advertising revenue. However, the growth of television advertising is such that the cigarette dollars lost will quickly be replaced by those of other advertisers. Cigarette advertising represents less than 2% of Corinthian revenues.

"Corinthian is opposed to the ban for the following reasons: (1) Corinthian believes that the Federal Government should not prohibit the advertising, on any medium, of a product that can be legally sold and used. We are certain that Congress will recognize this basic principle. Should the people decide, through their elected representatives, that cigarette smoking is so dangerous to health that it should be stopped, then the manufacture, sales and advertising of cigarettes should be outlawed.

(2) Corinthian believes that to prohibit cigarette advertising on radio and television only and not on other media is discriminatory.

(3) Corinthian believes that the Commission lacks the authority under the Communications Act to impose such a ban.

"The issue eventually will be decided by the courts, and we believe that the decision will deny the Commission's authority."

Corinthian Broadcasting Corporation, which is listed on the New York Stock Exchange, owns and operates television stations in Houston (KHOU-TV), Tulsa (KOTV), Sacramento (KXTV), Ft. Wayne (WANE-TV) and Indianapolis (WISH-TV). All are affiliates of the CBS Television Network. It also owns Standard Reference Library, Inc., a publisher and distributor of encyclopedias and other home reference works, and Corinthian Editions, Inc., a publisher of books sponsored by businesses and institutions.

[From the New York Daily News, Feb. 7, 1969]

FREEDOM'S NOT FOR BURNING

The Federal Communications Commission voted 6-1 on Wednesday to ban cigarette advertising on radio and television. If it gets away with that arrogant stand, a part of every American's freedom will go up in smoke.

If, for example, Congress lets the commission muzzle broadcast advertising for cigarettes, what is to stop it from banning the huckstering of other proved or assumed hazards to life and health, such as autos, fats and sweets?

No one is forcing Americans to smoke cigarettes, nor are they being denied access to warnings about the possible perils of smoking. In effect, the FCC is saying the public is a boob and must be protected from its own gullibility and lack of character.

Nuts to you, Big Brother. And here's hoping Congress administers such an ear-boxing to the agency that it will forget forever its pipe dreams of playing public censor.

[From the Mount Vernon (N.Y.) Argus, Feb. 8, 1969]

WILL TV GIVE UP SMOKING?

It's unclear whether the Federal Communications Commission possesses the legal authority to banish cigarette commercials from radio and television. Congress may make that question altogether academic by extending a law, due to expire June 30, that bars any government agency from regulating cigarette advertising.

Yet, no matter what Congress does, the FCC's tentative recommendation is certain to fire a national debate that is unlikely to cool down in a hurry. For the companion question raised is whether, barring compulsion, the broadcasting industry should banish or curtail cigarette commercials on a voluntary basis.

In one sense, there is a precedent. Broadcasters have a long-established policy against airing liquor advertising, presumably to avoid encouraging a habit that is potentially ruinous for some individuals.

But the analogy is imprecise. Liquor is pretty much a regulated industry, at least at the retail level, where strict licensing and policing are applied. Moreover, the overuse of bottled spirits produces intoxication that represents a menace to society.

Cigarettes are quite another story. While the medical case against them is persuasive, the smoker represents only a potential menace to himself, not a public menace.

So where do cigarette commercials go from here?

Well, for one thing, it is feasible that the broadcast industry could limit them to hours when the proportion of young listeners and viewers is small.

For another thing, it might be a salutary idea to take the glamor, the stridency and the sheer idiocy out of these commercials.

It may well be that the offensive nature of the average cigarette commercial has been as responsible as anything else for kindling the ire of the FCC, not to mention millions of intelligent Americans.

Nor should this mean reverting to the competitive numbers game about tar and nicotine content.

Not many viewers and listeners can discern a "good" milligram figure from a "bad" one, so the end is confusion. And worse. For, implied in this numerical oneupmanship is something approximating positive health claims. Comparative or not, any such approach is unwarranted.

[From the Niagara Falls (N.Y.) Gazette, Feb. 18, 1969]

CIGARETTE AD DILEMMA

In proposing a ban on cigarette advertising over television and radio, the Federal Com-

munications Commission seems to have overlooked the considerable self-regulation already imposed by the broadcasting industry.

The television and radio codes of the National Association of Broadcasters provide:

"The advertising of cigarettes shall not state or imply claims regarding health and shall not be presented in such a manner as to indicate to youth that the use of cigarettes contributes to individual achievement, personal acceptance or is a habit worthy of imitation."

Opinions may differ on whether cigarette commercials comply fully with that restriction. But the broadcasting industry could make certain that they comply and could even ban them completely, as it now bans commercials for hard liquor.

Further, there has been good cooperation by the TV networks and stations with FCC regulations requiring free time for commercials pointing up the health menace of cigarettes. These anti-smoking ads have contributed in no small measure to the current decline in cigarette consumption.

The dilemma is how to control any harm of cigarette commercials in inducing Americans to smoke without setting the dangerous precedent of FCC prohibition of advertising for a product legally sold throughout the nation.

The FCC and Congress should give the industry a fair chance to review and, if needed, strengthen its self-regulation of cigarette ads before there is any consideration of censorship.

[From the Wall Street Journal, Feb. 10, 1969]

CIGARETTES AND TELEVISION

Though the matter hasn't really been settled with any scientific exactitude, it's pretty clear by now that cigarette smoking—like a lot of other things—may indeed be hazardous to your health. And that does raise the question whether cigarette makers should be touting their products with abandon on radio and television.

If you answer that question in the negative, and many people do, a couple of other questions arise: Who should remove cigarette commercials from the broadcast media? And how, precisely, should they go about it?

Well, the Federal Communications Commission, never exactly bashful, appear to feel sure it has the answers to all those queries. Last week, it announced that it planned to bar cigarette ads from radio and television.

The commissioners presumably are responsible men, sincerely concerned about the nation's health. Even so, however, there were other approaches open to the agency. For example, it could have proposed detailed legislation to Congress or encouraged current tobacco industry consideration of a voluntary ad ban.

Congress, after all, passed a 1965 law designed to prevent further restrictions on cigarette advertising. The FCC ban is scheduled to take effect only after that law expires on June 30. The agency thus is putting extreme pressure on Congress, a procedure that is—to put it mildly—fairly arrogant.

The arrogance of the agency shows up even more clearly in the suggestion that it may exempt cigarettes that are low in tar and nicotine or include certain types of filters. Thus the commissioners, presumably chosen for their ability to oversee the communications business, not only proposes to rule that a product is bad for the citizens but may even hold that some types of that product are less bad than others.

One irony of a cigarette ad ban is that it apparently would hurt small firms—long a concern of the Government—much more than large ones. In any case, its small tobacco firms that have been the chief opponents of the industry suggestions that cigarette makers voluntarily withdraw their radio-TV commercials. And spokesmen for

the big networks have said that, after an initial shock, they would quickly recover from the loss of cigaret ads.

With the none-too-gentle shove from the FCC, Congress now must proceed to consider the matter. It might at the same time give some thought to measures to curb agency arrogance.

[From the Rochester (N.Y.) Times Union, Feb. 14, 1969]

THE TV CIGARETTE AD DILEMMA

In proposing a ban on cigarette advertising over television and radio, the Federal Communications Commission seems to have overlooked the considerable self-regulation already imposed by the broadcasting industry.

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[From the Oswego (N.Y.) Palladium-Times, Feb. 8, 1969]

REGULATION: WORSE THAN SMOKING

There are few persons outside the tobacco industry who would argue seriously that cigaret smoking has not been conclusively proved to be dangerous to one's health. But when a federal regulatory agency comes along, as the Federal Communications Commission did earlier this week, to issue formally a proposed ban on all cigaret advertising on television and radio, we believe an outrage has been committed; that the federal government (Big Brother, if you will) is overstepping its bounds. It is an unconscionable intrusion into the prerogatives of private enterprise.

Why, you may reasonably ask, should a newspaper come to the defense of the competitive media—television and radio? Why especially would we do this when potentially newspapers stand to be a beneficiary of the FCC proposal since advertising dollars that are now going into those media would be diverted to newspapers, which are not covered by the prohibition? The answer is really quite simple:

The sale of tobacco in this country is not illegal, and the tobacco industry is putting a legitimate product on the market. If the federal government is successful in imposing an advertising ban in this area, is it not likely, once the precedent is set, that it will move into other areas as well?

Alcohol kills. So do automobiles and countless other products. Yet the FCC has not moved against the beer industry or the motor car field. Will they be next if this theory

the FCC has espoused is allowed to become fact?

The very effective (and sometimes frighteningly amusing) anti-cigarete commercials that are being run as a public service by many radio and TV stations in behalf of the American Cancer Society serve to counteract the tobacco commercials. Moreover, if there is any American today who is unaware of the dangers of smoking, he's unaware of everything else too and the presence or absence of radio won't affect him one way or the other.

Cigarettes are unquestionably dangerous to the physical health of some people of this nation today, but more dangerous to the moral and political health of the United States over the long term is the proliferation of government regulation, as exemplified by what the FCC is trying to do at this time.

[From the Asheville (N.C.) Citizen, Feb. 8, 1969]

IS THE FCC PUFFING OR BLUFFING?

In threatening a complete ban on radio-television advertising of cigarettes, the Federal Communications Commission is seemingly attempting to usurp a prerogative it doesn't have—certainly not without the concurrence of Congress.

Harmful or not (and the point has never been established to the satisfaction of many research scientists) cigarettes are a lawful product, sanctioned for sale on the open market. If they "May Be Hazardous To Health" as the wrappers must now proclaim, it is possible they are no more hazardous than automobiles, motorcycles, chain saws, certain types of toothpastes, extra-strength detergents, and various other commercial items that are widely promoted on the air. As long as cigarettes are accepted as safe enough to sell, the advertising of competitive brands, within the limits of truth and decency, should not be restricted.

Congress isn't likely to permit the FCC to carry out its threat, which would amount to bureaucratic suppression. Perhaps the agency realizes that; but the fact that such an edict is contemplated seems to reflect the distorted self-image of power this federal commission has assumed and apparently seeks to exercise.

Not that we advocate the smoking of cigarettes; they may well be, as the labels maintain, a potential menace. But so, in this instance, is the FCC.

[From the Yonkers (N.Y.) Herald Statesman, Feb. 8, 1969]

WILL TV GIVE UP SMOKING?

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Yet, no matter what Congress does, the FCC's tentative recommendation is certain to fire a national debate that is unlikely to cool down in a hurry. For the companion question raised is whether, barring compulsion, the broadcasting industry should banish or curtail cigarette commercials on a voluntary basis.

In one sense, there is a precedent. Broadcasters have a long-established policy against airing liquor advertising, presumably to avoid encouraging a habit that is potentially ruinous for some individuals.

But the analogy is imprecise. Liquor is pretty much a regulated industry, at least at the retail level, where strict licensing and policing are applied. Moreover, the overuse of bottled spirits produces intoxication that represents a menace to society.

Cigarettes are quite another story. While the medical case against them is persuasive,

the smoker represents only a potential menace to himself, not a public menace.

So where do cigarette commercials go from here?

Well, for one thing, it is feasible that the broadcast industry could limit them to hours when the proportion of young listeners and viewers is small.

For another thing, it might be a salutary idea to take the glamor, the stridency and the sheer idiocy out of these commercials.

It may well be that the offensive nature of the average cigarette commercial has been as responsible as anything else for kindling the ire of the FCC, not to mention millions of intelligent Americans.

Nor should this mean reverting to the competitive numbers game about tar and nicotine content.

Not many viewers and listeners can discern a "good" milligram figure from a "bad" one, so the end is confusion. And worse. For, implied in this numerical oneupmanship is something approximating positive health claims. Comparative or not, any such approach is unwarranted.

[From the Burlington (N.C.) Times News, Feb. 7, 1969]

PRINCIPAL, NOT TOBACCO INDUSTRY, AT ISSUE IN NEW PROPOSAL BY FCC

It is apparent that the Federal Communications Commission will have its hands full in gaining authority from Congress to ban all cigarette advertising from radio and television.

The role of North Carolina in the controversy which will develop is evident. As the largest crop in the state, any major shift in tobacco production and demand can have an economic affect of unlimited proportions. Therefore, the state must be alert through government and tobacco industry interests to make sure it becomes a major party to what may be done in Congress.

But there is more at stake than the economics through tobacco. There also is the question of private enterprise and its freedom and limitations to handle a legal product on the market. Cigarette consumption also must be considered in a different category than limitations placed on liquors, which may be used as an example in the argument.

Opposition to the FCC proposal to Congress should not be based necessarily on a protective measure of the tobacco industry, as important as this is to North Carolina. The individual is warned now of the hazards of smoking, and this becomes a personal decision. It also is a personal decision if someone wants to drink beer or liquors. The sale is legal, therefore, government can be seeking an authority in an area that can be highly questioned so far as private rights are concerned if it will legislate what can and cannot be done with a legal product.

The argument against the FCC proposal can be strong and reasonable—far beyond the dollars and cents influence of a state's economy.

If the time arrives when tobacco can be classified by government as a narcotic, then regulatory measures can be understood. That time isn't here now, however, meaning that the FCC and Congress must give basic consideration to rights of an industry, just as it is trying to place a protective arm around health issues that are far from unsettled. To reduce one strong and basic principal to support another which cannot be regarded as settled and unquestioned is not the best interests of anyone.

[From the Asheville (N.C.) Times, Feb. 10, 1969]

BANNING CIGARETTE ADS

The Federal Communications Commission, by moving for the prohibition of cigarette advertising on television and radio, is getting

into a chancy area. Regulation of the personal habits of the nation by executive decree has little to recommend it and much to look askance at.

In its regulations to date, the FCC has been anything but consistent. There is no advertising of hard liquor on the airwaves, but beer and wine have a free hand and bring in their millions to the networks and advertising agencies. All are intoxicating, and there is little logic in excluding one form of intoxicant and permitting others.

Further, some medical experts still dispute the claim that cigarettes are a direct cause of lung cancer. Until all controversy has been settled, the FCC is infringing on private rights in seeking to forbid the advertising of cigarettes on the air.

[From the Durham (N.C.) Sun, Feb. 8, 1969]

POTENTIAL PERILS IN THE FCC PROPOSAL

The Federal Communications Commission proposal to impose a total ban on radio and television advertising of cigarettes—if Congress lets the agency get away with it by allowing the 1965 "health warning" law to expire June 30 without further action—is unwise and unrealistic and would set a potentially dangerous precedent.

The FCC contends that figures from the Department of Welfare showing 50,000 deaths from lung cancer and 25,000 more each year from emphysema and chronic bronchitis, along with other "evidence," show the seriousness of a public health hazard which warrants the FCC's proposed action. The agency says that, according to federal health authorities, the deaths are connected with cigarette smoking.

It is entirely possible that some of those deaths were hastened by excessive smoking. Some doctors say that excessive smoking (such as "chain smoking" or smoking three packs of cigarettes a day) is not good for the smoker and may well be dangerous—even eventually fatal.

It is an established fact, however, that excessive and prolonged drinking of whisky and other largely-alcohol "drinks" results in wholesale deaths each year.

Many doctors and "health experts" also warn that excessive eating of pork, consumption of eggs, and even habitual over-eating of anything, is a health hazard and may bring one to an early grave.

Is the FCC going to propose that radio and television advertising of these products be banned, too? We doubt it, despite the fact such action would be just as logical as the proposal on cigarettes—especially in the matter of advertising of liquor.

A very real danger in the FCC proposal is that it poses the hazard of a foothold or "opening wedge" that might lead to efforts toward broader federal controls of all communications media—despite a statement by FCC chairman Rosel H. Hyde that "This is not a first step toward censorship."

Aside from this possibility, there is the certain fact that the proposed ban would deprive many Americans of the right to hear and see anything about cigarettes through radio and TV advertising—an infringement on their "right to know," regardless of how limited that infringement might appear to be in the "opening wedge" stage.

[From the Charlotte (N.C.) News, Feb. 11, 1969]

SMOKING BAN CONGRESS

The Federal Communications Commission's proposal to ban cigaret advertising from radio and television should certainly prod Congress into dealing more thoroughly than it has with the smoking-health controversy. The uncertainty over just how to handle what many Americans believe is a public menace—that is, the sale and promotion of cigarets—has persisted too long. Congress ought to review the data bearing on

the publicized dangers and non-dangers of smoking before the FCC jumps into the act, and establish a clear policy based on its own conclusions.

The 1965 act which requires a health hazard warning placed on cigaret labels expires this year. If Congress does not extend or amend the act, the FCC's proposed ban on advertising would automatically take effect. Both the cigaret industry and the television networks can be expected to urge Congress to some sort of action, and with good reason. Neither would like to see the ban take effect.

However, there are other concerns which would arise if the FCC's ban were permitted to become rule. First of all, there is not yet any congressional decision on whether cigarettes are harmful; the warning label says that smoking may be hazardous. In view of this, is it wise or even proper for a governmental agency to take so drastic a step as banning cigaret advertising when there is no similarly forceful congressional policy regarding the danger of cigaret smoking?

A second concern arises over the precedent the FCC would appear to be setting by banning cigaret ads from the airwaves. Could it not also move to ban ads for other products which it, and it alone, deems unsatisfactory? Considering again Congress' failure to recognize legally the good or bad effects of smoking on health, the FCC's proposed ban, based on its own opinion, seems very unwise. Nor does meddling with the promotion of a product considered to be harmful seem a very intelligent way of disposing of the danger. If the sale of cigarettes is not in the public's best interests, then the government ought to either ban such sales or require that cigaret contents be made safe. A drug considered to be harmful is banned by the government, not permitted to be sold without advertising or with advertisements which warn that this product is harmful.

Approached from this standpoint it becomes all the more obvious that Congress must decide whether cigarettes are dangerous or not—or whether there is enough evidence to draw either conclusion. If tobacco is as dangerous as the FCC seems to think, it makes more sense to begin by regulating the product itself than by tampering with its promotion. Now, regulating the contents of cigarettes may be politically difficult or impossible to do in the face of the tobacco and television lobbies and tobacco area legislators. But it is the only consistent and fair approach. And to repeat, attacking the promotion of cigarettes is unwise on several counts.

We believe that smoking is hazardous to health. We also think that the day will come when smoking will be less a part of the daily life of Americans than it is now. But the issue at present is whether or not a non-elected federal body should act to ban advertising on a product which is still legal to sell. We don't think so. Congress ought to head off the FCC and make up its own mind about cigarettes.

[From the Fayetteville (N.C.) Observer, Feb. 7, 1969]

AD BAN UNJUSTIFIED

The Federal Communications Commission's proposed ban on cigarette advertising on radio and television seems an extreme step at this point in the continuing smoking and health controversy.

One reason, of course, is that public health authorities obviously haven't proved to the satisfaction of the great majority of Americans that smoking does indeed cause all the lung cancer and emphysema deaths being attributed to it.

At least it seems safe to assume that if the overwhelming majority of Americans did take the "statistical evidence" against smoking as hard proof, the tobacco industry might well be tottering on the brink of disaster.

At the same time, though, some of the out-

cries against the FCC's proposal seem a little bit extreme and hysterical too. "A supreme example of bureaucratic tyranny," said Sen. Sam J. Ervin of North Carolina.

No tyranny, bureaucratic or otherwise, has been exercised in this matter. The FCC may be wrong but it is moving within its jurisdiction and, as required by law, has given official notice in ample time for Congress to override it in this matter of great importance to the tobacco-growing and tobacco-manufacturing state of North Carolina.

Cigarette advertising is, of course, big business to the television and radio networks. Tobacco firms now spend almost \$227 million or about 75 per cent of their advertising budgets on TV and radio commercials. This is about 10 per cent of the broadcasters' revenues. And the industry has not only a large stake in this proposal but a legitimate argument that there should be no outright ban on the advertisement of products that can be legally sold.

If there is any justification for the FCC's new proposal, it hasn't yet been advanced. And the present health warning on cigarette packages, which in effect stresses the need for moderation in cigarette smoking as in other things, is strong enough medicine at this time.

Meanwhile, in its own self-interest, the tobacco industry might be well-advised to look to the content of some of its TV advertising, which at least some parents find objectionable because of its clear pitch to young people.

[From the Elizabeth City (N.C.) Daily Advance, Feb. 9, 1969]

THE FCC MAY BE HARMFUL TO YOU

We don't carry enough cigarette advertising to matter so we aren't grinding a proprietary axe herewith.

But we feel with an almost apoplectic passion our Federal Communications Commission has finally gone around the bend with its sober-chops proposal to ban cigarette advertising on television and radio.

FCC thinks it has a legal capability to do this if Congress doesn't step in before the 1965 statute—the "hazardous to health" law that every pack of cigarettes now proclaims—expires on 30 June of this year. Under that law FCC is prohibited from taking any regulatory steps against cigarette advertising. So is the Federal Trade Commission. If Congress doesn't do anything before the law runs out presumably both Federal agencies will declare open season on Madison Avenue and the tobacco industry.

Well, now, let's take a look at the implications here. First of all FCC bases its desire to ban cigarette huckstering in radio and TV on grounds smoking is "a most serious, unique danger to public health."

We think it is amazing that FCC which, when we last checked, wasn't in the medical business, has the temerity to finally settle the controversy involving the causal relationship between cigarettes and lung-cancer. This is a little like the Agriculture Department banning the F-111 because it is hazardous to the health of Air Force pilots, who may plow cross-furrows in Federally supported dandelion crops when they hit the ground at Mach 2.

We aren't going to argue with FCC, the Public Health Service or anyone else about the health-cigarette issue which will finally be resolved by medical research.

What bugs us is the presumption of FCC. It wants to impose what amounts to censorship in a shockingly bureaucratic way.

We are sure those FCC civil servants are absolutely bemused with good intentions, at the expenses of their own common sense. And We'll go along with the idea cigarettes seem to be statistically hazardous to health. But, human nature being what it is, a man who has run out of smokes can be a lot more

hazardous to his own human condition if he has to Walk A Mile For A Camel, and finds the store closed.

Health problems aside, the only thing we are sure will compel a person to stop smoking cigarettes, if he is hooked, is will-power, ascendant and supreme. Like ours. We kicked the habit and now we only smoke twenty cigars a day. (Hey, now—why doesn't FCC take a realistic view and allow Muriel to wear a headband that says *Cigars Are Less Hazardous To Your Health*. This could go on to hardly more absurdity than the current FCC proposition. Announcer, reading from FCC authorized script: *Sniffing Snuff Makes You Sneeze But It's Safer*. Or even: *Pipe Smokers Live Longer But Are Hazardous To Carpets*.)

If you will look over there on the Op-Ed page you will see that Bill Winslow pursues this idea on a related subject, in more gracious and satisfying prose. He should; he thought of it first.

The point is if Congress let's FCC ban cigarette advertising from the airways (and you can bet your boots it better not) pretty soon it will ban anything it feels is injurious to anyone for any reason.

This, of course, will mean the nation will spend 28-hours a day looking at test patterns on TV or hearing the hum of a carrier signal on AM disc-jockey time because, really now, most of the stuff FCC lets us see and hear is not only hazardous to mental health but is absolutely fatal to sensibility.

If FCC is really so worried about us, we wish it would do something about the casual relationship between a super stinker TV program, and the high cost of a picture tube, imploded by a well-known shoe. This sort of thing is hazardous to our health, more so than cigarettes, because Blue Cross doesn't cover the full cost of a hernia bestowed whilst tossing the busted Telly out of a window and concern about the resulting over-draft can cause psychic trauma.

Have a cigar gentlemen, and tidy up your own front yard first.

[From the Greensboro (N.C.) Daily News, Feb. 7, 1969]

CIGARETTE ADVERTISING

Like every other federal regulatory agency, the Federal Communications Commission is basically an instrument of the will of Congress. Its rulings are also subject to review in the courts.

Those who react so hysterically to an exceedingly iffy FCC threat to ban cigarette advertising from television should bear both facts in mind.

Only if Congress permits present legislation in the cigarette advertising field to expire June 30 would the FCC have power to carry out its threat. And even if the ban went into effect temporarily it is difficult to believe that the courts or Congress would uphold a ban so patently discriminatory against one product.

It is, in any case, a matter of speculation how much impact TV cigarette advertising has on the total consumption of cigarettes. Obviously the manufacturers believe it has some impact or they would not spend \$227 million a year. But the function of most cigarette advertising on television is to differentiate what it is difficult to differentiate, not to introduce more non-smokers to the hazards and pleasures of smoking. The usual emphasis of cigarette advertising is that this brand adds glamor, that one ruggedness, or another a certain touch of personal unorthodoxy. There are no pitches to the effect that smoking is good for you.

We continue to feel, when all is said and done, that the interest of the FCC and Congress in smoking and health is not misplaced—and certainly no example of wanton "bureaucratic tyranny." Despite the counter-barrage of the tobacco-booster, there is little reasonable doubt that too much cigarette smoking can be harmful to health and

can increase the statistical possibility of lung and heart disorders.

In our view, spokesmen for tobacco interests should not—and many already do not—expect their advertising efforts to cast doubt on the case against cigarette smoking, or change very many minds or habits. Few smokers smoke because they manage to conceal for themselves the persuasive case made by the Surgeon-General's reports. More of them believe, with Dorothy Parker, that—

"Razors pain you;
Rivers are damp;
Acids stain you;
And drugs cause cramp.
Guns aren't lawful;
Nooses give;
Gas smells awful;
You might as well live."

About all the FCC has done, in signifying its intent to ban cigarette advertising, is put Congress on notice to renew the 1965 legislation when it expires and, moreover, give a talking point to those in Raleigh who desperately—and wrongheadedly—suggest that tobacco be spared its long overdue share of the tax burden in North Carolina.

[From the Raleigh (N.C.) News & Observer, Feb. 7, 1969]

FACTS AND TACTICS

Tobacco state congressmen can and should contest the decision of the FCC to ban broadcast advertising of cigarettes. If not at least modified, the decision could encourage other attacks on the tobacco industry and threaten the livelihood of thousands of tobacco growers. At the same time some facts need noting, and some tactics may need changing.

The surgeon general's report on smoking and health, including the supplement submitted to the Congress last year, continues to gain public support. Increasingly, its lack of scientific certainty becomes a moot point as more millions of Americans are persuaded that it is probably true. It is these people, not a few misguided crusaders, whose concern must be acknowledged and eased by tobacco interests. These millions, many of them parents, many of them undoubtedly smokers, seek removal from the public airwaves of appeals which encourage the young to smoke. An analogy might be imagined with whisky. The whisky industry spends millions to promote sales each year, but avoids the public airwaves because of public opposition and the FCC's regulatory authority. It has thereby also avoided a health warning label more logically deserved.

Even the tobacco interests have seemed to agree that the FCC has authority to regulate cigarette advertising. In 1965 tobacco state congressmen won, only after great effort, the compromise labeling law which forbids FCC regulation of advertising before this coming July 1. That seems clear admission that such authority otherwise exists.

What is feared now is that the Congress, most of whose members believe the surgeon general's report is either true or probably true, will enact punitive and unwise legislation against tobacco. The industry itself evidently recognizes this threat and is rallying behind a bill to be offered by Congressman Richardson Preyer to extend the present labeling and advertising act. The industry accepts the warning label now required as the best that can be hoped for from a Congress which might well approve a more drastic and unfounded warning.

The FCC advertising ban announcement puts tobacco even more on the defensive. It is the nature of the legislative process that success comes easiest to opponents of a controversial bill. It is easier for the Congress to do nothing than something. And to modify the FCC's ban will require tobacco interests to push a controversial bill to enactment.

Confronted with the situation, tobacco is looking down a double barrel, and its right to fair treatment is not assured by the hurling of wild rhetoric, in the fashion of several North Carolinians on Wednesday. Sen. Sam Ervin termed the FCC announcement "a supreme example of bureaucratic tyranny." Rep. Walter Jones charged it would "open wide the doors for untold censorship of all types." Other verbal blasts from within the State—Governor Scott providing a notable exception—were equally excessive.

The compromise that must be sought to modify the FCC ban and to limit warning labels to reasonableness cannot be achieved with bombast. Tobacco does not face gloom and doom. Its friends should not promote the belief that it does.

[From the Raleigh (N.C.) Times, Feb. 6, 1969]

BASIC DANGER IN FCC PROPOSAL IS A THREAT TO RULE BUSINESS

The basic danger in the Federal Communications Commission's proposal to ban cigarette advertising on radio and TV is the willingness to use a government rule to drive an industry out of business.

If cigarettes are a definite danger to the health of this country because of a threat to the health of its citizens, then cigarettes should be prohibited by law. The FCC shouldn't try to prohibit them in the long run by the devious process of banning advertising of cigarettes. This would be an unwarranted use of a government power to accomplish something by indirection.

Federal health authorities who feel that a definite link has been established between smoking and lung cancer most surely have a right and a duty to say so in every possible way. In doing this, they are giving the citizens of America the benefit of their research and of their considered opinions on the subject. This is a true responsibility of government, and is a legitimate exercise of a government function.

If the FCC proposal should be followed, the gates would be opened for any governmental agency to proceed against any business in the country. People are killed riding in airplanes, but nobody says anything about banning either airplanes or advertising urging people to ride on them. People injure their health by drinking too much alcohol, but nobody now wants to ban alcohol or ban whisky advertising.

Some scientists feel that the link between smoking and cancer has been well proved. Other scientists feel it hasn't been proved.

Both sides in this would do well to spend more energy and money in really trying to find out instead of generating so much heat over such things as banning advertising.

[From the Rocky Mount (N.C.) Telegram, Feb. 7, 1969]

FCC ATTACK IS UNWARRANTED

Setting aside the pros and cons of whether tobacco has a direct relationship with certain diseases, North Carolina political leaders and representatives of the tobacco industry have every reason to be upset over the latest scheme of the Federal Communications Commission to impose censorship upon all cigarette advertising on radio and television.

Certainly there must be constitutional questions involved. Here we have a federal agency decreeing, on the basis of unproven evidence, that smoking causes lung cancer and other respiratory diseases, and therefore the federal government not only has the authority but is obligated to ban cigarette advertising from the air waves.

We don't believe there is a provision in the Constitution or a law in the statute books that gives the FCC bureaucrats such authority.

Let's assume, for the moment, however, that the FCC does have such dictatorial powers. Where is the consistency?

—The federal government permits an industry to engage in farming, then takes the product of the farm—tobacco—and permits it to be involved in manufacturing, then permits it to be entered into commerce and the open market, both domestic and foreign. (Then the government says this industry cannot advertise its products on the airwaves.)

—The government subsidizes, to the tune of billions of dollars, the growth of tobacco, the purpose of which is to be converted into a consumer's product—the cigarette. (Then the government says this industry cannot advertise its products on the airwaves.)

—The government has nothing to say about liquor and other alcoholic beverages which are advertised on the airwaves. When did cigarette smoking ever break up a home and ruin lives financially, socially and business-wise? Where are the warning labels on liquor bottles and beer cans?

So what we have here is a classic example of rank discrimination—something the feds have been screaming about in all fields for a dozen years.

Apparently the FCC, in its zeal to protect the public's health (if that is its motive), has given little consideration to the economic repercussion of such an arbitrary decision. Tobacco firms spend \$226.9 million a year in radio and television commercials—about 75 per cent of their advertising budget. As for the broadcasters, this constitutes a hefty 10 per cent of their total revenue.

And of course this does not even take into account the impact such an arbitrary policy will have on the rest of the industry—the farmer, the warehouseman and the manufacturer himself.

FCC Chairman Rosel Hyde offers a rather weak basis for the commission's action: "I don't believe the First Amendment precludes the commission from prohibiting advertising which would cause the deaths of individuals in the numbers presented here."

Hyde ought to know the government is guided by what the Constitution and the Amendments say, rather than what they don't say.

And nowhere does the Constitution say the government can close down a segment of industry for no reason.

As for whether the FCC has a valid reason for censoring advertisement it has never been proven in court by legal authorities or in the laboratory by scientists that tobacco definitely and finally causes disease in a certain person.

A prominent scientist who has been closely associated with tobacco-health research said only last Monday that "there is no demonstrated causal relationship between smoking and any disease." This statement was made by Dr. Clarence Cook Little who has been engaged in such research for years.

But while this is a serious and vital subject for debate and further research, it is not sufficient reason for the action taken by the Federal Communications Commission.

Hyde denied that the FCC proposal amounted to censorship. Hitler made the same denial: what he was doing, he said, was for the good of the people.

And the federal government has been encroaching far too much in recent years upon the liberties of the people—"for the good of the people."

[From the Rocky Mount (N.C.) Telegram, Feb. 24, 1969]

HAZARDOUS TO THE NATION

The hazards of smoking are not the real issue in the Federal Communication's attempt to bar cigarette advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, as long as the advertising does not offend the public taste.

Cigarette smoking, said the Commission by a 6 to 1 vote, constitutes "a serious,

unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly claim any intention to proceed against other product commercials." Perhaps there is no such intent by these Commissioners. But the precedent would be established.

Suppose a majority of a future Commission decided that because alcoholism is a real problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads. The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices or even the selfish interests of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would profit by being able to use a mass advertising medium denied to cigarette makers. Newspapers and magazines could expect to pick up some \$300 million in advertising barred from the TV and radio stations. So it would go. The possibilities for inequity and favoritism, through bureaucratic action, are alarming.

[From the Southern Pines (N.C.) Pilot, Mar. 5, 1969]

NOT "PROHIBITION" AGAIN

Whatever the merits of the smoking-health issue, and there are still large questions which need better answers, there is one thing certain, and that is that the proposed FCC ban on advertising is not the right way.

Such an order by the Federal Communications Commission to prohibit cigarette advertising on radio and television may be forthcoming. There is a question of whether it could stand a constitutional test, and undoubtedly it would be tested in court.

What tobacco manufacturers fear is that this would be simply the first step in another excursion into prohibition. Many recall the "noble experiment" of prohibition of all alcoholic beverages, an experiment that didn't work. In fact, there is strong evidence to show that it caused more damage than it did good. At any rate, such prohibitions are doomed to failure, and so it would be for cigarettes.

There are reports that in 1968 there were more people quitting smoking than beginning smoking. It's hard to see how such reports could be backed up with firm statistical support. But, if true, it indicates that the vast amount of governmental propaganda against tobacco is having effect.

Any decline in smoking affects the economy of North Carolina, and any marked decline would prove a severe impairment. Yet North Carolina farmers should read the warnings. Any whose sole dependence is on this one crop should begin now to look for a substitute. Cigarette manufacturers are diversifying their industry, acquiring new and different companies to offset any losses that may come from losses in cigarette sales.

Tobacco is under attack, and North Carolina leaders are justified in coming to its defense.

Much still needs to be proved as to claims against tobacco as a hazard to health. Until such claims are substantiated better than they are now there should be no attempts at prohibition.

[From the Wilmington (N.C.) Star, Feb. 7, 1969]

A DANGEROUS PROPOSAL

The Federal Communication Commission's proposal to ban cigarette advertising on radio and television is one of the most dangerous suggestions to come out of a Washington bureau in years.

This absurd move is based on the FCC's assertion that smoking is "a most serious, unique danger to public health." Obviously, six of the seven members of the Commission have accepted as a fact a highly controversial report. The Commission points to statistics of the U.S. Department of Health, Education and Welfare which blame smoking for the deaths of many Americans. These statistics have been challenged since the time they were issued. But this is not the major aspect of the deplorable proposal by the FCC. What it wants is to compromise the principle of free speech, as represented by advertising and, in doing so, encourage the restraint of legitimate trade.

The point we wish to emphasize is simply this: Commodities or articles which are legal in the eyes of the laws of our Republic—and cigarettes certainly are legal—should not be subjected to any restraint as to their advertising in any form their makers wish.

After all, the principle the FCC is following as to cigarettes could be applied to many other products. And if and when it is applied, then advertising—one of the major assets of the free enterprise system—would be entirely under the control of bureaucrats and politicians.

Thus, when one looks ahead, the danger of the FCC proposal is magnified greatly.

Chairman Hyde has said he is confident his agency will have the legal authority to enforce a cigarette advertising ban when the 1965 Cigarette Labeling and Advertising act expires on July 1. Under this law, both the FCC and the Federal Trade Commission are prohibited from taking any action to regulate cigarette advertising.

Expecting a full congressional review of the smoking controversy after July 1, Mr. Hyde said "it is a matter in which Congress will be the final arbiter."

When the time comes for Congress to make its decision, its answer would be a wholehearted and emphatic "No!" to the latest FCC proposal. Otherwise American freedom of speech and free enterprise will suffer one of the most serious setbacks in modern times.

[From the Cincinnati (Ohio) Enquirer, Feb. 25, 1969]

CIGARETTE ADS AND THE PUBLIC INTEREST

Thanks to the Federal Communications Commission, Congress now has before it a question that none of its members bargained for.

The specific issue is whether to extend a 1965 enactment, due to expire July 1, that denies to the FCC and to the Federal Trade Commission the authority to regulate cigarette advertising. If the legislation is extended, the ban on the commission's authority would continue; if it is allowed to expire, the FCC would be empowered to make good on its 6-1 decision to ban cigarette advertising on radio and television.

To the television networks, the FCC's order could be close to crippling. Fully 10% of TV's total advertising revenue reportedly comes from cigarette manufacturers.

But to the tobacco industry, the order could well prove a blessing. Some cigarette makers advertise on television not because they want to or need to, but because their competitors advertise on television. Without what is perceived to be the necessity of TV advertising, the American Tobacco Co.'s earnings per share in 1967 would have jumped 27%, and the earnings of Liggett & Myers would have risen by 75%. Newsweek magazine quotes one Wall Street analyst as saying that TV adver-

tising is "like an albatross around (the tobacco companies') necks."

More important than the financial aspects of the projected ban, however, is the constitutional question.

The FCC was created to license TV and radio stations and to exercise general supervision over their operations in the theory that the airwaves belong to the public and that their use must be in what is vaguely known as the public interest.

In this instance, the FCC believes that cigarette commercials are contrary to that interest.

Indeed, the commission, in advancing its proposal, contended that cigarette smoking is so clearly injurious to the nation's health that "the authority to act (against it) is the duty to act."

It seems to us, that, if it becomes unmistakably clear that cigarettes are the public menace that the surgeon general, among others, believes them to be, their manufacture, sale and consumption should be banned—not simply their advertising on TV and radio.

Why should TV and radio be barred from accepting advertising from what remains a legitimate and lawful enterprise? If the cigarette makers can profit from the nation's appetite for smoking, why should the TV and radio networks and stations be singled out and not allowed to profit?

What the FCC is seeking to do with respect to cigarette advertising today, it could just as validly do with respect to a dozen other commodities tomorrow. It has never apparently considered proscribing beer advertising, although beer-drinkers can become drunken drivers; or automobile advertising, although automobiles can become lethal weapons; or sleeping-pill advertising, although sleeping pills are the frequent tool of suicides.

The easiest way out would be for Congress to extend its statutory denial of the FCC's authority to act as sweepingly and as arbitrarily as it has in this instance.

Beyond that, there could well be a redefinition of the FCC's mission and performance.

[From Taft Broadcasting Co., Cincinnati, Ohio, Feb. 24, 1969]

CIGARETTE ADVERTISING

James J. Kilpatrick writes a column for the *Enquirer* and, periodically, shows up on Tall 12's Eleven PM Newscasts with a comment about something in the news.

Recently, he wrote about the Federal Communications Commission's proposal to ban cigarette advertising on radio and television. His remarks warrant your consideration. Mr. Kilpatrick said, and we quote:

"So drastic an edict cannot be permitted—not so long as we adhere to the principles of a free society. It would be unthinkable for the Congress to enact some law prohibiting the advertising of cigarettes . . . which are still a lawful commodity . . . in magazines and newspapers.

The same First Amendment principles apply, by extension, to advertising by radio and TV; this is by far the most important issue. One day, the causes of cancer will be found. Perhaps cigarette manufacturing will then be banned entirely; or perhaps means will be found to eliminate the carcinogen, or to immunize against it. No one knows.

Meanwhile, voluntary efforts to reduce cigarette consumption are working—and this is all the government should try to do. When Big Brother attempts to impose his own ideas in the fashion proposed by the FCC, our body politic falls victim to a form of cancer that may never be cured at all.

That's James J. Kilpatrick's comment and we think you ought to think about it.

[From the Lima (Ohio) News, Mar. 2, 1969]
Do As I Say

The Federal Communications Commission proposes, unless Congress stops it, to ban

all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspooled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

There are some who will object to the fact the federal government has not yet decided that cigarettes are illegal, and that only what is legal can be advertised. There are some others who have the idea that prohibition on any legal communication such as this is a violation of the free speech-free communications amendment to the Constitution.

They seem to have forgotten that the federal government seized ownership of the airwaves and has presented it to the FCC, as licensing agent, and that the power to license is the power to deny a license unless the licensee does as he's told.

We don't like the idea of any governmental agency dictating what can and cannot be said. We don't think it's any bureaucrat's business how a legal product is advertised.

But if federal bureaucrats really are against cigarette smoking, as they say, why do they not go to work on stopping federal subsidies for tobacco? Tobacco growers are subsidized, and only a couple of years ago there was quite a to-do over the fact the State Department was promoting the sale of American cigarettes in foreign lands. Also, when some folks suggested stopping purchase of all cigarettes containing tobacco from a Communist-ruled land, the State Department charged the would-be boycotters were interfering with the nation's foreign policy.

If cigarettes are as bad as the health and FCC bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product, instead of interfering with private activities.

[From the Youngstown (Ohio) *Vindicator*, Feb. 12, 1969]

CIGARETTES AND HEALTH

In calling for a complete ban on radio and television advertising of cigarettes, the Federal Communications Commission has added to the haze of contradiction which has clouded the controversy ever since authorities first cited the health hazards in smoking.

Although the FCC's motives are well-intentioned, the proposed rule is a dangerous intrusion into constitutionally protected areas of free speech and free press. There's contradiction in a rule to prohibit advertising a product which may be legally manufactured and sold. While the rule is based on public ownership of the airwaves—which come under FCC regulation—it does not affect cigarette ads in newspapers and via other media.

To avoid discriminatory action, the FCC would best serve the public interest by strengthening warning requirements and encouraging expansion of successful anti-smoking advertisements in all media.

Since a large share of cigarette advertising is relegated to the broadcast industry, it is incumbent upon the FCC to make certain that no citizen is unaware of the increasing evidence that cigarette smoking invites a shortened life span, and that industry commercials do not distort that central fact.

Cigarette-makers have admitted the evidence in a variety of ways. These include a self-adopted code barring exaggerated claims; emphasis on filters; accentuating reductions in the content of irritants; and use of assets to diversify into other enterprises.

The FCC recommendation gives Congress an opportunity to strengthen the health warnings required since 1965. Since the fundamental issues involved exceed the scope of the FCC's authority, it is essential that Congress set and implement guidelines.

[From the Tulsa (Okla.) *World*, Feb. 12, 1969]

CENSORS' AX INSATIABLE

The Federal Communications Commission is moving another step toward Government control of everything in its effort to ban cigarette advertising from television.

In effect, the FCC would replace the public health problem of tobacco with another hazard—Government censorship. There are still a lot of people in Washington who believe Big Brother should tell us all what is good for us and what we can see, hear, eat, drink and do with our time.

We are not defending either television or the tobacco industry. Certainly there is evidence that cigarettes can be harmful, especially if used to excess. But this decision by the FCC, if allowed to stand, will inevitably lead to more and more rulings by Government agencies as to what may be advertised, sold or consumed.

So long as tobacco products are not illegal, does a Federal agency have the responsibility to do more than warn the public of its possible ill effects?

That much is already being done. Anti-tobacco interests are entitled now to present their arguments over the air—and have been doing so. We believe this is fair; the public should be told of the dangers of smoking—along with the perils of smog, alcohol, overeating, speed on the highways and other common problems.

But we insist it is a threat to our free society when a Federal agency begins to decide for us what products may be advertised.

If we understand correctly, the FCC ban might not be absolute; there is still some uncertainty whether cigarettes low in tar and nicotine could continue to be advertised.

Thus, we may reach a place where a Government bureau not only would decree an end to certain advertising but would determine arbitrarily which brands could go on the air.

In spite of all its risks, we believe the free-choice system is still best, leaving it to the public to decide its own buying and consumption choices in the light of all the circumstances.

In this case we are confronted with two dangers that balance out—the public's right to overindulge and the Government's right to overcensor.

[From the Portland (Oreg.) *Oregonian*, Feb. 7, 1969]

SMOKE AD BAN OFF BASE

The Federal Communications Commission's proposed ban on television and radio advertising of cigarettes is not only unprecedented; it is also beyond the authority of the FCC and is probably unconstitutional.

The FCC has regulatory power over broadcasting because channels are limited and must therefore be assigned by responsible authority. But its commission gives it no power to say what must or must not be broadcast. Moreover, it is clearly out of its field in making a judgment on the dangers in smoking cigarettes. This is the kind of judgment that is entrusted by statute to the Food and Drug Administration. But it is out of place in an agency created for the limited regulation of communication media protected by the First Amendment's provisions of freedom of speech and press.

The majority of the commission bases its action on findings that some 50,000 deaths a year can be traced to lung cancer, which has been linked to heavy smoking of cigarettes. It so happens that about the same number of people die each year as a result of automobile accidents. Does the commission, therefore, have authority to ban automobile advertising, or the advertising of other killers such as sleeping pills and alcohol? It apparently believes it does.

American public opinion recognized the injurious personal and public effects of alcoholic beverages by writing their prohibition

into the Constitution, later relenting. A constitutional amendment is the proper course if cigarette smoking is to be controlled.

The FCC might get away with its fiat for a time, if Congress does not act, for broadcasters are beholden to the agency. But surely the enforcement of such a ruling would be attacked in the courts, and the FCC's legal grounds appear to be nonexistent.

The moral grounds of such a federal government edict are certainly null. The government not only sanctions cigarettes by taxation; it actually encourages their manufacture and sale through support of tobacco crop prices.

The issue here is not the morbidity that may be assigned to smoking cigarettes. It is whether a federal agency may, by decree, say what may or may not be advertised to the public when there is no question of fraud or other crime being involved. Such authority cannot be tolerated in a free society.

[From the Allentown (Pa.) Call,
Feb. 7, 1969]

BUREAUCRACY AT ITS WORST

There is something frightening about the Federal Communications Commission proposal for a complete ban on cigarette advertising on radio and television.

While the motivation ostensibly is the protection of the health and welfare of the American people, the implication is one of bureaucratic usurpation of authority, an act of doubtful legality and constitutionality.

Researchers have rather firmly established that cigarettes are harmful to the health. Smoking has been closely related to the incidence of heart disease, lung cancer and other cardiovascular and respiratory ailments.

But millions of Americans continue to smoke billions of cigarettes a year, not because they are unaware of the danger, but because they like to smoke, enjoy a few or many puffs and are willing to take the risks inherent to a habit they cannot or do not care to "kick."

They are doing nothing illegal, because the manufacture, sale and use of cigarettes has not been legally banned.

Under the circumstances, any efforts to institute a ban on advertising them would be an unreasonable restraint upon a legitimate business.

Furthermore, it would be an alarming precedent that could lead to additional restraints on other legitimate enterprises.

We hold no brief for cigarette smoking or the tobacco industry. We do see in this move an example of bureaucracy at its worst. Concerned as we are about the infringement on the rights of one industry, we are even more concerned about the Pandora's box of problems that could result for all industry if this attempt is allowed to go unchallenged.

[From the Bloomsburg (Pa.) Press,
Feb. 17, 1969]

PLAYING WITH FIRE

The Federal Communications Commission is playing with fire in its preliminary moves toward imposing a ban on cigarette and tobacco advertising on television. A more discriminatory act would be difficult to imagine and general opinion is such a move would be promptly upset in the courts.

Even doctors are not in accord on the extent of danger to health created by smoking. But the ban would not extend to beer and wine advertising, excessive use of which is also hazardous. Neither would it apply to automobiles, which certainly constitute a tremendous health menace.

Of course the FCC has no authority to step into other fields to regulate advertising. It can do nothing about books, pamphlets, newspapers, billboards or window

displays. And if it attempts to obtain a law making manufacture, sale and use of tobacco illegal, it would be asking for more trouble than prohibition advocates ran into. Odds are heavy that Congress would show more sense than FCC and not go along with any such proposal.

Even the hint of such action causes wonder about the state of mind of members of FCC.

[From the Butler (Pa.) Eagle, Feb. 13, 1969]

BAN ON CIGARETTE COMMERCIALS OPPOSED

The proposed ban of cigarette advertising from the broadcast media strikes us as a good intention gone awry.

If cigarettes are so undesirable from a health standpoint, the government would do well to prohibit their sale and use, but while they are still legal in commerce, they should be permitted to be advertised, even on radio and television.

The government has already required cigarette makers to label the package with a warning that the contents may be injurious to the user's health, and this seems quite proper, although many unlabeled products can also be harmful, even fatal. But when federal authorities went a step further and required stations to give free anti-smoking plugs, that was too much. Now, proposing a complete ban on broadcast cigarette commercials, the government would go entirely too far.

Admittedly, the government controls broadcast stations through their federal licenses to use the public broadcast frequencies, but the government should be willing to have those licensees carry advertisements for products that are legal elsewhere in the marketplace.

For the public discussion through May 6, before the Federal Communications Commission makes its June 30 formal ruling, we side with those who consider the proposed ban unreasonable.

[From the Philadelphia (Pa.) Inquirer, Feb. 11, 1969]

WHERE GUIDELINES ARE NEEDED

There is more than the protection of the public from a presumed health hazard in the 6-to-1 vote by the Federal Communications Commission to ban cigaret advertising on television and radio.

If Congress permits this independent, non-elective agency to get away with this form of censorship, what will the next step be? A decision that automobiles can cause fatalities and thus should be barred from television and radio commercials? Or that fatty foods, or sweets, or headache remedies, if used improperly and to excess, might be harmful, and thus should not be permitted the air waves for the purpose of advertising?

If cigarettes are to be barred as a potential health menace, what about other forms of tobacco? Are they to be given competitive advantage? And are movies which show performers smoking, or drinking beer or liquor, to be outlawed on television?

What this latest FCC action serves to spotlight is not the controversy over cigaret smoking as one of the causes of lung cancer and other respiratory diseases, but the effort to usurp the power and functions of Congress.

The elected Congressmen are the lawmakers under our system of Government, not the appointees making up the Federal Communications Commission. There is a law on the books, passed by Congress in 1965, requiring labels on all cigaret packages warning that "Cigaret smoking may be hazardous to your health."

The law expires June 30, and the FCC is making Congress aware of its intentions, this far ahead of time, to press for a ban on cigaret advertising on television and radio.

Congress will have the last say on this subject. Perhaps it will also consider the establishment of new and proper guidelines for the FCC; this is by all means appropriate.

[From the Reading (Pa.) Times, Feb. 13, 1969]

FCC'S CENSORSHIP

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Congress has seen no need for another noble experiment. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air.

What the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Sharon (Pa.) Herald, Mar. 19, 1969]

A WORSE ALTERNATIVE

If cigarette commercials are eventually banned from television and radio by edict of the Federal Communications Commission, it will cost the broadcasting industry some \$225 million in annual revenues.

That is a sizable hole in any industry's pocket. There remains, however, one hitherto untapped source of revenue which the broadcasters are reportedly considering to fill the gap.

"If FCC succeeds in banning cigarette ads, we just might consider hard-liquor clients," one network executive is quoted as saying.

Currently, liquor ads are kept off the air by two voluntary codes. It seems highly doubtful that the industry will risk arousing public wrath by abandoning the codes, and perhaps end up with the FCC promulgating a second ban to include liquor.

If worse comes to worse and their tobacco revenue goes up in smoke, the broadcasters will just have to try to do the best they can with what they've got. Possibly they could beef up their deodorant or toothpaste advertising.

These are examples of products that don't injure anyone; they just make a lot of viewers sick.

[From the Charleston (S.C.) News & Courier, Feb. 7, 1969]

A SMOKING ISSUE

Even though all doctors do not agree about what cigarette smoking does to the human system, let it be assumed that by and large people who do not smoke are better off than those who do.

With that assumption, let's take a hard look at the Federal Communications Commission's threat to stop all tobacco advertising on radio and television after July 1 if Congress fails to extend the "hazardous warning" law passed last year. That law requires cigarette makers to print on each pack of cigarettes this warning: "Caution: Cigarette Smoking May Be Hazardous to Your Health." If the law is extended, the FCC will be unable to put its proposed advertising ban into effect.

Already some anti-cigarette members of Congress, notably Sen. Frank E. Moss (D-Utah), are hailing the FCC's move and are promising to support it, to the extent of filibustering if necessary. Some cooler

heads—among them David H. Sloan, president of South Carolina State Farm Bureau—are pointing out that the FCC rule would set a dangerous precedent.

Indeed it would. Assuming, again that cigarettes may not be the healthiest things people can consume, the government has not declared their production or sale illegal. If that is so, what authority has a governmental agency to say that this product cannot be advertised?

If cigarettes cannot be advertised on radio or television, what about advertising in printed media? Why discriminate against radio-TV? Or, for that matter, why discriminate against cigarettes and let other products go free?

Beer and wine may be advertised on radio and TV, yet anybody knows that abuse of these products may be hazardous to health. Yet beer and wine are not required to carry cautionary labels. Nor are automobiles, which also may be hazardous to health.

Mr. Sloan of the Farm Bureau surely is on target when he asks: "If tobacco is first, what is going to be second? What is going to be third?"

It is hard to believe that, in order to give an advertising ban on cigarettes some semblance of legality, Congress would go so far as to make production and sales of tobacco illegal. If it should, there would arise a bootlegging operation that would make the Prohibition era seem like small potatoes.

Before this smoking issue bursts into flame, Congress needs to advise the FCC in no uncertain terms that what the agency is proposing is an unwarranted interference with industry, and with individual freedom of choice.

[From the Columbia (S.C.) State, Feb. 11, 1969]

DANGEROUS TO ALL

In its attempt to purge all cigarette advertising from the airwaves, the Federal Communications Commission neatly sidestepped the main objection to its action. "We believe," the six-man majority piously intoned, "that in the case of such a threat to public health, the authority to act is really a duty to act." What the commission prefers to ignore is that, by law, no such authority exists.

Nothing could be plainer than its absence. In 1965, Congress passed the famous Cigarette Labeling and Advertising Act. This is the law that requires manufacturers to print a health warning on each pack of cigarettes. It is likewise the law that prohibits any federal, state or local agency from attempting to regulate cigarette advertising.

The FCC previously nibbled at the corners of this legislation by ruling in 1967 that the "fairness doctrine" requires broadcasters to donate free time for anti-smoking plugs. This was patently an attempt to do what the law says the commission may not do—regulate cigarette advertising—but the temper of the times was such that broadcasters swallowed the ruling rather than provoke more controversy on the subject.

Thus encouraged, the FCC now has moved in for the kill. It will outlaw cigarette commercials altogether, it announced last week, and let Congress stand in the way if it dares. In the meantime, broadcasters are encouraged to dispense with cigarette ads on their own. "We are issuing a serious call to the industry," said last week's announcement, "to focus upon what its responsibilities are."

These responsibilities, it is obvious, are subject to debate. The same may not be said of the responsibilities of the FCC, among whose foremost obligations is obedience to the law. It also might be reasonably expected that the FCC would refrain from thinly disguised threats against the industry it regulates.

Because of the FCC's imperious attitude, the issue no longer is confined to whether

cigarette smoking is good, bad or indifferent. The question is whether the FCC is to be permitted to go its own sweet way, irrespective of the law's restraints. Sen. Sam J. Ervin of North Carolina has fairly characterized the commission's action as "the supreme example of bureaucratic tyranny." This is a public evil that even the most convinced non-smoker should be anxious to see snuffed out.

[From the Austin (Tex.) American, Mar. 7, 1969]

A THREAT TO MEDIA FREEDOM

The mighty arm of the federal government, which seemingly has endless tentacles labeled "federal control," "federal intervention," "federal regulation," reaches out to enforce through the Federal Communications Commission a movement to ban televised cigarette commercials. To many, with only casual consideration of the results, this would seem a wise move as a means of safeguarding health. Protection of the health of the population is indeed a function of government, but by more direct action than administrative regulations of agencies and commissions.

So long as purchase of cigarettes is legal in the United States, administrative rules prohibiting the advertisement of cigarettes in any media would be inconsistent with a person's right to pursue his livelihood within the law. Many years ago our forefathers learned that a rotten potato in the bin soon destroys the whole. Once a government agency establishes that it can prohibit the advertising of legal merchandise through television, as an example, what then prohibits the spread to other media, prohibiting the advertisement of a varied assortment of goods? Or for what purpose the prohibition?

It has been amply put that any governmental action that regulates the freedom of one advertising medium is a threat to the freedom of all media. It is a threat to a merchant's right to buy and sell legal merchandise, at a profit. It is a threat to the right of a television or radio station, or a newspaper or magazine, to exercise its own right to reject or accept advertising on the basis of propriety and taste.

There should be close scrutiny of the FCC's threatening action against televised cigarette commercials. This is the type of administrative regulation that time has proved could have a cancerous effect with more far reaching results in many areas of business.

[From the Amarillo (Tex.) News, Feb. 8, 1969]

ADS AND THE DAD IMAGE

That most solicitous father image, your Federal Communications Commission, has now decided to join with the myriad other fatherly types on the Hill and try to ban smoking ads on radio and television. Down with evil!

Everybody is against evil and sin. So what more popular tack could be taken than to ban those insidious lures, the cigarette smoking ads? That's really protecting the American consumer.

No more of "You've come a long way, baby . . ." or those sparkling folk with black eyes who would rather fight; the lovers, hand in hand, sprinting through the countryside . . . etc. etc., What a pity!

In fact, these comic cigarette ads with spritely song about "happiness is" may dissuade more potential smoking beginners than we can count, simply because they are that—silly.

Americana consists of a vast montage of memories, and it isn't trite to say that the "Lucky Strike Hit Parade" and the Grand Canyon Suite which "called for Philip Morris" on "The First Nighter," are part of that which is uniquely national in flavor. But it wasn't "Johnny" or the Raymond Scott Quintet which started most lifetime smokers down the perilous path. It was the en-

trancing odor of tobacco smoke wafting to the nostrils—the iniquity of another smoker.

The FCC, if it weren't so serious in its paternal attitude, would be hitting a new high in hilarity. Does the FCC really believe that the American consumer is so weak-minded he will assume the smoking habit after viewing or hearing those satirical tobacco ads? Let us look at the facts:

A confirmed smoker pays no attention to cigarette advertising unless it might offer them less tar and nicotine. This can hardly be construed as bad advertising.

A confirmed smoker who is contemplating quitting isn't affected by the cigarette ads one way or another. The only effect is from the guy across the table or across the room, puffing away and giving the quitter "nicotine fits."

No amount of advertising or nonadvertising affects the boy who steals his mother's "coffin nails" and has a secret smoke in the alley. He is either going to try it and like it or he has been so warned of the devastating consequences that he has no desire to begin.

There also are those youngsters who light up because it's the in thing. The rest of the crowd does, and they want to conform. Cigarette commercials designed to label smoking as sophisticated, romantic, or manly—e.g. the Marlboro Country approach—may contribute some to this aspect of the problem. But not much.

Over all, fewer young people are taking up the habit for the simple reason that they have begun to recognize it for what it is, and they know better.

This may or may not be partly due to the so called public service ads which deplore smoking and talk about subsequent heart trouble and lung cancer. In any case, every pack contains warnings of the hazards of smoking, printed clearly on the outside.

Well, you say, what good is tobacco advertising? Why permit it?

First of all, the banning of advertising of any sort of legitimate business raises the question of just how far government should go in its pressure to tell us what's good for us. There are some things we must choose for ourselves. And we should be allowed the choice unless what we do destroys the rights or property of another.

Tobacco advertising represents 10 per cent of television's sponsorship money and that's employment for a lot of people.

People do a lot of foolish things in the name of pleasure. Many of the things they do lead to disease and death besides smoking. Driving too fast is one. Shall we stop advertising automobiles, too?

If moral fiber is ever going to reassert itself as the steel of human behavior, then its strength must come from resisting temptation (obviously the FCC regards advertising as temptation.) But, if a kindly father image which has no relation to the spiritual part of man at all, is going to sit in Washington and remove all the temptations, we shall bowl merrily down that road which finally consumed Greece and Rome.

Surely, we are smarter and stronger than that.

[From the Dallas (Tex.) Morning News, Feb. 7, 1969]

GAG RULE

If the Nation is to maintain any semblance of a free press, Congress should force the Federal Communications Commission to pull in its horns, pronto.

The latest FCC escapade is a threat to ban cigarette advertising from the airwaves. A law specifically forbidding the FCC to take such action expires June 30.

The FCC may call it regulation in the public interest, but what it amounts to is censorship, pure and simple.

Advertising, be it for cigarettes, automobiles or headache remedies, is information.

And it should concern all Americans that six men in Washington have taken it upon themselves to sit in judgment on broadcast information, allowing other Americans to see or hear only what the FCC decides is good for them.

Make no mistake, this trend would not stop with cigarettes. Ever since their high priest, FDR, called advertising "economic waste," the liberals in Washington have waged war on advertising of all kinds.

Arguments against advertising are mostly hogwash. No historian or economist, no matter how liberal, can make a sound case that America could have reached this state of relative affluence without advertising.

The clincher is offered by the Soviet Union, whose socialism is the liberal's utopia. In a move that shakes the very foundation of their ideology, the Soviets are gradually relaxing their ban on advertising.

Though they pale beside the censorship issue, two other questions are raised by the FCC's threat:

If the authorities can really prove that cigarettes are deadly or even dangerously harmful, the thing to ban is the cigarette, not cigarette advertising.

Nothing qualifies the FCC to sit in judgment on health matters; even the Food and Drug Administration and the Public Health Service lack sufficient evidence to prove a case against cigarettes.

Over the last few years, the FCC has tightened its grip on radio and television outlets. Through its so-called fairness doctrine, the agency sits as judge and jury on whether a station's license will be renewed.

What station, under the circumstances, would criticize the FCC without fear of losing its license?

If the FCC is given the untrammelled right to censor broadcast material, isn't the next logical target the printed word?

With the FCC censoring the press, who would be free to question the FCC?

[From the Lubbock (Tex.) Morning
Avalanche-Journal, Feb. 7, 1969]

CIGARETTE AD PROPOSAL OFF BASE

There are many reasons for doubting the wisdom, the need and the possible legality of the Federal Communications Commission's proposed ban on radio and television advertising of cigarettes.

One more important reason is that all the evidence is far from in on the links between smoking and disease. The U.S. Public Health Service, of course, has concluded that smoking is a tremendous hazard to the public health. However, researchers still are trying to pin down a "cause and effect" role on a scientific basis.

The PHS theory is that if doubts are admitted, smokers will continue to find excuses for not quitting and beginners will not be sufficiently frightened. No Federal or other agency, however, is able to surpass such reports as that of the American Medical Association Committee for Research on Tobacco and Health, issued last year. So far, the report said, research has failed to pin blame conclusively on cigarettes for cancer, lung disease and heart ailments.

The public is aware of health hazards. It is reminded by the warning required on cigarette packages. Broadcasters who use cigarette ads are forced by the FCC to carry also anti-cigarette announcements.

The lone dissenter among the FCC's seven members is James J. Wadsworth. He says the FCC "fairness ruling" allows the public to make its own informed choice whether or not to smoke.

In addition, it may be pointed out that individuals, in making that choice, are influenced by radio and television advertisements far less than the FCC and other agencies seem to think. Choice between brands, yes.

It appears that Congress will have to take a hand by extending, or revising reasonably, the 1965 law requiring the health warning and restricting the FCC's power to control advertising.

[From the Odessa (Tex.) American, Feb. 26, 1969]

DO AS I SAY?

We note that the Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspoiled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

There are some who will object to the fact that the federal government has not yet decided that cigarettes are illegal, and that what is legal can be advertised. There are some others who have the idea that prohibition on any legal communication such as this is a violation of the free speech-free communications amendment to the Constitution. They seem to have forgotten that the federal government seized ownership of the airwaves and has presented it to the FCC, as licensing agent, and that the power to license is the power to deny a license unless the licensee does as he's told.

We don't like the idea of any governmental agency dictating what can and cannot be said. We don't think it's any bureaucrat's business how a legal product is advertised.

But if federal bureaucrats really are against cigarette smoking, as they say, why do they not go to work on stopping federal subsidies for tobacco? Tobacco growers are subsidized, and only a couple of years ago there was quite a to do over the fact that the state department was promoting the sale of American cigarettes in foreign lands.

Also, when some folks hereabouts suggested stopping purchase of all cigarettes containing tobacco from a communist-ruled land, the State Department charged that the would-be boycotters were interfering with the nation's foreign policy.

If cigarettes are as bad as the health and television bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product instead of interfering with private activities.

[From the McAllen (Tex.) Valley Monitor,
Mar. 6, 1969]

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[From the Orange (Tex.) Leader, Feb. 26, 1969]

FCC PROPOSAL HAZARD TO NATION'S HEALTH

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health. But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio.

The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigarette smoking, said the commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials."

Perhaps there is no such intent by these commissioners. But the precedent would be established.

Suppose a majority of a future commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patient medicine ads.

The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. But advertising pays the bill for the free entertainment and information he receives.

Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would gain an advantage over others.

Similarly, cigar manufacturers would profit by being able to use a mass advertising medium denied to cigarette makers. Newspapers and magazines could expect to pick up some 300 million in advertising barred from the TV and radio stations. So it would go. The possibilities for inequity and favoritism, through bureaucratic action, are alarming.

The appetite of a government censor grows with every bite of power. If a federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines?

And if censorship of advertising is permissible, why not the news and editorial content? The FCC proposal plainly constitutes

a "unique danger" to a free press and free enterprise.

Congress should rule it out on the ground it is hazardous to the national health.

[From the Plainview (Tex.) Herald, Feb. 12, 1969]

DANGEROUS PRECEDENT

The Federal Communications Commission proposal that cigarette advertising be banned on radio and television continues to spark concern and not only from those in the radio and television industries.

Sen. Barry Goldwater, re-elected to the U.S. Senate last year after his 1964 defeat as the Republican presidential candidate, is one of the latest to rap the proposal.

"I've never smoked in my life," Goldwater said at a Dallas press conference, "but if the government can prohibit the advertising of cigarettes, then maybe it can prohibit other kinds of advertising."

Many people are inclined to agree. After all, why should the federal government stop there?

Lung cancer is increasing at an alarming rate. It has captured the public's fear and attention as no doubt it should. Evidence linking smoking and various diseases continues to mount. The U.S. Public Health Service, as an agency of the federal government, felt it had an obligation to warn the public. It did and continues to do so.

Many smokers and potential smokers no doubt were and are being favorably influenced. Millions of others, judging from cigarette sales, obviously have not.

However, it remains two different things to warn the public and to restrict all advertising of a product which the evidence indicates can, for some people, particularly if used in excess, be seriously harmful.

Many products, particularly when used in excess would fit that category.

Why, then, limit such a ban to cigarettes? Pipe and cigar smoking also have been indicted, even if to a lesser degree, as possible causes of cancer and other diseases. And what about alcohol? Certainly, it would be difficult to convince anyone having even a little common sense that imprudent use of alcoholic beverages cannot be responsible for an entire fleet of physical and mental ailments.

Even use of the common aspirin can be fatal if taken in overdose.

A question of use of federal power definitely is at issue in the anti-advertising proposal and the dangers in such a plan are simple enough to be obvious to all.

[From the Vernon (Tex.) Record, Feb. 12, 1969]

UNWARRANTED CONTROL ATTEMPT

Responsibility of public authority to institute regulation or control, as conditions may warrant, aimed at protecting the public health and well being is beyond dispute. This is not universally recognized. Some disagree on religious grounds. Others disagree because of a belief that the government has no right to control the habits or behavior of a private individual.

But dissent in matters involving health is exceptional and measures to prevent the spread of disease are generally accepted. Research in recent years has pretty well established that cigarette smoking is a health hazard, not to the degree that the use of drugs or alcohol may be, but still a hazard. Congress took note of this fact and adopted legislation requiring manufacturers to call attention to the existence of these dangers.

A few days ago the Federal Communications Commission announced its intention to enforce a rule prohibiting all cigarette advertising over radio and television, basing its decision on scientific findings that tobacco fumes inhaled over a period of time may cause lung cancer and possibly other ailments.

Regardless of what one may think of smoking as a habit or as a menace to health the fact is that the proposed regulation goes beyond the legal authority of FCC. Open to question even is whether Congress has authority to act in protection of the public health to the extent of prohibiting cigarette advertising over radio and television, or for that matter prohibiting the manufacture and sale of cigarettes.

Possibly, since health measures are generally accepted as being within the scope of Congressional powers, but it would be difficult to justify assumption of such authority by a Government bureau.

In this situation there may be an inclination on the part of a great many to go along with the FCC ruling. Cigarette smoking is not conducive to good manners or good health and probably the general public, especially present smokers, would benefit from any rule which would reduce the consumption of cigarettes.

But that is a decision the Federal Communications Commission has no right, in law or in ethics, to make. If it can prohibit cigarette advertising because of harmful effects of the smoking habit it might later on ban the use of broadcast facilities for most any product it decided was bad for the health of individuals. There are a lot of things going over the air waves more damaging to health and morals than cigarette advertising.

[From the Waco (Tex.) News-Tribune, Mar. 9, 1969]

FCC OVERSTEPS AUTHORITY IN ZEAL TO GUARD—WHOM?

Congress may, and should, prevent the Federal Communications Commission from going through with its proposed ban on radio and television cigarette advertising.

So long as cigarettes are legal merchandise, it does not seem right or logical that one medium of advertising be forbidden the producer while newspapers, magazines, billboards and counter displays are allowed to continue hawking the product.

Congress is expected to review the FCC proposal and to look again at the federal law, which expires June 1, that requires cigarette packages carry the warning: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

The FCC said it is proposing to refuse licenses to broadcasters who carry cigarette advertising because of evidence that smoking is injurious to health and the FCC has an obligation to protect the public interest. This is nibbling at one corner of an issue that is bigger than the FCC and may be bigger than the Congress: the right of individuals to do as they please so long as they don't harm another. It also is a good example of the misguided philosophy that if you don't mention something, maybe it won't hurt you and will disappear.

Congressman Paul Rogers, Florida Democrat, and chairman of the House Interstate and Foreign Commerce Committee, said in reference to the proposed FCC rule that the agency had overstepped the bounds of its authority. He said he doubts that FCC has any right to tell an advertiser what he could not say in his advertisements. Rogers said Congress will take a close look at the whole question of regulations on television and radio advertising content, not only as to the Federal Communications Commission but in regard to Federal Trade Commission practices as well.

The stakes involved extend beyond the business of broadcasting. They go to the heart of whether government bureaus should be allowed to go beyond the limits of due process and the law.

[From the Arlington (Va.) Sun, Mar. 3, 1969]

HEALTH HAZARD?

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health.

But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigarette smoking, said the commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ."

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Perhaps there is no such intent by these Commissioners, but the precedent would be established.

Suppose a majority of a future commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs require a ban on patent medicine ads.

The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves, but advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive.

It cannot live under a form of censorship based on the possible prejudices of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would gain an advantage over others.

Similarly, cigar manufacturers would profit by being able to use a mass advertising medium denied to cigarette makers.

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And if censorship of advertising is permissible, why not the news and editorial content?

The FCC proposal plainly constitutes a "unique danger" to a free press and free enterprise.

Congress should rule it out on the grounds it is hazardous to the national health.

[From the Richmond (Va.) News Leader, Feb. 10, 1969]

TODAY CIGARETTE ADS, TOMORROW . . .

All along, the American public in its ignorance has assumed that the Federal Communications Commission, as a regulatory agency, was restricted to duties such as handing out licenses to prospective radio and television stations applicants. Not at all. By advising Congress that it plans to institute a ban on all radio and television advertising of cigarettes after June 30, unless Congress forbids it, the FCC has emerged as a watchdog over the nation's health.

Briefly, the agency reasoned that the Surgeon-General's 1964 report on connections between smoking and lung disease proved beyond a reasonable doubt that smoking is injurious to the health. Never mind that great numbers of experts challenge the report's conclusion, the FCC considers the Surgeon-General's report to be Holy Writ.

Only last year, the FCC extended its fairness doctrine to cover cigarette advertising, forcing stations that carry paid advertising for cigarettes to provide free time for anti-smoking ads. Although that action was considered by many to be an unauthorized arrogation of power it wasn't enough for the FCC. Now all cigarette advertising must be banished from the nation's airwaves, or the FCC will fall into a conniption fit.

If Congress, through some lapse in common sense, should permit the FCC to get away with its latest grab for power, there's no telling what could happen in the future. The agency might decide that because candy can be harmful to teeth, stations must provide equal time for anti-candy commercials. Or because thousands of Americans are killed or injured in automobile crashes, advertising for automobiles must be banned.

Obesity places a burden on the heart, so the FCC might ban all food commercials. The majority of accidents happen in the home, so real estate advertising would stop. Several sports, such as skiing, pose threats to physical well-being, so no advertising of equipment for these sports would be permitted. And of course, the FCC would be the final arbiter of what is hazardous and what is not, just as it proposes now to distinguish between "safe" cigarettes and "dangerous" cigarettes. The FCC indubitably knows What Is Good For Us.

Unlikely? Don't you believe it. If the FCC today can propose to ban certain paid advertising on radio and television stations, what can it not do in regulating the nation's health, morals and individual freedom? As they say, today cigarette commercials, tomorrow the world. Should Congress approve the FCC's proposed assumption of sweeping powers in the field of advertising, the nation on June 30 would wake up to find that overnight the Federal government had hatched a powerful fourth branch.

[From the Charleston (W. Va.) Mail, Feb. 15, 1969]

BY CENSORSHIP TOWARD SOME GAIN IN THE STATE OF PUBLIC HEALTH?

Because cigarette smoking is not good for people, the Federal Communications Commission would like to ban cigarette advertising on radio and television.

Well and good. It is established, then, as a firm principle of government that what is not good for people may not be advertised on radio and television. People are pretty dumb, after all. They hear and see what they should not hear and see. They are tempted by what no one should be allowed to tempt them with. And by this route, they proceed to their own destruction.

But cigarettes are not the only things that are bad for people. Automobiles are also bad for people. Look at the statistics from the Automotive Safety Foundation on any day's casualties—and especially on a long holiday week-end.

Patent medicines, soft drinks. Headache remedies all have their critics—authorities in varying degrees, who say that the American people would live better on less if they did not consume what they please and followed more faithfully the advice of their physicians.

And radio and television are not the only means whereby shrewd advertisers persuade an uninformed and often indifferent people to spend their money unwisely. There are also newspapers and magazines, most of which are guilty in some degree of trafficking in this delinquency of minors and leading the ignorant to their downfall.

Is the next step, then, some new commission, much broader and far more powerful than the FCC, standing guard over a nation of children to make sure that they never see or hear of anything which is not good for their health?

A little far-fetched, to be sure. But in view of the unhappy experience with the prohibition amendment and the Volstead Act, not as far-fetched as one might think. Even when the doctors, the moralists and the lawmakers utterly agree on what the people should and should not do (smoking and drinking, for example), getting them to cease and desist and do as they are told is a tedious and often dangerous undertaking which raises new problems faster than it solves old ones.

[From the Richmond (Va.) Times-Dispatch, Feb. 14, 1969]

THE FCC IS OFF BASE

The Federal Communications Commission may have the legal right—though this is in dispute—to ban cigarette advertising on television and radio. But such a ban would not be in the public interest and could set a dangerous precedent.

The FCC says that cigarette smoking is "a serious, unique danger to public health." So it will prohibit the broadcasting of cigarette commercials unless Congress intervenes to prevent such action.

Cigarette smoking may be injurious to the individual who smokes, but it is not a public health hazard in the sense that tuberculosis or other communicable diseases are. Diseases alleged to be caused by tobacco aren't "catching."

But the benevolent FCC wants to protect the individual from his own weakness, by not letting him be seduced by an advertisement on television or radio. This is drastic action, to say the least.

If this ban against an alleged private health menace is proper, how much more justified would be bans on innumerable other commercials.

Beer, for example. Excessive use of this commodity can make a driver an extreme hazard on the highway.

Or consider automobile advertisements that glamorize speed and horsepower. Many people believe such ads encourage fast driving with sometimes disastrous results, not only for the driver himself but for others on the road as well.

Many patent medicines advertised via radio and television are dangerous if taken in excess. Are such commercials to be proscribed in order to protect us?

Up to now, the power of the government has not been brought to bear to prevent the commercial promotion of any product that is completely legal in every state in the Union. The federal government even encourages the manufacture and sale of cigarettes through support of tobacco crop prices.

Regulation of broadcast cigarette advertising may be entirely in order; misleading health claims should rightly be banned, for example. But a flat prohibition on use of the airways to promote a legally sold product exceeds any power which the people want given to the FCC or to any other governmental agency.

[From the Parkersburg (W. Va.) News, Feb. 21, 1969]

FCC FAR AFIELD IN ADVERTISING BAN

It has been established to the satisfaction of most people, it seems safe to say, that cigaret smoking, at least when extensively indulged in, is detrimental to the health.

Even, however, if the case against the cigaret was more convincing than is the case, it would be possible to challenge both the competence of the Federal Communications Commission to classify it from a public health standpoint and its authority to bar cigaret advertising from the air waves on the basis of that finding.

In its six-to-one decision the Commission declared cigaret smoking to be "a serious, unique danger to public health" and that, therefore, "it would thus appear wholly at

odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger." The declaration added that the Commission did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials."

This, no doubt, is an accurate statement of the Commission's present intention. There is no guarantee, however, that it will endure. So that, wholly aside from the merits of its present stand as an isolated exhibit, what we have here is a precedent of mischievous potential.

Suppose that next month or next year or five years from now the present Commissioners or their successors arrive at the conclusion that liquor drinking constitutes the same "unique danger to public health" it professes to see in cigaret smoking. Or, carrying the speculation further, suppose the Commissioners, or a majority of them become convinced that the temptation to overindulge in pastries, various sweets and other foods disposed to produce overweight is stimulated by televising their attractions to the detriment of the public health. Isn't the next step a ban on the broadcasting of tantalizing food commercials?

In the final analysis the chain reaction of the force set in motion by this cigaret ban is to subject all air advertising to the judgment of who-ever happens to sit on the Federal Communications as to what is good or bad for the public.

Whatever may be said of the merits of cigarets or any other products advertised on the air waves, a sound rule of reason to follow, it would seem to this newspaper, is that any product that can be manufactured and sold legally can be advertised honestly via any medium the seller chooses to employ.

[From the Parkersburg (W. Va.) News, Feb. 20, 1969]

OLD PROBLEMS ARE HARD TO SOLVE

Because cigarette smoking is not good for people, the Federal Communications Commission would like to ban cigarette advertising on radio and television.

Well and good. It is established, then, as a firm principle of government that what is not good for people may not be advertised on radio and television. People are pretty dumb, after all. They hear and see what they should not hear and see. They are tempted by what no one should be allowed to tempt them with. And by this route, they proceed to their own destruction.

But cigarettes are not the only things that are bad for people. Automobiles are also bad for people. Look at the statistics from the Automotive Safety Foundation on any day's casualties—and especially on a long holiday weekend.

Patent medicines, soft drinks, headache remedies all have their critics—authorities in varying degrees, who say that the American people would live better on less if they did not consume what they please and followed more faithfully the advice of their physicians.

And radio and television are not the only means whereby shrewd advertisers persuade an uninformed and often indifferent people to spend their money unwisely. There are also newspapers and magazines, most of which are guilty in some degree of trafficking in this delinquency of minors and leading the ignorant to their downfall.

Is the next step, then, some new commission, much broader and far more powerful than the FCC, standing guard over a nation of children to make sure that they never see or hear of anything which is not good for their health?

A little far-fetched, to be sure. But in view of the unhappy experience with the prohibition amendment and the Volstead Act, not as far-fetched as one might think. Even when

the doctors, the moralists and the law-makers utterly agree on what the people should and should not do (smoking and drinking, for example), getting them to cease and desist and do as they are told is a tedious and often dangerous undertaking which raises new problems faster than it solves old ones.—Huntington Herald-Dispatch.

[From the La Crosse (Wis.) Tribune, Feb. 7, 1969]

NEW HIGH IN NONSENSE

The Federal Communications Commission—we hope—is setting itself up for a fall in its latest ukase that cigarette advertising be banned from TV and radio.

The FCC hasn't actually issued such an order, the arrogance quotient of its members being balanced for the moment by the fact that it is restrained by law until July 1 from trying any such thing.

The cigarette labeling act of 1965 (Caution: Cigarette Smoking May Be Hazardous to Your Health) called for the warning on each package. It also prohibits the Federal Trade Commission and other federal agencies from putting restrictions on cigarette advertising.

The law expires this summer, unless renewed or toughened. Meantime, the FCC, which in mid-1967 twisted its fairness doctrine to require that anti-smoking messages be given free air time to balance the tobacco industry's paid ads is ready to ban all cigarette ads from the air unless Congress acts.

And Congress should act, both to put nosy bureaucrats in their place and to reaffirm the right to promote a legal product.

There is little doubt in the minds of most Americans that smoking is no contributor to health or longevity. But the same can be said, at least for most people, in the case of liquor, wine and beer; or overindulgence in coffee or, for that matter, potatoes or ice cream.

The federal government still uses tax funds to promote the sale of American tobacco abroad, and funds price supports for domestic growers. Most cigarette advertising is silly and infantile, but no sillier than the latest FCC proposal.

[From the Weirton (W. Va.) Times, Feb. 26, 1969]

DANGEROUS PRECEDENT

Medical science has produced enough evidence to convince us that the habitual cigaret smoker is endangering his health. But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigaret advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigaret smoking, said the Commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger. . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials." Perhaps there is no such intent by these commissioners. But the precedent would be established.

Suppose a majority of a future commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads. The average TV viewer and radio listener would be happy if all com-

mercials could be banished as a hazard to his nerves. But advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

[From the Milwaukee (Wis.) Sentinel, Feb. 7, 1969]

HALT, BIG BROTHER

Step by step, America appears headed away from freedom and toward regimentation. One of the steps in fateful march will be taken if the federal communications commission is authorized by Congress to ban radio and television advertising of cigarettes.

What disturbed us about this proposed new prohibition is the effect it has on American principles of government. It cuts down the principle of voluntary rule and promotes in its place the principle of compulsory rule.

There has been, to be sure, a growing tendency for government to tell people what they can and cannot do. One would have thought that the nation's experience with the 18th amendment would have taught it something. But if it did, the lesson has been forgotten. Big Brother is coming on with a vengeance.

So after cigaret advertising on radio and television has been prohibited, then, what? To stay in the area of the specific concern, suppose that it is established—and perhaps it already is—that air pollution, particularly from the internal combustion engine, is as much of a cause of lung cancer as cigaret smoking. Then shouldn't gasoline advertising be banned? In the end such laws and regulations could make life in America as safe as a burial vault.

Congress should reverse this trend toward having government run every aspect of our lives. A good place to start would be by denying the FCC the authority to prohibit cigaret advertising on radio and television.

THE GUN AND THE LAW

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in the May issue of "Guns & Ammo" magazine is an excellent and timely article by my good friend and colleague, the Honorable BOB CASEY, of Texas, entitled "The Criminal—The Gun And The Law."

In the article, Congressman CASEY explains in detail the provisions of a bill, H.R. 5497, that it was my pleasure to join with him as sponsor.

This legislation seeks to impose an additional mandatory sentence on a person convicted of using a firearm in the commission of a felony. This distinguishes between the right of a citizen to possess a firearm and the necessity to convince the potential criminal that the law considers the use of a firearm in the commission of a crime a serious offense in itself.

I highly commend Congressman CASEY's thoughtful article to my colleagues:

THE CRIMINAL—THE GUN AND THE LAW
(By BOB CASEY, U.S. House of Representatives)

From the comments I've heard—I gather you are over-supplied in red tape and Federal regulations.

Now, you not only have to be an expert in equipping the outdoorsman—but you had

better be as smart as a Philadelphia Lawyer, so you will know just what you can and cannot do—and what your customer can and cannot do.

A few weeks ago, I had the pleasure of speaking to the Sportsmen's Clubs of Texas at their annual meeting in Austin. The members of SCOT represent thousands of your customers—hunters, trap and skeet shooters, gun collectors and fanciers. I told them emphatically that the criminal has cost them dearly in the loss of individual liberty and freedom. The criminal is almost solely responsible for bringing forth restrictive firearms legislation which has placed unnecessary restrictions on the law-abiding citizen—in a vain effort to curb crime.

And if the criminal has cost your customers heavily in the loss of individual freedom and liberty—he has cost you far more in the added burden of red-tape and futile record-keeping. And I tell you, as I've told my colleagues in Congress, the ridiculous record-keeping now required of you—particularly on the sale of ammunition—is not going to have one bit of impact on our growing crime rate.

All of you, I know, are somewhat familiar with Public Law 90-618. It is the Gun Control Act of 1968. Title One—dealing with long guns and pistols—is 13 pages long.

Well, there are 18 more pages of "Do's and don'ts" that you—as businessmen—have to worry about. These 18 pages are the Rules and Regulations set by the Internal Revenue Service and published in the Federal Register last December 14th. They govern commerce in firearms and ammunition—and they are going to cause you and your customers far more trouble than the law upon which they promulgated. Let me explain briefly why, and give you an example:

A Public Law enacted by Congress, basically, is a broad, general guideline—a skeleton. It outlines—sometimes in vague, legal language—what will be our national policy, our law of the land. It is then up to the Executive Branch to enforce this law, and in order to do so, the "muscle" is added to the skeleton. Rules and Regulations are promulgated to implement the law—public hearings are held on the proposed regulations—and sometimes, if those interested enough to appear are loud enough, and lucky enough, they may get a particularly obnoxious set of regulations modified.

Either you weren't loud enough—or you weren't lucky enough—because I've read the new regulations.

Here's one example:

I'm sure some of the most valued customers of your industry are those who spend vast sums to outfit themselves for skeet, trap, target and similar peaceful shooting activities.

I can find no mention in the Public Law governing these activities. Indeed, many of us in the House worked long and hard and had the purpose of the bill changed to specifically protect these peaceful and law-abiding pursuits. Section 101 states, and I quote a portion of it:

" . . . it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity . . . "

That's well and good. We saved the day for the skeet and trapshooter—the outdoor marksman. Or did we? Let me read you Section 1.78.35 of the new I.R.S. Rules and Regulations. It states:

"Skeet, trap, target and similar shooting activities.

"Licensing and record-keeping requirements, including permissible alternate records, for skeet, trap, target and similar organized activities shall be determined by the Assistant Regional Commissioner on a case-by-case basis."

I.R.S. spokesmen claim this will help the skeet and trapshooters. They can get a license (if they want to go through the red tape) and receive bulk shipments of ammunition. Then, if the Assistant Regional Commissioner approves, they can get permission to record only the number of boxes of shotgun shells fired in a day—rather than listing the amount dispensed to each individual.

Well, I'll leave it to you to tell me just how recording every box of shotgun shells fired at a clay pigeon is going to cut down on crime. To say it is ridiculous is the understatement of the year.

Understand me: I'm not here to hold out any false hope that things are going to get better. Neither am I going to tell you that the industry is completely blameless about the law and regulations you now operate under.

Too long, you sat back and let the pawn shops and the Fly-by-Night operators peddle the "Saturday Night Specials"—the cheap imports good for nothing but a hold-up. Some of your own people would sell a pistol, no questions asked, to anyone who walked in off the street. Some shipped by mail, to anyone—anywhere—any time. Surplus gun dealers unloaded tons of destructive devices, machine guns, cannons—you name it and you could buy it.

And, like most Americans, and many gun dealers, I fully supported legislation to close off the sale of destructive devices, heavy weapons, cheap surplus imports.

You could have—and you should have—taken the leadership in America to push for enactment of good, reasonable laws. Laws that would effectively curb the growing disgrace of gun crimes—that would end the mail-order sale to ex-convicts and juveniles and mental incompetents and drug addicts—laws that would curb crime without placing undue red-tape and restrictions on you and decent businessmen, or restrict your customers' rights to peacefully buy, own and use firearms and ammunition.

Well, all of that is history now. But the hue and cry isn't over.

Make no mistake about it. The push is already underway for new and more restrictive firearms legislation to require registration and licensing of all guns and gun owners. The advocates of such restrictive legislation pay no heed to the fact there is a great and growing arsenal of stolen guns available to the criminal. They ignore completely the fact the U.S. Supreme Court has held that a criminal cannot be prosecuted for failure to register a gun—that such a program would apply only to a law-abiding citizen who could not plead the Fifth Amendment because he hasn't committed a crime.

It may interest you to know that the F.B.I.'s computerized National Crime Information Center only last year began compiling a log of stolen firearms in the United States. As they are recovered, they are removed from the computer. In June—156,386 stolen guns were listed. By January 1, 1969, the total had jumped to 173,003.

Let me add another fact ignored by advocates of licensing and registration.

In 1961—in our state and Federal prisons—we had 220,000 criminals under lock and key. In the meantime, our violent crimes have increased more than a million a year. And at the end of 1967—the last figures available—our prison population had dropped more than 25,000—the lowest it has been since 1956.

Now you tell me the reason for our national crime wave—and who is causing it, and what the answer ought to be.

I wish to urge you, as I have urged every group I have had the privilege to speak to, to become more active as a citizen in stricter law enforcement, by law enforcement I do not mean to limit it to crimes of violence, but we must also be concerned with the disrespect for the law as shown by so-called acts of civil disobedience.

Why should your Mayor or your chief of police be concerned if you are not concerned with the breakdown in respect for the law. Why should your courts be concerned as to lax bonding and parole systems if you are not concerned.

I am still a firm believer that this is a country that is governed by the people and you will have just as good law enforcement as you demand and insist upon. The majority in this country are peaceful, law-abiding citizens but they have not been heard and their full weight has not been felt because they have not become involved.

You have a broad contact with the citizens throughout this land. I would like to see you, as individuals, get involved. And I would like to see you get your associates and your customers involved, for if you do not, the same approach to solving crime that has been pursued in the last few years will be continued to be followed and that is more restrictions and more red tape for the law-abiding citizens.

Just on the basis of the brief statistics I cited to you—on stolen guns—the crime rate increase—the tremendous drop in prison population—I think the answer to our national problem is obvious: Swift prosecution—stiff punishment—tightening up parole and probation procedures. But most of all, make the punishment severe enough to serve as a deterrent to crime.

I take modest pride in the fact that for several years, I have led the fight in Congress to bring it about. The answer is simply to strike at the cause of our problem—the criminal—and strike hard. Some of you are familiar with the Casey bill, and the battle I put on in the House last June to have it incorporated in the Gun Bill. I want to set a mandatory ten-year prison sentence for use of guns during the commission of your major crimes of violence. And on second offense, I want it set at a mandatory 25 years. We were partially successful, for the new law contains a watered-down version of the Casey bill. My Republican colleagues offered a substitute version which restricted it to apply only to Federal crimes and cut the sentence down to one year on first, five on second offense.

Well, there's a new Casey gun bill in this Congress. I picked up an able and distinguished ally last June in the House debate—and the new bill is a joint one co-sponsored by Congressman Claude Pepper of Florida.

Our bill—H.R. 5497—asks for the same stiff mandatory sentences—ten and 25 years—and it specifically prohibits the sentence being suspended, or assessed to run concurrently with any sentence imposed for the commission of the crime itself, or probation being granted. And it covers all crimes in which a gun is used—both State and Federal.

But the most unique feature of our bill—and I give due credit to my colleague for his brilliant idea—is a feature to empower State courts to enforce provisions of our bill.

Gun crimes are no longer a local problem, or a State problem—but a national disgrace. And the solution can only come from the national level.

When I introduced my amendment last June, the chief objections were that it would overwhelm our overworked Federal courts, our law enforcement agencies, our Federal prisons—and probably would require a defendant to undergo two trials—one in State court for the crime, a second in Federal court for use of a gun.

The debate raged nearly four hours on my amendment. And it was here that my colleague stepped in with his amendment to mine, giving State courts the power to enforce these provisions.

His action caught the opponents flatfooted. The strongest argument they could make was that the Judiciary Committee needed time to study its ramifications, that it was not aware Congress had authority to give the

States concurrent jurisdiction in such cases. Even though the Republican leaders on the Judiciary Committee grudgingly admitted Congress did have that authority, the objection was, maybe it was not a good policy and both sides asked that it be defeated. It was.

Research shows that we are on the right track. There is ample precedent dating back to 1794, where Congress imposed positive duties on State courts to enforce Federal law, and there are numerous Supreme Court decisions to back it up. Only in recent years have we given exclusive jurisdiction to Federal courts to try violations of Federal law—and in view of the terrible crime-wave in our country I think it is time we took a new look and come up with a new approach to the problem. Our bill is going to give the House Judiciary Committee ample time to study this proposal—and with the help of people like you—force them to take positive action to report out a law which will protect the decent law-abiding citizen and businessman from the career criminal.

They cut the heart out of my proposal last June—and I can tell you for sure that Claude Pepper and I are going to do everything we can to see it is put back in.

GOV. WINTHROP ROCKEFELLER, MAYOR EAGAN, MANY OTHERS LAUD DEPARTMENT OF YOUTH PROPOSAL

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, you will recall that on the 5th of February I introduced H.R. 6259 in the House of Representatives to establish a Secretary for Youth Affairs in the Cabinet of the President.

It is not only the purpose of this resolution to pool together a number of different agencies of the Government which primarily deal with youth affairs but to exhibit to the young men and women of America the concern of their Government for their problems. I think this would be a great boost for the morale of the troubled youth of today.

I have recently received a very heartening commendation on the objectives of my youth affairs bill from the distinguished Governor of the State of Arkansas, the Honorable Winthrop Rockefeller. Governor Rockefeller also has sent me with his letter a magnificent address which he delivered on April 16 to the Association of American Universities at Williamsburg with 12 British counterparts.

This address reveals a rare quality of thought about education of youth in America today and the thinking of this generation of young citizens. I am sure that you, Mr. Speaker, and our colleagues as well as all who read the RECORD will greatly profit by what Governor Rockefeller has said in his letter and in his penetrating and eloquent address. I, therefore, ask that both appear following my remarks in the RECORD.

I have also recently received a letter from the mayor of Florissant, Mo., commending me upon my youth affairs bill and pointing out what he is doing as mayor to recognize the youth in his city and to give young people responsibility in the conduct of the city's affairs. I com-

mend also the letter of Mayor Eagan to my colleagues and my countrymen.

Additionally, I am asking that a sample of the volume of mail that has reached my office from cities and towns across the country be printed to indicate the tremendous national support for this legislation.

As you know, we now have a total of 16 sponsors for a Department of Youth Affairs in the House of Representatives. They are my distinguished colleagues Mr. BLATNIK, Mr. BOLAND, Mr. FARBERSTEIN, Mr. FRIEDEL, Mr. GRAY, Mr. HOWARD, Mr. JACOBS, Mr. JOELSON, Mr. KEE, Mr. MADDEN, Mr. MIKVA, Mr. OLSEN, Mr. PERKINS, Mr. PODELL, and Mr. ROSENTHAL. We welcome additional sponsors.

Mr. Speaker, I now include the following:

STATE OF ARKANSAS, OFFICE OF THE
GOVERNOR,

Little Rock, April 22, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: I read with a great deal of interest the article in "Parade" magazine of this Sunday setting forth your views on the proposition that a Secretary of Youth Affairs was timely and worthy of investigation.

One of my concerns through the years has been the development of greater youth participation. I have for some 20 years served on the Board of the Loomis School at Windsor, Connecticut, and for the past eight years I have served on the Board of Trustees of Vanderbilt University after having moved to Arkansas. Prior to that, I served on the Council of New York University.

I am proud to say that in the mock polls held prior to my campaigns in 1964, 1966 and 1968, I enjoyed the support of the youth of the state as evidenced by the fact that my average vote in the mock polls ran from 74 to 78 percent. When I was defeated in my first try by my predecessor and then incumbent, the one Orval E. Faubus, he one time made the statement that he had "never seen so much youth involvement in a political campaign and the hell of it was that they were working for the wrong party."

On taking office in 1967, I organized the first Governor's Youth Council which is still active and becoming more so as we are able to establish the modus operandi to convene the body which is composed of the student leaders of every high school and college in the state. With experience, we feel this organization can be truly meaningful.

The purpose of this letter is to commend you for your vision and leadership and to assure you that I will follow developments with the greatest of interest and would be glad to be of any service that I can in the development of your plans.

With all good wishes,

Sincerely,

WINTHROP ROCKEFELLER,

Governor.

P.S. As of possible interest, I am enclosing a copy of a speech that I gave before the AAU and twelve British counterparts.

TEXT OF SPEECH BY GOV. WINTHROP ROCKEFELLER TO THE ASSOCIATION OF AMERICAN UNIVERSITIES, WILLIAMSBURG, VA., APRIL 16, 1969, WITH 12 BRITISH COUNTERPARTS

The relationship between academic success in higher education and actually getting ready for what's ahead seems to become more and more coincidental.

Are we creating a production line system for turning out college graduates?

We feed the undergraduate as we feed a computer . . . On specified days at the end of

the semester he gives a print-out. We grade him in turn, on how well—or how poorly—he's been able to adapt to the system—(at least, as his adaptability is reflected on that particular examination day.)

But if we have actually stretched a mind, it's something of a happy accident.

If we have not stretched a mind, then what? Then the new graduate is in about the same boat as the computer when it comes to making a decision.

The computer, as you know, makes no decisions at all. It is not equipped to make decisions.

Am I being harsh and narrow? Perhaps . . . That's one of the prerogatives of being a drop-out. You expect these excessive outbursts from us drop-outs.

But how harsh and narrow?

If you can "program" an undergraduate today, then you are far more certain about the future than I.

Program him for what?

How would you have computerized a freshman for the 1960's? . . . for seeing world leaders cut down by the assassin's bullet . . . and innocent citizens unsafe on the streets and in their homes, in a time of mounting violence?

How do you computerize adaptability into a youngster who has grown up in peace, and who finds himself thrown overnight into war?

How do you computerize a young black to run head-on into ancient prejudices that still are very much a way of life?

How do you computerize in anybody the maturity that can enable him to manage that interval between desire and fulfillment?

What happens when soaring aspirations meet up with uncomputerized imponderables and uncertainties beyond the ivy-covered walls?

What happens is a collision . . . During the 60's we have witnessed such a collision . . . and now, a lingering aftermath of alienation.

Somebody has called this the "Decade of Dissent" . . . I won't argue with this, except to say the same has been true of every other decade—as far back as you want to go in time.

It is safe to say that those radical rascals who were the Founding Fathers of this country staged their own notable decade of dissent . . . (At least I hope and trust that, after almost two hundred years, it is safe to say that this evening.)

Being a born New Yorker, having moved to make his home in Arkansas, and becoming the first Republican Governor of the state since midway in the reign of Queen Victoria brands me pretty much a dissenter . . . More important, for two elections a majority of our voters have joined with me in the role.

There is nothing new about dissent . . . And certainly not on our college and university campuses.

The great significance of what we have seen, and are seeing, is that it has nothing to do with such attention-getting pranks as live goldfish eating contests, phonebooth packing contests, or with the confiscation of female undergraduate underthings—(in my day more commonly known as "panty raids").

I believe that our young people today are dissenting not only *with* relevance, but *for* relevance itself.

They are recognizing the fact that having the right answers is of dubious value—if nobody outside is asking the right questions.

Mixed up in this business of relevance, unfortunately, is the fact that one man's relevancy is another man's idiocy . . . One generation's goals and standards are, in the eyes of another generation—irresponsibility.

The question is, how can we create a society that can assimilate everybody?

This decade of the 60's would indicate that the issue is very much in doubt . . . Since this is the case, whose scalp are we after?

I've been tempted on occasion to say that education has about the same incapacity for self-evaluation as government . . . I am not saying that now, because on this particular evening, in this particular place, I am filled with high hopes for both. As a trustee of a University and a preparatory school, as well as being Governor of a struggling state, I know it can be done.

But higher education *must* take a larger role. It *must* take the major role in shaping this society that keeps making such impossible demands of it.

It will be up to higher education, I believe, to make the main determination about whether we control the circumstances that are going to shape our future—or whether we let those circumstances drag us along.

My earliest scholastic experience was at the Lincoln School . . . I say this with pride, knowing that for the longest there was little chance that the institution could never reciprocate the feeling.

My distinctions at the Lincoln School, along with cooking and sewing, included printing and carpentry.

This later surprised my instructors at Loomis, who came to doubt that I could have achieved distinction in anything.

But I am profoundly grateful for those early years . . . and for having had the good fortune to be able to grope where the system did not prevail against groping; where there was latitude, within bounds, for the freer development of the individual.

Fortified by this experience after two and a half years of university training I beat my professors by going to advise them of my resignation . . . I said that I felt further academic effort would not be rewarding, and hardly to my surprise found that they shared my views, and generously accepted my resignation. . . . This is the long way of saying what I said earlier—that I am a drop-out.

I am currently engaged with the Arkansas General Assembly—made up of 130 Democrats and 5 Republicans—a condition that offers daily opportunities for trauma. . . . Not all our politicians will agree that I've adapted to these conditions, but I am happy to report that the people of Arkansas are still on my side.

On the basis of my own personal experience it is obvious that it has not been computerized. I do not surround myself with two-legged computer print-outs. . . . Show me a two-legged computer, and I will show you a print-out for inflexibility and frustration.

Send me some of those young people who, on Graduation Day, are struck by the idea that they may have *none* of the answers—but who are filled with questions, and are eager and hopeful of finding the right answers.

These are the people who, in Professor Einstein's words, have a chance to become harmonious men.

We wring our hands about the number of people who drop out of school every year.

Who has the figures this evening on how many seniors about to be graduated this year dropped out intellectually two or three years ago? . . . Oh yes—they're finishing . . . and I use the word deliberately, because I cannot help but wonder how many are finished.

How many "in residence" drop-outs, who will get degrees this Spring, can our society afford and absorb?

What provisions has the educational establishment made for obviating the early drop-out, and/or the "in residence" drop-out?

It is easy for the establishment to wash its hands—but society cannot.

Can the establishment produce enough guidance counselors, psychologists and psychiatrists to cover up for inability, or reluctance, to make the necessary changes?

Does the establishment, in fact, have an obligation to the drop-out?

If it doesn't then we must conclude that education as we now know it is, in itself, self-defeating.

If across-the-board specialization, and more printing-out of intellect, is what we face in the 1970's, I dissent here and now... I want to make a case for irrelevance.

In this, the time when nothing is certain but change, the real relevance must be in the journey itself.

In the quest for personal identity; for fulfillment; for the reward of knowing that you have made the maximum use of your God-given talents... It is in the dignity exhibited in the process of making the trip—this is the real relevance.

The great challenge to us concerned with education is to equip young people who are capable, and who are unafraid to begin the search.

The search to find the difference between real and imagined pressures.

Between real and imagined pleasures.

Between real and imagined personal capabilities.

Between goals that are worthwhile and goals that are not.

Between what is true and what is false.

These, I believe, are the credentials of the harmonious man.

I repeat, the challenge to you and—yes—to me, is to see that nobody who wants these credentials sets out across the Seventies without them.

CITY OF FLORISSANT,
Florissant, Mo., April 21, 1969.

HON. CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: A lot of whisksers have grown since our meeting with Congressman Hungate about a year ago!

Our local paper recently carried your article "Youth Needs a Spokesman in the Cabinet" and I am just dropping a line to let you know that I share your views on the youth of today.

Approximately five years ago, one of my first actions as Mayor of the City of Florissant was to appoint five teenagers to our Park Board. These young people and their successors have done an outstanding job ever since. At the present time, we have a Mayor's Youth Activities Board which is composed of adults and teenagers. This Committee is also doing a fine job on behalf of our citizens.

Once again, I offer you my full support in your proposed program on behalf of the Youth of the Country.

Sincerely yours,

JAMES J. EAGAN,
Mayor.

FLORIDA STATE UNIVERSITY,
Tallahassee, Fla., April 20, 1969.

DEAR REPRESENTATIVE PEPPER: I read of your proposed Department of Youth Affairs in the "Parade" section, a magazine in the *St. Petersburg Times*. I wish to tell you of my whole-hearted approval for this Department.

I am a nineteen-year-old co-ed at The Florida State University from Daytona Beach. I have felt the frustration of powerlessness that you described. I am so very happy to hear that all members of the United States Legislature are not "Tom Slades," of the Florida Legislature.

I wish you every success in your attempt to get this bill passed. Even though I cannot vote, I shall support you by speaking to other students and urging those who are more influential to support you, also.

Peace and Love,

MISS SHARI POOLE.

NATIONAL RECREATION AND
PARK ASSOCIATION,
Washington, D.C., April 4, 1969.

HON. CLAUDE PEPPER,
Cannon House Office Building,
Washington, D.C.

DEAR MR. PEPPER: Re your Bill, H.R. 6259 to create a Department of Youth Affairs, be advised that the National Recreation and Park Association will support in principle this worthy endeavor. The National Recreation and Park Association is extremely pleased to know of your interest in youth affairs and would be more than happy to share our thoughts and recommendations with you on this matter. Please feel free to call upon us.

Sincerely,

SAL J. PREZIOSO,
President.

SECRETARY OF STATE,
STATE OF FLORIDA,
Tallahassee, February 7, 1969.

HON. CLAUDE PEPPER,
Longworth Building,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: It was with great interest that I recently read of your proposal for a Cabinet unit for youth. Certainly such an office would have numerous possibilities for service and could be a great benefit to the people of our nation.

Most of the newspaper articles regarding this matter that I have perused have been brief accounts of your plan. It would be my hope that perhaps you could forward to me a more detailed account of what you have in mind.

Enclosed you will find a recent newsletter of the Florida Youth Advisory Council. Hopefully it will inform you of our missions and goals. Please feel free to call upon the Council for any assistance we might render.

With kindest regards, I remain

Sincerely,

RICHARD BENTON,
Coordinator, Florida Youth Advisory
Council.

H. H. HARNEY, INC.,
Lincoln, Nebr., April 11, 1969.

HON. CLAUDE PEPPER,
Member of Congress,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN PEPPER: In the April 7th edition of the DEMO MEMO, the Democratic National Committee's newsletter, I read with considerable interest that you were leading a move in favor of creation of a Cabinet-level Department of Youth Affairs.

Please know that I commend you and the bill's co-sponsors for a move that is desperately needed. We have a generation of young people that are most interested in doing something of both a relevant and important nature for their nation. Unfortunately, this desire is often lost in the maze of complex problems with which our nation is faced. All too frequently the young person is unable to visualize the way in which he can make a significant contribution to the well-being of his country. The creation of a Department similar to the one you have proposed would serve the very worthwhile coordinating function of bringing together under one department all of the programs that provide the young person the opportunity to do something of value for his nation.

I would also hope that such a Department could, in some way, serve as a sounding board for our young people in terms of securing their assessment of and assistance in the formulation and alteration of both foreign and domestic governmental policy. I believe that this could do much to relieve the feeling that their views are neither de-

sired nor considered by those in governmental positions—a feeling that appears prevalent among our young people today.

If possible, I would appreciate your sending me a copy of the bill you have introduced and some of the information you are utilizing in support of this measure.

Thanking you for your consideration, I am

Sincerely yours,

DAVID V. EVANS,
Vice President.

CENTRAL MISSOURI COUNTIES,
HUMAN DEVELOPMENT CORP.,
Columbia, Mo., April 21, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: At a recent youth conference, your proposed legislation to establish a cabinet-level Department of Youth Affairs (H.R. 6259) was reported to the meeting. As brief as the explanation was, as to what the proposal specifically provided, it still sounded as though it has exciting potential.

If possible may I have a copy of the proposal? With your permission I would like to help solicit support for the bill here in Missouri.

In addition, if I can be of any further aid to the support of this fine proposal, don't hesitate to make a request. A copy of this letter and another will be sent to Senator Eagleton in request of the support that he can give in the Senate. I feel reasonably sure that other professional sources will provide support as soon as they are more totally informed of the proposal.

Thank you and may I hear from you soon.

Very truly yours,

RICHARD C. NIEMEYER,
Youth Program Specialist.

CASTRO VALLEY, CALIF., May 7, 1969.
Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: I read your article in the parade section of the Oakland Tribune edition April 20th. I agree wholeheartedly it is time for youth representation. They want to express their frustrations and dissatisfactions, but don't quite know how to go about doing so.

The bill H.R. 6259 you mentioned sounds very good indeed. As a very interested citizen I would like to know how I can be of assistance. Who can I write to for encouragement and support of this legislation?

Hope to hear from you for further information and instructions.

Thank you for being concerned.

Sincerely,

Mrs. ROBERT KRAUSE.

NATIONAL ASSOCIATION OF RETIRED
CIVIL EMPLOYEES,
Washington, D.C., April 22, 1969.

HON. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I have read with great interest your article which was published in the "Parade" section of the Washington Post of April 20, 1969. As usual your thinking and my thinking is not far apart.

Most sincerely,

THOMAS G. WALTERS,
President.

MINOT, MAINE,
May 10, 1969.

Representative CLAUDE PEPPER,
Democrat of Florida.

MY DEAR MR. PEPPER: Your article in April 20th issue of Parade magazine has touched similar thoughts of the present youth tur-

molit. Your bill to initiate a Department of Youth Affairs suggests the power of persuasion is more palatable than the power of compulsion.

Similar plans have been with us at such times when "violence and revolution have tried men's souls". Dr. Benjamin Rush about 1790 anticipated the formation of peace societies. William Penn in 1693-94 in a season of almost universal upheaval published a plea for eternal peace among nations.

William Ladd of Minot, Maine had a plan for a Congress of Nations to constitute a permanent international high court for the settlement of disputes. His essay published in 1840, was the best exponent and argument on the subject that had been published on either side of the Atlantic. It was accomplished at a time when peace prevailed for the most part and not in times of turbulence. Perhaps it was the fore-runner of the United Nations.

This brings the question of why the youth unrest has reached the point of violence before a solid solution was sought to prevent the present situation. Complacency has been over-run which is a blot on the peace and tranquility most desired for an American way of living.

I admire the stand you have taken and commend its success.

Very truly yours,

Mrs. SUSIE J. CAMPBELL.

TUCSON, ARIZ.,
May 7, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: Your bill for the creation of a *Department of Youth Affairs* is the brightest ray of hope on the national horizon in these troubled times.

We are parents of two concerned—and many times confused—teenagers. They too were considerably heartened by your move, and have a renewed faith that your action will bring about the peaceful revolution that is so desperately needed today.

Please let us know if there is any way we can support your position. We've written Morris Udall.

Sincerely,

Mr. and Mrs. JACK B. HASTINGS.

MCLEAN, VA., April 21, 1969.

DEAR REPRESENTATIVE PEPPER: I have just read your article entitled "Youth Needs a Spokesman in the Cabinet" for *Parade Magazine* and am so overwhelmed by your words that I can scarcely slow my thoughts to the pace of my pen.

What amazes me so about your proposal for a Department of Youth Affairs (and your citing of the fact that we should evaluate the student cry for change before we take action) is that these are things that I have been considering in the past year, more so in the last weeks. The idea of some sort of government department or committee to deal with, listen to and assist youth first occurred to me when President Nixon held his television marathon during the campaign and was confronted with so many questions regarding the youth issue.

I am twenty years old and there are many problems, social and governmental, that I encounter either personally or indirectly each day, and I am always uncertain as to what courses of action are open to me. But the upheaval by young people both on and off our campuses, in many cases by individuals who simply have found no other doors open to their inspirations and, in despair, revert to violence, this upheaval touches me so deeply.

I would be among the first to recognize the need for a new look at our college instructors and educational programs to see whether they are indeed adequately stimulating the receptive and eager minds of today's youth. I am not ashamed to ad-

mit that I am a college dropout. I left school because, in some subjects, I was being loaded down with old ideas that had little bearing on today's world; in other subjects I had instructors who seemed to know less about the subjects than their students.

Sincerely,

LYNN M. COCKRILL.

SAN DIEGO, CALIF.,
April 22, 1969.

Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: You have my support for your Bill H.R. 6259.

HARRIET JOSLYN.

DETROIT, MICH.,
April 21, 1969.

Representative CLAUDE PEPPER,
Washington, D.C.

DEAR SIR: Youth needs a spokesman in the Cabinet—Parade, April 21, 1969. In the Detroit Free Press. We believe is a sound sensible suggestion.

Youth must have an opportunity to be heard through a responsible media such as you suggest.

We are over 65 and we do recognize the rights and needs of young people.

Sincerely yours,

Mr. and Mrs. GEORGE NORRIS.

HOWARD BEACH, N.Y.,
February 28, 1969.

Congressman CLAUDE PEPPER,
Florida.

DEAR SIR: I am a ninth grade student who is very concerned about United States events. The recent presidential election, of course, was my main interest of 1968.

Although I was a Humphrey supporter, I am very open-minded about Richard Nixon. Concerned about the use of young people in his administration, I wrote Mr. Nixon a letter inquiring about this. I was told to write you for a copy of a bill you introduced in Congress this month.

I would be very grateful if you would send me a copy.

Thank you.

CARYN GRAINEY.

ROANOKE, VA., April 24, 1969.

HON. CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Your article in this past Sunday's *Parade* was read with a great deal of interest, and want to congratulate you for so well stating your views.

As a college teacher, I am aware of the needs of youngsters, and do firmly believe a cabinet level position should be established in their best interest.

We need more younger people in all levels of government, and I further believe emphatically that Congress should lower the voting age to 18 in all federal elections. That would encourage the state's to follow the example.

I well recall meeting you in 1948 in Philadelphia, when you announced your intentions of seeking the Democratic nomination. I was a delegate from West Virginia then, and Drew Pearson was in your room when I paid a call on you.

If you would write me a statement especially for the college age youngster, I will be pleased to read it to my classes, and give it to our student newspaper. Thanks a lot Mr. Pepper.

Sincerely,

ROBERT J. WILKINSON, JR.

SANTA BARBARA, CALIF.

HON. CLAUDE PEPPER,
House of Representatives,
U.S. Government.

DEAR MR. PEPPER: Encouragement is exactly what the people under 25, myself in-

cluded, need. We have good educations, experiences unknown to our elders and much responsibility for our future.

Thank you for your wisdom. Please continue to seek avenues for a peaceful voice for today's youth. We are anxious to help. The proposed bill H.R. 6259 sounds promising. Please keep up your good work and keep open your open-mind.

If, as a youth, I can be of any assistance to you, please call on me.

Sincerely,

BARBARA BEAUMONT.

YAKIMA, WASH., April 21, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: Your interest in a Department of Youth Affairs about which I have just been reading in the "Parade" is very exciting, and, of course, of great interest and concern to me as a young teenager who is trying to be objective about our so-called problems and become actively involved.

I am 17 years old, a junior at West Valley High School in Yakima, Washington, and have been interested in and involved in politics, locally and nationally, since I was 15. I am an active Young Democrat, as is my 19 year old sister who is a sophomore at Washington State University. I first became interested in politics when a good friend ran for the Legislature in my district and then lost to an ultra-conservative (John Birchler). I probably would have lost interest in politics, but I was angry and concerned because the winner was and is a poor legislator. In the campaign of 1968 I was originally working for Senator Robert Kennedy and then for Hubert Humphrey after his murder. We Young Democrats here campaigned vigorously for our senior Senator—Warren G. Magnuson, and he, of course, won handily.

As Chairman of the mock-election at our high school last fall, I learned a great deal about the inequities and failings of our election system and am very much interested in election reforms. Our State Legislature was considering passage of the 18-year-old vote and I chaired that committee for my school. Unfortunately, this did not pass and I now will not be able to vote in 1972. Right now I am running for ASB President for 1970. Through a 4-H Safety Project on which I have been working for four years, I have learned considerable about legislative process, as my project, the use of a safety vehicle emblem for slow-moving farm vehicles, is now being implemented through a Senate Bill before the State Legislature. I have followed this since its inception.

This background has been given to support some of your contentions about youth and our desire to be involved, to be considered and to have a spokesman. In spite of my youth, I am deeply concerned about the war, about the ABM system, about the student revolt and our outdated schools, about hunger in our country and about our minority groups. I believe that a future career in politics will be a way of really doing something about our problems. I would be extremely interested in hearing more about the progress of your bill, H.R. 6259, and if writing to my congressmen will be of any help, I will be glad to do so.

Respectfully yours,

DONALD MARTIN.

ALBANY, N.Y., April 21, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR HONORABLE PEPPER: It was with considerable interest I read the enclosed article written by you in which you state you have introduced bill, H.R. 6259, which would authorize a Department of Youth Affairs. Further on in the article you state such a department would recruit, select, train and employ youths up to age 24. I fully agree

with your statement that young adults today possess a sophistication and intelligence superior to that possessed by their parents and grandparents at the same age.

I have a twenty-three year old son serving in the Peace Corps in Thailand. He is a member of Phi Beta Kappa and was graduated magna cum laude as a Political Science major from the University of Buffalo May 31st, 1968. He entered the Peace Corps the following July, having received his Phase I training the previous summer and has another year of service. He is seriously considering extending his service to an additional two years in spite of the fact that he very much wants to return home; enroll as a graduate student in a university so he may receive his Master and Doctorate degrees and hopefully enter some department in the State Department of our federal government. He is faced with the dilemma of returning home next year and being immediately drafted into military service or remaining in the Peace Corps the additional two years at which time he would have reached the age where he would be less likely to be called up by his draft board.

My son feels he is being of much more service to his country through the work he does in the Peace Corps than any he could contribute through military service. His is not a unique case. This same situation is faced by thousands of other young men. Just where would you find these "youths up to age 24 to select, train and employ"—those who have been declared unfit for military service? I am fully cognizant of the fact that my son or any other Peace Corps volunteer is not asked to pay the supreme sacrifice that so many of our boys do who enter the military service. These are difficult questions and there are no easy answers but it is understandable why our serious, thoughtful youths are impatient; asking and even demanding that you and your colleagues find a solution.

The following has no bearing on the above but has any member of Congress considered giving Peace Corps volunteers special mailing privileges? The volunteers are expected to live at the same level as those with whom they work and therefore are paid by our government accordingly. In my son's case, he has to curtail his correspondence as he finds he cannot afford the cost of postage to reply to all those from whom he receives letters. Therefore, I make copies of his letters which he sends to his family and forward them to those who have written him. At Christmas time he received two monied gifts of \$25.00 each from friends. He could have easily used this amount to secure a few "luxuries" for himself but chose instead to establish a scholarship fund in the school where he teaches to encourage the better students to continue with their education and thereby be better citizens in their own country.

I am not a constituent from the State of Florida as you can see from my address but as I stated at the beginning of this letter, I was very interested in your article and hope your bill will be passed and a Department of Youth Affairs will become a reality.

Yours very truly,

Mrs. H. A. PARADIS.

APRIL 21, 1969.

HON. CLAUDE PEPPER,
Washington, D.C.

DEAR SIR: Your "Youth Needs a Spokesman in the Cabinet" was read in full agreement. To me it was clear thinking, with an understanding of the youth problem.

Would that every member of the governing body could read it, not only in Washington but over our entire country.

I feel the frustration most laymen feel is that those in position do not understand or can clearly pinpoint the problem and thus solve it.

Your solution should and must be heard and there I believe the problem should at least have a starting point.

Too many people do not realize the potentiality and grasp of the younger generation which has advanced us the passing decades and forging ahead with realization of future problems.

Thank you for your understanding of a serious problem.

Most sincerely,

Mrs. FANETTE BOSWELL.

METROPOLITAN DADE COUNTY

YOUTH ADVISORY BOARD,

Miami, Fla., April 21, 1969.

Congressman C. PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: I wish to personally commend your plan which would establish a cabinet-level Department of Youth Affairs. The provision to include an Office of Youth participation also seems crucial to responsible and responsive youth involvement.

The Miami Decency Rally was but a fallen indication of what potential youth positively organized possesses.

Sincerely,

SOL LANDAU.

FLORAL CITY, FLA.,

April 21, 1969.

CLAUDE PEPPER,

DEAR SIR: We read your article in the St. Petersburg Times and are very much in favor of Bill H.R. 6259, this is what the country needs. We are both registered Voters in Citrus County and in our combined families we have 12 votes in Pinellas and Citrus and will do all we can to help. Also we would like to bring to your attention that the Catholic Schools need help with their books and transportation as the parents have to pay taxes and tuition and uniforms and books and transportation and it is a hardship when they have more than two children on their wages. They need some kind of a bill introduced, we do not have enough Schools as it is and if these are forced to close through lack of funds it will cost many, many times more.

Thank you for keeping a watchful eye on the Youth movement.

Sincerely,

Mr. and Mrs. HERMAN and PAULINE E. ROURKE.

BERWICK, PA.,

April 20, 1969.

HON. CLAUDE PEPPER,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: Your article "Youth needs a spokesman in the Cabinet" was read with interest. Your proposed bill H.R. 6259 sounds like a good one.

I agree that the "Secretary of Youth Affairs," if appointed, need not necessarily be a young man, but older man with a young viewpoint. A little "seasoning" is often advantageous.

Sincerely,

SHARLEEN DAILY.

P.S.—Incidentally, I read your article in the April 20th issue Harrisburg Patriot News Parade Magazine.

MINOT, N. DAK.,

April 20, 1969.

Representative CLAUDE PEPPER,
Congress,
Washington, D.C.

DEAR SIR: I have just read your article in the Sunday Parade magazine, proposing a Dept. of Youth Affairs in the Cabinet. I, as a college student, find this to be most progressive and therefore want you to know I support your bill H.R. 6259 100%. Good luck.

Sincerely,

GRACIA SCHALL.

TACOMA, WASH.

Representative CLAUDE PEPPER.

DEAR SIR: I just read: Youth Needs a Spokesman in the Cabinet—and I wish to thank you for your Bill H.R. 6259 which you have introduced in Congress. If more people would only try to understand as you have done—it would be a big help toward solving our youth problems. I am writing my Senators and Congressmen to support this Bill.

Sincerely yours,

Mrs. H. W. MILLER.

CHARLOTTE, N.C.,

April 20, 1969.

DEAR REPRESENTATIVE PEPPER: As a mother of intelligent and inquiring teenagers aged 19, 16, and 13, and step-mother of 3 more—I heartily approve of your bill H.R. 6259—and your thoughts as outlined in Parade, April 20. It's time we utilized the vast resource of our young people's energy, basic good, will, and intelligence. I respect my children's unwillingness to accept the status quo of injustice, inequality of opportunity, and unreasonable holding-fast to the past ways that confronts them. As adults, we are a bit jaded, ready to compromise, to approve of change from a distance.

The will to better the world is a vital ingredient in our children, let's listen to their ideas—and see which of their ideas are viable. All are not—they haven't the experience to judge deeply.

But they have the ability to see things in new perspective—sometimes simply to clarify, and so on.

Since they will surely inherit, it's most apropos that they learn the responsibilities inherent in the legacy—not as poor Nicholas of Russia—to reap the wild wind through his lack of comprehension of the needs of his time although he was too conservative. We too stand in his shoes, to a degree, and I do hope we don't end up in the position of having someone say "Yes, you've been doing the wrong thing for 23 years as they did, to him."

Cheers for H.R. 6259, and your whole outlook.

Sincerely,

ELEANOR T. HANRAHAN.

NORFOLK, VA.,

April 20, 1962.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: After having read your plans for a Dept. of Youth Affairs in the April 20th issue of Parade, I feel thankful that some responsible and intelligent law makers are finally waking up to the needs of the young in America.

I am a college junior and feel deeply committed to the need for social justice. Unfortunately, few channels are open to people like me. And, as you seem to be very aware, there are quite a few who feel like I do. I guess I'm what the "over 25's" like to call idealistic.

Although, I am idealistic (and proud of it) I also tend to be a realist.

Your proposal is the first attempt I have seen by our leaders to constructively use this "realistic idealism."

You have my wholehearted congratulations and support for H.R. 6259.

If in my small way (distributing literature etc. on campus) I can aid, I would be honored to do so.

Respectfully yours,

JAMES P. O'CONNELL.

APRIL 20, 1969.

HON. CLAUDE PEPPER,
Representative of Florida,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I immensely enjoyed your article in the April 20th issue

of *Parade*! I believe that your suggested Department of Youth Affairs would be a wonderful channel to develop our youth resources. As a part of the "under 25 generation", I hope your bill, H.R. 6259, passes.

If there is anything which I could do to promote your bill or help its success, please let me know. Do you have an outline of the proposed Dept. of Youth Affairs which you could send me? If you could, I would really appreciate it. Thank you for your time and again "Congratulations"!!!

Sincerely yours,

JOHN POWELL.

WASHINGTON, D.C.,
April 20, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: I read with great interest your article of 20 April 1969 in "Parade." There seems little doubt that unless they are given the responsibilities of power (that in fact most of them are intelligent enough and adult enough to accept) their disaffection will lead to confrontations that will be quite frightening.

My own interest has long been the harnessing of the energies and enthusiasm of youth into productive activities in the various field of development, both national and international. I directed a youth leadership training program in 1966 before returning to the university for my Ph. D., and I am now in the process of incorporating a firm which will be known as Developmental Projects, Inc., which will have as its *raison d'être* the pragmatic approach to development. We are going to make use of the "studies in depth" in establishing practical programs, but we will shun like the plague the research and study approach to economic development.

If there is any way that a private individual can be of help in your efforts in the establishment of a "Department of Youth Affairs", please feel free to call on me.

Sincerely,

WILLIAM S. SORSEY.

ANN ARBOR, MICH.,
April 23, 1969.

DEAR REPRESENTATIVE PEPPER: I recently read about your bill to establish a cabinet position for the youth. I am very interested in this idea. I would appreciate any information you could send me about the bill and what I could do to help.

Thank you.

BETSY RUBIN.

CASPER, WYO.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: This is in reference to your article in *Parade* magazine, April 20, 1969.

Perhaps if this country had more Representatives of the people such as yourself, this country would be a better place in which to live.

Any information that you have concerning what is being done to establish a Cabinet officer for the youth would be greatly enjoyed by myself and, I'm sure, many other "under 25" citizens.

Sincerely yours,

BARRY W. EVANS.

WEST MANHEIM LUTHERAN CHURCH
OF THE LUTHERAN CHURCH IN
AMERICA,

Hanover, Pa., April 20, 1969.

HON. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I have just read your article "Youth Needs a Spokesman . . ." in *Parade* for today. I heartily agree with you. I am glad that you seem to sense that just condemning violence will not do. I'm sure that we have the violence only because responsible peo-

ple have not listened to students until they get violent. To try to force our student populations, both college and high school, into some sort of obedience to their leaders will only aggravate the whole situation.

At the age of 54 I am about to get a degree from Millersville State College—a Masters in Education with Guidance as the Major. Right now I am counseling in our local high school for about 6 hours a week. I can see from what goes on there and from what I hear in the class I attend at MSC, a class composed of 2 clergymen, one major in the State Police and seven school teachers, plus our professor, that many high school students really feel that they are in jail. They get disgusted with the arbitrariness in regard to how a boy must wear his hair. Our youth today are near-grown-up at a much earlier time than we 50 year-olds were. T.V. has a lot to do with this. They have just about experienced everything via T.V. by the time they are sixteen years old.

Some of the classes I've attended on graduate level in the past two years have been down-right pitiful. I would be ashamed to be a professor if I couldn't do better—especially in a college traditionally given to training teachers! I've seen from experience what duds many of these teachers are and I can see why college students get thoroughly fed up with much of what goes for classroom teaching-learning experiences.

More power to you as you seek to get a better hearing for youth and their ideas and point-of-view on life. I have two sons. Neither of them would think of being a clergyman. But with MF degrees—Master of Forestry—they are both wanting to be teachers. The older one is, the younger, just back from 2 years in Peace Corps is trying to get into Vista or Teacher Corps and finding it most difficult to do so. But both of these lads will find their life in teaching. The younger one with American Indians or Spanish-Americans since he is fluent in Spanish. They want to be of service to their fellow man. Not in the ways of the establishment that just keeps its machinery oiled, but in new and fresh and meaningful ways. Many more youth feel very much the same way. Our nation may have a future if these youth have a real chance, otherwise we'll go down the drain of history as Rome did. Our lust for power and other lusts are well on the way to driving us there already. Your bill may turn the tide.

Sincerely,

CARL YOST.

UNIVERSITY OF ILLINOIS,
Chicago, Ill., April 22, 1969.

HON. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I have just finished re-reading your article in *Parade* magazine which appeared in our Chicago *Sun-Times* on April 20.

Thank you very much for identifying, for the American people, the large proportion of young Americans as responsible, law-abiding citizens. Your article and ideas you present have spurred me to do a lot of thinking the past several days about my place in American life.

I am beginning my senior year at the University of Illinois at Chicago Circle. I expect to graduate with a degree in Business Administration with a major in Marketing.

For many of my 22 years I have been very interested in politics. However, during last year's election I found that along with my first opportunity to vote, I had become rather apathetic. Since then I have begun to realize why apathy has become a part of our lives. There truly is a "generation gap." A great amount of difference seems to exist between what the older and younger generations think, feel, and do. Because of this failure to communicate, the generations seem to have lost the desire to communicate.

Your proposal of a Department of Youth Affairs may, if it is allowed to attempt to accomplish its goals, provide what the country so urgently needs—a means of communication between the generations to their common ends.

I would like to know more about your proposals and particularly about the content and present status of H.R. 6259. If there is anything I can actively do, please let me know.

Yours very truly,

STANSFIELD SMITH, JR.

CHEVY CHASE, MD.

Representative CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: As a former Miami resident I am writing to let you know that I admire you for writing the recent article in *Parade* on a spokesman for youth. It was characteristic of you to take such a forward-thinking stand.

It has been twelve years since I left Miami. I had lived there from the age of 7 to age 21 and my ties to it are strong. I know your long record of service to the state and the nation. I have been dismayed by the "conservative" choices that Florida voters have made in recent elections (of course there have always been conservative Democrats), so I'm especially glad that your broadminded voice is being heard in the land.

Sincerely,

CAROL NELSON RACKMALES.

SHARON, PA.,
April 22, 1969.

Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: I fully agree with you that there is a need for a Secretary of Youth Affairs.

I feel they have a right to be heard and to help words become actions for the benefit of all.

Sincerely,

Mrs. CARL O'HARE.

ADELPHI, MD.,
April 22, 1969.

DEAR CONGRESSMAN PEPPER: I am a senior in High Point High School. The article in last Sunday's "Parade" has interested me greatly. Will you please send me any additional information about your current proposal for a new Cabinet member. Thank you very much.

Sincerely yours,

DOUGLAS LEE.

ARLINGTON, MASS.,
April 23, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

SIR: Your proposal for a cabinet level Department of Youth Affairs certainly merits serious consideration. One of the serious drawbacks to our American system of representative democracy is that minorities are represented in the councils of government only if they are geographically compact. Minorities which are evenly distributed throughout the country often find they have no representation.

Since so much of our national policy so seriously affects the youth of our nation, it is vital that they be represented in government.

Conscription, as presently practiced by the United States government, is taxation of the most extreme, vile and repugnant nature. It is worth pointing out that this taxation to a great extent is taxation without representation. It is not unheard of for subject peoples to resort to war and other violent means to protest taxation without representation.

Very truly yours,

JEROME T. HOLLAND.

April 23, 1969.

DEAR REPRESENTATIVE PEPPER: I think I have the proper person for your Dept. of Youth Affairs bill H.R. #6259. His name is Dr. Seymore M. Lipset of Harvard, his picture and his report on the disturbances at Harvard are in the U.S. News and World Report, distributed during the week of April 21, 1969. I hope you can get the bill passed, and keep up the good work for the under 25 set, which I am one of.

Sincerely yours,

PRESTON J. JOHNSON.

NAPERVILLE, ILL.,

April 22, 1969.

DEAR MR. PEPPER: I wish to commend you on your bill H.R. 6259 concerning a Department of Youth, it is certainly needed.

Is it possible for you to send me a copy of H.R. 6259 and some information on the bill? Thank you for your time and help.

Yours truly,

MRS. R. F. RENDE.

ALLENTOWN, PA.,

April 24, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: I read recently your article on "Youth Needs A Spokesman in the Cabinet". I am making a study of the Ombudsman system and I note your statement that the Youth Affairs Department would serve not only as a spokesman but as an Ombudsman. I would appreciate a copy of your Bill HR 6259.

Yours truly,

BERNARD FRANK.

IRVING, TEX.,

April 23, 1969.

HON. CLAUDE PEPPER,
Washington, D.C.

DEAR MR. PEPPER: I wish to commend you on the interesting ideas you expressed in your timely article "Youth Needs A Spokesman in the Cabinet," Parade Magazine, April 20th, 1969.

As a former state speech champion and presently a scholarship student at the Goodman School of Drama, Art Institute of Chicago, Chicago, Illinois, I am deeply concerned about the vast communication problems confronting us in this jet age.

I feel the possibility of having youth spokesmen for my generation has merit and deserves serious consideration.

I would greatly appreciate your sending any materials further expressing your ideas on this subject and on how I, and others like myself, could become involved in the administrative procedures of such a program should your bill, H.R. 6259, be accepted.

Awaiting your prompt reply I remain

Respectfully,

KENNETH E. WHITENER, Jr.

DAYTON, OHIO.

HON. CLAUDE PEPPER,
Member of Congress,
House of Representatives,
Washington, D.C.:

I am part of a mock congress in a civic class and I have introduced a bill similar to bill H.R. 6259 which you have introduced to Congress. I would deeply appreciate a copy of the bill and any aids which might help pull it through our mock congress.

Thank you.

Mr. DAVID F. INGELLS.

AMERICAN SOCIETY OF APPRAISERS,
Washington, D.C., April 24, 1969.

HON. CLAUDE PEPPER,
House of Representatives, Longworth House
Office Building, Washington, D.C.

DEAR SIR: Congratulations upon introduction of your bill, H.R. 6259, Department of Youth Affairs! If I understand your bill correctly from the descriptions made public (I am requesting copies of the bill), your sug-

gestion is creative, necessary, and, hopefully, acceptable to the members of Congress.

How may I be helpful, either as private citizen or as editor of a quarterly publication which is concerned with the broad spectrum of Value?

Sincerely,

DEXTER D. MACBRIDE.

SYRACUSE, IND.,

April 24, 1969.

Representative CLAUDE PEPPER.

DEAR SIR: Please send me a copy of your bill, H.R. 6259, which would authorize a Dept. of Youth Affairs. I need this bill for a student congress, in which we are treating the youth problem. As I will need this information soon, I will appreciate your sending it to me at once.

Sincerely,

TOM TRUDELL.

MIAMI BEACH SENIOR HIGH SCHOOL,

Miami Beach, Fla., March 13, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: Enclosed is a copy of today's issue of the Beachcomber, in which we were pleased to run a story on your proposed department of youth affairs.

The staff joins me in commending you for the accurate appraisal we believe you have made of the current national distress, and the foresight you have displayed in your proposal to deal with one aspect thereof.

Please keep us apprised of the bill's progress. Although the students have a totally free hand on the editorial pages, I'm sure they will want to comment on the proposal soon. May I suggest that the maturity and articulateness with which they discuss major issues on those pages support your contention that today's young people deserve a voice in their nation's affairs.

Sincerest best wishes,

STANARD EVANS.

YOUNG DEMOCRATIC CLUB
OF PHILADELPHIA,

Philadelphia, Pa., April 2, 1969.

Congressman CLAUDE PEPPER,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Thank you very much for the information you sent me on H.R. 8622 a bill to create a Department of Youth Affairs.

The Young Democrats of Philadelphia would like very much to have a representative of our club speak before the House Subcommittee on Executive and Legislative Reorganization in behalf of your bill, please let us know when and where the hearings will be heard.

Thanking you again for the information and invitation to speak before the House Subcommittee, I remain

Sincerely,

EDWARD J. MCBRIDE,
Executive Director.

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, RECREATION DEPARTMENT,

Washington, D.C., April 10, 1969.

HON. CLAUDE PEPPER,
Longworth Office Building,
Washington, D.C.

REPRESENTATIVE PEPPER: I have read with a great deal of interest and enthusiasm your proposal for a cabinet level Department of Youth Affairs. Being involved with the planning and provision of recreation programs for the youth of Washington, D.C., has made me keenly aware of the need for youth to be involved in decisions that affect them. I certainly support your efforts.

Whenever I can be of any assistance please contact me. All the capabilities under my jurisdiction are at your disposal.

WILLIAM L. MONTGOMERY,
Recreation Analyst.

FLORIDA JUNIOR COLLEGE STUDENT
GOVERNMENT ASSOCIATION,

March 13, 1969.

Congressman CLAUDE PEPPER,
House of Representatives,
Washington, D.C.:

I am very happy to see that you have again offered some interest and trust in the young people of today. The idea of creating a "Cabinet-level post of Department of Youth Affairs" is a good one. More and more the young people, of which I am one, are showing great interest in politics and moral issues.

Please let me know how the bill does. And, if I can be of any help at a future date I would be glad to help out in any way possible.

Sincerely yours,

LAWRENCE F. ZOROVICH.

DE PERE, WIS.,

March 14, 1969.

HON. CLAUDE PEPPER,
New Senate Office Building,
Washington, D.C.

DEAR MR. PEPPER: First of all, let me congratulate you on your bill introduced in Congress. (The Congressional Record, March 11, HR 6259, To Create A Department Of Youth Affairs.) It's about time someone spoke out for the youth of America. I am only 15, but I am very interested in your concept. Please send me any information about this bill. I have also written my Congressman and Senators urging them to support your bill.

Sincerely,

JOHN DELACENSERIE.

INDIANA YOUTH COUNCIL,
Indianapolis, Ind., March 27, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: According to reports reaching this office, you have introduced legislation aimed at establishing a cabinet-level Department of Youth Affairs. The Indiana Youth Council is interested in learning more about this project.

The Council would appreciate receiving a copy of the proposed legislation and also any additional comment concerning the status of such.

I look forward to hearing from you on this matter.

Yours truly,

ROBERT W. GALIM,
Director.

TEMPE, ARIZ.,
March 25, 1969.

DEAR REPRESENTATIVE PEPPER: Presently I am a freshman at Arizona State U. I am very interested in your proposal to develop a department of youth affairs. Would you mind expanding your ideas to me, as I would be most interested and honored to be of any help in executing or participating in this department.

A reply would be most welcome.

Thank you.

Sincerely,

JEFFREY FIGLER.

STATE OF NEW JERSEY, DEPARTMENT
OF COMMUNITY AFFAIRS,
Trenton, N.J., March 13, 1969.

HON. CLAUDE PEPPER,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I recently learned of your proposal to create a cabinet level Department of Youth Affairs (H.R. 6259) from Urban Affairs Reports.

If you would be kind enough, I would appreciate receiving from your office a copy of this bill and any other information you may have which would pertain to it. I have taken the liberty of enclosing a brochure on the intern program conducted by the New Jersey

Department of Community Affairs which may be of some interest to you.

Please do not hesitate to call upon me should you wish any further information concerning the New Jersey program. In the meantime I will look forward to receiving information on your proposed legislation.

Thank you for your attention.

Sincerely,

GREGORY NAGY,
Coordinator, Interns in Community
Services.

EUREKA, CALIF.,
February 19, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: Recently I read about your proposed legislation for a cabinet-level Department of Youth Affairs. As a youth I would like to thank you for helping to give me and my generation a stronger and more responsible voice. As a citizen I would like to commend you for looking toward the future and planning for a better America. I would appreciate it if you could keep me informed on the success or failure of your proposal. If you would ever need any help from youth I would be more than willing to help in any way I can.

Sincerely,

SHARON DUGGAN.

CORNELL UNIVERSITY,
Ithaca, N.Y., April 22, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: Please send me a copy of your bill, H.R. 6259, to authorize a Department of Youth Affairs.

Thank you for your courtesy.

Very truly yours,

R. L. JEWETT, P.E.,
Assistant Director.

TAMPA, FLA.

DEAR MR. PEPPER: Your bill was very interesting, but I thought you might like several views, and not just mine. So I've taken a poll which many people from my school participated. I hope the results will be of help to you.

As for myself, I am in favor of a 19 year old vote, because at 18 I don't think youth is mature enough to vote. However at the age of 19, we have had one year of college, military service, or work, which you must agree add much to a person's reasoning. I am 100% for your Department of Youth Affairs.

I've enjoyed helping you tremendously, and if you need help in the future please feel free to call on the council, and I to help you. The results of the poll are as follows:

Lower voting age to 18?

Sophomores:	
Yes	28
No	8
Juniors:	
Yes	16
No	2
Seniors:	
Yes	34
No	15

Are you in favor of the Department of Youth Affairs?

Sophomores:	
Yes	30
No	6
Juniors:	
Yes	18
No	
Seniors:	
Yes	45
No	4

All the best,

BERNARD CHEESEMAN.

GENERAL AMERICAN LIFE INSURANCE CO.,
St. Louis, Mo., February 18, 1969.

HON. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR CLAUDE: Since a speech of yours in the Seminole Hotel to the Jacksonville Jaycees in the early thirties I have been an admirer and follower-supporter. You may recall that I made a small contribution to good government in Duval County thanks to motivation gained in the only campaign you lost. The State of Florida truly lost that day also.

The enclosed story appeared in the Atlanta Journal-Constitution last Sunday and interests me very much. Having devoted a fair lifetime to just such things as this prompts my congratulations and encouragement in your great effort to create a Cabinet department for youth affairs.

Jeanne and I, you met her when we visited your office in Miami during my State Treasurer campaign, live here in Atlanta and happily have three children of our own, ages 8, 4 and 3. We are both very active in all sorts of activities that can benefit from your project and we are in a position to volunteer to help you in any way possible.

If there is anything that we can do to help you implement this plan just let us know. We are interested to the extent that we, at our expense, will even come to Washington to learn more about it or do something there. When the children get older we both have considered doing what we can as a part of the Peace Corps.

Today I am remembering your help in implementing an International Jaycee program, I as head of it for this hemisphere had conceived and been unable to get rolling. You saw me in your Senate office, arranged an appointment with Dean Rusk and this was gotten underway immediately. A worldwide program of extension and projects resulted, and during my administration thousands of outstanding young men in other lands were recruited and served without pay in community betterment activities.

Count on us for any help you feel we could render and with warmest personal regards for you and Mrs. Pepper, I am

Sincerely,

AL CAHILL.

U.S. NAVAL SUBMARINE BASE,
Groton, Conn., May 4, 1969.

DEAR REPRESENTATIVE PEPPER: I read with interest your article in *Parade*, April 20th. Needless to say, I agree most heartily with you in your analysis of the situation and am also intrigued with your proposed solution.

Although my concern is immediate, my participation will have to await completion of my remaining three years of service. At that time I shall be faced with the decision of graduate school or a career, such as the one you mention. I would be most appreciative if you could forward additional information about H.R. 6259 and how it would affect me. In particular, I would like to know what sort of jobs I could apply for, advancement possibilities and pay scales.

I applaud your concern with this area and for your efforts to restore the confidence of an ever-growing portion of our population in their government.

Very respectfully,

ENS. JUD SCOTT.

SAN ANGELO, TEX.

HON. CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR SIR: I am a senior government student at San Angelo Central High School, San Angelo, Texas. We are currently in the process of selecting a bill and following its progress. I am interested in bill (H.R. 6259) that you introduced concerning a Department of Youth Affairs.

I would appreciate any information you could supply in regards to the bill (H.R. 6259) and a copy of the bill.

Thank you for your time and consideration.

Yours sincerely,

GEORGE GLAESER.

COUNTY COMMISSIONERS,
PRINCE GEORGE'S COUNTY,
Hyattsville, Md., February 28, 1969.
Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: It would be greatly appreciated if you could send me 10 copies of HR 6259.

With kindest regards, I am,

Sincerely yours,

JOHN F. SULLIVAN.

BROOKLYN COLLEGE OF THE CITY
UNIVERSITY OF NEW YORK,
Brooklyn, N.Y., Feb. 27, 1969.
Congressman CLAUDE PEPPER,
House Office Building, House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: The Department of Youth Affairs you proposed recently is an excellent idea.

As a college official who has been a member of VISTA, I strongly back your effort to set up this new department.

Sincerely yours,

JOSEPH DREW,
Director.

COLLEGE PARK, Md.,
February 18, 1969.

HON. CLAUDE PEPPER,
U.S. Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I have read in the newspapers that you plan to introduce legislation establishing a cabinet-level department of youth affairs. I feel this is an excellent idea in that it will give the youth of America the spokesman that they have badly needed. The closing down of colleges and this unnecessary violence must be ended, and this bill seems like a definite step in the right direction.

I am presently a junior at the University of Maryland and am majoring in business law. I am very interested in politics and plan to enter the field of public service as soon as I am finished with my education.

I understand that the bill also calls for youth participation in the department, and I would like to apply for a position in this area if the bill is passed. I would appreciate it if you could tell me what channels I would have to go through to apply.

Thank you for your time, and best of luck with the bill.

Sincerely,

ROBERT SCHERR.

THE FLORIDA DISTRICT OF KEY CLUB
INTERNATIONAL,
February 17, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: The receiving of your letter of February 13, meant a great deal to me as Governor of the Florida District of Key Club International. As you stated, it has been too long and is growing longer as time progresses, since the youth of America has had a voice in their government. From what I can see and understand in my travels this year, the youth of this country is ready and able to accept the responsibility of voting, and handling a Department of Youth Affairs. Personally, I have learned this year also, through experiences with the Florida Youth Advisory Council that you can get your voice heard

through just such an organized body as you propose, and that we have.

Ability, as a matter of fact, is shown through one of the Florida District's Past Governors, Steve Metz, who is now heading the President's Council concerning disturbances on the campuses of America's institutions of higher education. An organization such as the Department of Youth Affairs and a lowering of the voting age should in the trying days of our time, and better interest those who are quickly losing interest in the government. Today it is thought by many that matters of government, politics, etc., can be "forced" down the throats of the youth. It can not. They have to respect it, and the only way to do this is to know someone cares and is willing to help.

I can tell that someone does care. Greatly I respect your efforts and thank you as one of America's youths. If there is ever anything that I can do for you in these respects, please do not hesitate to call. Until this time should come, I remain,

Sincerely,

REID JAMES,
Governor.

MIAMI, FLA., February 7, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I was very pleased to read in the Miami News edition of Wednesday, February 5th of your introducing a bill to create a Cabinet Department of Youth Affairs. I am very sure you have made Mrs. Malvin Englander of Miami Beach a very happy person.

So let me congratulate you on this forward step and I would be interested, if you will, in sending me a copy of the bill.

Sincerely yours,

HUGH P. EMERSON.

NATIONAL DEVELOPMENT OFFICE,
New York, N.Y., April 8, 1969.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: The proposal to establish a cabinet-level Department of Youth Affairs recognizes the critical importance of tapping the talent and enthusiasm of our young men and women. It is obvious that bold new programs alone cannot resolve the problems of our nation. What is needed is the direct involvement of large numbers of skilled and motivated young people in constructive and substantive activities directed towards the national good.

New York's experience in this area is, I believe, illustrative of what can be done in constructively involving our young men and women. Three years ago, New York City established its Urban Corps to provide college students with an opportunity to participate first-hand in all aspects of urban government. Since that time, more than 6,000 students from colleges and universities through, out the nation have gained a unique understanding of the problems and prospects of urban society.

Funded primarily through the Federal College Work-Study Program, the Urban Corps makes large-scale student participation both economically feasible and administratively attractive.

The Ford Foundation has now provided funds for the establishment of an office to encourage and assist cities throughout the nation in the development of local Urban Corps. More than 22 major communities are now participating in this effort.

The enclosed material discusses in fuller detail the concept and implementation of Urban Corps programs. If we can provide you with further information, we will of course be delighted to do so.

Sincerely yours,

MICHAEL B. GOLDSTEIN,
Director.

PAN-AMERICAN'S 747

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, Pan-American Airways' contributions to the economy and growth of the Greater Miami area is nearly impossible to adequately measure.

It is more than the creation of new jobs, the drawing of permanent residents and the transport of thousands upon thousands of annual visitors into a city that thrives and prospers on a tourist economy.

Even more important is the faith the airline has placed in what the future holds for the Miami area. In a sense, this is in large measure why Miami will continue to prosper and grow.

A recent article that appeared in the April 25 edition of the Miami News, written by Mr. Morris McLemore, attests to the faith of Pan-American Airways for the future of our city. It concerns the expected arrival sometime later this year of the new 747's which will have the capacity to skirt as many as 490 passengers to and from Miami International Airport on a single flight.

I commend this article to my colleagues of the House:

HIS JUMBO JET HAS \$4 BILLION IN ORDERS
(By Morris McLemore)

In the great American game of salesmanship, the strongly knit figure of Carl Munson must stand a heap taller than does Carl in his socks.

At the age of 38, yet with six years at his position, Mr. Munson can look upon the largest part of a \$4 billion (that's \$4,000,000,000, Clyde) backlog of orders with a certain measure of satisfaction.

Some of the \$4 billion represents orders from foreign firms for the Boeing Jumbo Jet, the huge 747, but the largest part comes from the major airlines of the United States and Canada. Munson is sales supervisor for Boeing in these areas.

The largest, single slice of business so far comes from Pan-American Airways. Pan-Am has contracted for 33 of the 747's and will take delivery on the first one or more late this year. It won't be long after that until clouds of the great birds will be hissing off and on Miami International Airport in "The most important development in aviation since the switchover from propeller aircraft to the jets," according to Munson.

He's here to appear before the Travel Industry Association of Florida, among others, but looks upon this as a fringe chore undertaken to enable him and Boeing to keep up with what is wanted by people who fly in airplanes.

In our discussion over breakfast, Munson opened with a pained expression and some unease.

"Please don't call the 747 the 'Jumbo Jet,'" he asked, with a monumental lack of effect, as you may have noticed: "That description has the connotation of something ponderous, slow and kind of dull—which the 747 definitely isn't. It's 10 percent faster than our 707 that's been a basic jet transport. It's a very docile aircraft when airborne, handles easily and touches down with less impact on the runway than the 707 and several others."

The former jet fighter pilot and graduate engineer (Stanford) explained in detail how the 747's "four-poster" landing gear distributes the enormous weight of the aircraft (712,000 pounds, maximum) in smaller increments than does the "two-poster" gear

of the 707, Douglas DC-8, etc. This would indicate the airfields that now accommodate these standard craft can handle the 747 with no danger. The bigger whopper actually requires no more concrete than does its smaller predecessors.

The 747 program began at Boeing in the spring of 1966 and it hardly was under way before the carriers started signing contracts for it with both hands.

Since Pan-Am signed for the first, some 200 others have been ordered and—in the jargon of the trade—"this is the maximum sales effort consistent with the manufacturing potential for two years." However, if you have \$20,000,000 handy for a private 747, Munson probably would find some way to take your order, subject to the flow of finished Jumbos turned out by the 20,000-man work force at a specially built plant at Everett, Wash.

With all these staggering figures and imposing sales, the larger question is what will happen to American airports when each 747 dumps up to 490 people—"but, to the airlines' credit, 360 seats is the average request of us now"—into today's people and baggage facilities.

This enormously complicated, gut problem for the airline passenger of the next decade and beyond is corroding the wits of many of civil aviation's best brains. But the bright, engaging Mr. Munson's remarks about the 747 airplane's own place in this discussion are enlightening.

"The 747 might be called part of a 'system for handling people,'" says Munson. "The concept assumes that one 747 will take the place of 2½ of the Boeing 707's in the air, that its disgorging of passengers will be simpler than unloading the same number of people from, say, 2½ 707's or two of the 'stretch' versions of the Douglas DC-8, the largest passenger plane now in service."

"In these aircraft, passengers usually are loaded and unloaded through one or, occasionally two doors in the fuselage . . . The 747 will have 10 doors, not all of which will be employed at one time but certainly two or more will be. The 747 will have two, wide aisles instead of one, narrow one for people to walk down. Each of its doors is double the size of the present ones on jet aircraft, by the way."

"In the baggage compartment, all work will be done by machines under the control of one man. Each bag will be placed in one of several containers, each container will be moved laterally by machines into the baggage compartment. It will be faster, more efficient and less expensive than present methods."

"The cabin of the aircraft is divided into four compartments for passengers. That'll keep you from feeling like you're peering through the Holland Tunnel to the other end. It also will make for easy assignment of seats. . . ."

Results of the first, 100 hours of tests with the two 747's now flying for factory tests indicate the aircraft is more stable in turbulent air than expected and the noise of its four JT 90 engines (42,000 lbs. of thrust each) "not only is less than that of the 707 but considerably less abrasive to the senses," according to his extraordinary salesman.

"Its size won't eliminate congestion over airports but it will alleviate this when it replaces the smaller aircraft . . . It's a machine designed to blend and get its maximum results and benefit for the passenger in new, mechanized terminals of the years just ahead," is the rest of the basic concept.

That's all very dandy and logical and I'm happy for logical and I'm happy for Boeing and look forward to that sweet some day when all of these majestic works fall into place. But I still can't help but shudder at the thought of the baggage claim areas at Miami International when the Jumbos wing in. I'm still looking for bags lost in the days of the Curtiss Condor.

CRY RAISED: INSPECT FISH

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in the Miami Herald edition of May 2 was an interesting and informative article on efforts toward Federal inspection of fish and fish products written by the newspaper's homemaking editor, Mrs. Virginia Heffington.

In the article Mrs. Heffington accomplishes the difficult task of summarizing and assimilating the various proposals for inspection aimed at assuring the housewife that the fish product she buys is of the highest quality.

Special attention was given to H.R. 5550, a bill introduced by myself and my distinguished colleague from Michigan, the Honorable JOHN DINGELL.

The news story of May 2 was followed May 9 by an article suggesting that the Bureau of Commercial Fisheries might be the best Federal agency equipped to stamp the seal of inspection on fish products. As I have stressed before, the American housewife is not so much concerned as to what agency does the inspecting but that the product be inspected. The author of the article makes a number of strong points in favor of inspection by the Bureau of Commercial Fisheries.

Mr. Speaker, I commend to my colleagues in the House these two informative articles and include them at this point in the RECORD:

[From the Miami (Fla.) Herald, May 2, 1969]

CRY RAISED: INSPECT FISH

(By Virginia Heffington)

It's interesting that union men who work in the nation's fish canneries, processing plants, and retail markets are spending money to promote mandatory federal inspection of fish and fish products.

The half-million membership of the Amalgamated Meat Cutters and Butcher Workmen of the AFL-CIO have hired Washington, D.C., public relations counsel to spread the word that fish plants need inspection even more than the meat and poultry packers did. Meat and poultry inspection laws were passed in 1967 and 1968. The union hopes fish inspection will be mandatory in 1969.

Sen. Philip A. Hart (D., Mich.) introduced a bill in the Senate to make fish inspection law. In the house, Rep. Claude Pepper (D., Fla.) introduced a similar bill Jan. 30. When asked what he thought of the legislation being backed by the union, Rep. Pepper said, "I'm delighted. I have not heard one word in the fishing industry on a national or state level that was not for it."

Rep. Pepper had introduced a similar bill a year ago but had to revise it. There was disagreement over whether inspection should be handled by the Food and Drug Administration (FDA) or the United States Department of Agriculture (USDA). USDA thought it had an edge because it handles meat and poultry inspection. But Rep. Pepper says his bill splits the duties between the two to the satisfaction of both "USDA will handle inspection from the time the fish leaves the water till it enters the plant. Once in the processing plant, FDA will take over."

A better idea would be to have all fish inspection handled by the men who really know fish—members of the United States Department of the Interior Bureau of Commercial Fisheries. Rep. Pepper said he didn't really care who did it—he just wanted federal inspection.

This is a minor slap at the state of Florida, which just now adopted a mandatory Seafood Quality Control Code. But this is not the continuous inspection Rep. Pepper and the union want, meaning an inspector on duty every day—not now and then.

Why federal inspection? Rep. Pepper claims people don't have confidence in fish they should have. "The proof is the line about smelly fish. A fish straight from the water has no odor." We agree. Fish and seafood are highly perishable products—they don't improve with age like beef does.

Rep. Pepper would like to see more than the present 11 per cent of the food dollar go for fish. "Fish is good for you, plentiful, and cheap. We can increase consumption if we have inspection. Federal inspection gives confidence to meat and poultry. We want to apply the same principles to fish. Florida is a big producer of fish and it would mean a lot to the state if people all over the country ate more."

The union may or may not want to sell more fish—it does want to clean up the fish industry. Eleven people have died in the last five years after eating bad fish and thousands more have been made seriously ill, according to the union.

Right now federal inspection for fish is voluntary. But now many plants take advantage. Miami has the only federally inspected fish cannery in the country. This is Florida Finest Seafood Inc., which unfortunately does not supply the retail grocer at the present time. Most of its products go to schools and other institutions.

When Rep. Pepper was asked what the little homemaker could do to guarantee she can buy high quality fish, he gave the obvious answer—"Write your senators and representatives." Rep. Pepper calls this the power of public opinion. But to do any good, those letters have to go out in a hurry. Though no date is set, hearings will be soon.

[From the Miami (Fla.) Herald, May 9, 1969]

IS YOUR FISH INSPECTED?

(By Virginia Heffington)

Does the homemaker really realize that the fish she eats is not federally inspected? And probably not inspected at all? We doubt it, but that's the way it is.

Right now there is federal inspection in only about 40 plants across the nation. Two of these are in Miami. There is federal inspection in so few plants because it is voluntary and costs money.

Because there is legislation for federal fish inspection up before both houses of Congress, we're trying to stir interest in getting a bill passed that really helps the consumer, which is you.

The issue right now is who does the inspecting. At present, there is the possibility of dividing it between the United States Department of Agriculture (USDA) and the Food and Drug Administration (FDA).

The plan is to let USDA handle inspection from the time the fish leaves the water till it enters the plant. Once in the processing plant, FDA would take over.

As we stated last week, a better idea is to let the people who know how to handle the fish—members of the United States Department of the Interior Bureau of Commercial Fisheries. They are set up to do the job—they're the ones handling what little fish inspection is done now. And they're certainly the ones who know fish and the people who process them.

However, the only important thing is that the Bureau of Commercial Fisheries inspect fish at the plant. Inspection on the boat is not important because often those fish are frozen and no one can analyze a frozen fish. Wait till it gets to the plant and if it's bad, reject it.

Once the fish or seafood has been processed, the agency to take over is FDA. They do this with other foods now so they're the ones

equipped to handle this end. In other words, if you buy bad fish, call FDA.

Besides the fact that it costs money, industry has a valid argument against federal inspection and this is that it would mean just one more person to deal with. The way out of this is to let the Bureau of Commercial Fisheries inspector see to it that all local and state requirements above and beyond the federal code are taken care of. Local and state inspectors would deal with the Bureau and leave management alone.

If you would like to see federal fish inspection handled this way, write your congressman or this reporter. Hearings on the bill will be held very soon. If you've had any personal experience with low quality fish you've bought, let us know. This will be fuel for the fire arguing for better inspection.

A MASON, A MINISTER, AN AMERICAN

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, on February 24, 1969, the Reverend Irvin R. Pusey, grand chaplain of the Grand Lodge of Delaware and pastor of the Red Lion Methodist Church, of Red Lion, Del., delivered an address before the Conference of Grand Masters of Masons of North America here in Washington, D.C.

Reverend Pusey's address was one of the most thoughtful that I have heard in many years. In an age when spirituality and patriotism are being challenged by materialism and cynicism, it is refreshing to hear someone who can and will remind us of the values that are the very foundation of this Nation.

Reverend Pusey's address follows:

I consider it a privilege to be with you tonight, to share in this great meeting with great people. I come to you as a Mason; as a Minister; and as an American. I have a love for my Lodge; a love for my land; and a love for my Lord. And these themes of circumstance will color what I have to say to you tonight. They all flow together; they all mingle in; they cannot be separated. I thank God for all of these.

I should like to share with you three things you can hang your thoughts on: Masons as men of purpose; Masons as men of patriotism; Masons as men of prayer.

So to you distinguished guests; to you, Mr. Chairman; to you dear ladies and to you brethren, let me speak to these three things.

Masons as men of purpose. We live in a divided world tonight; a world where there are two Koreas; two Vietnams; two Germanys; two Chinas; two Berlins. A world that is divided by philosophical and political ideologies and even in our fair land, we see many, many problems. Freedom is under attack by Communism. Don't you think it is not. Men by the hundreds are coming back from Vietnam in little wooden boxes; pant legs pinned up, coat sleeves tucked in. They know Freedom is under attack tonight. We see in America tonight the ravages of an increasing crime rate that many of our police departments are now admitting they cannot really control. Immorality in America is no longer a disgrace—it is a way of life. If there was ever a time for Masons to live by the spirit of their Fraternity, it is now. To become men of purpose, and I do not mean men of purpose just by saying "Oh, I have a purpose for my life", but as Masons to take the purposes and the spirit of Masonry and get it out of the ritual of a Lodge Room and let it live in our hearts; on the streets, in our homes and in our factories. Let Masonry come alive; let it become incarnate in our

bodies, because unless it does then I am afraid of its future.

Not long ago I gave my little daughter a stuffed toy lion. She played with it, carried it around; kicked and mauled it. I often wondered what would happen if that stuffed lion ever came alive. Many Masons are treating Masonry that way. We dabble in it; we play with it. Oh, if it could only come alive. I hear people say "you know we have got to defend Masonry." I do not believe it. You do not have to defend Masonry any more than you have to defend a lion. Let it loose. It will protect itself. Let it loose in your life and my life.

We read in the Book of Acts in the Bible, of Peter and John going up to the Temple and they met a lame man at the gate of the temple. He was begging. It was quite surprising, because at that time most beggars used to beg on the outside of the city at the gates of the city where the marketing was done and the caravans came through. But, this man was begging at the gates of the Temple. Why? Because he expected more from those who entered the Temple, more from those who believed in God.

I think he was right. And I believe tonight that the world has a right to expect more from Masons than many other groups. And God help us if we do not think so. I believe Masonry makes a man a better man and if it does, it gives him an awesome responsibility to let loose the spirit and the morals and the principles of Masonry. Let it come alive. Let that be our purpose.

I want to say that Masons ought to be patriotic. This is a dirty word in our day and time. The thing to do if you want to be popular is to criticize America; find fault with her. And this can be done. She has got her faults and she is certainly open to criticism. I have done some myself. But I am just a little bit weary of hearing all of this. Because, as I look at this land, I believe there is a lot to be said for America. And now I would like to say a good word for America. I think she is the greatest nation on earth. I make no apologies for that. Patriotism, comes from the word patriarch. It means love of fatherland. Let us not be ashamed of it.

I would like to take the letters of the word America: A-m-e-r-i-c-a, and ascribe some thoughts for each letter.

A. A is for *Ahead*. We live in a time of social and political revolution, where people are telling us that a democracy can no longer cope with the needs of the time. This is a technological age, they say, and the only way a government can control and compete and take care of its people is to become socialistic or communistic. I do not believe it. No nation has done more for her people than America. No Nation has given more dignity and freedom and opportunity to her people than America. And I know her standard of living is the envy of the world. There are some who like to compare us with the communist nations, notably the Soviet Union.

Do you realize that if we were to become equal with the Soviet Union, we would have to go backwards? We would have to cut our agricultural and industrial production by great percentages. We would not be able to meet here tonight, if this hotel was located in Russia. Such a thing as Masonry would not be tolerated. Such a society could not exist in the Soviet Union. You couldn't be here tonight and if you were, there would be secret police in the garage taking down your license numbers from your cars.

Speaking of police. The police in Russia are there to protect the government. The police in America are here to protect the public. And I am one who thinks that the police of America are doing a great job and are ridiculed unnecessarily. The Grand Master of Delaware, Warren Schueler, is a lieutenant colonel of the state police. We have three other state troopers on the staff, who are masons, and whenever I hear the cry of

police brutality go up I cringe, because usually, it is just an attempt to get out of a crime a person has already committed. And I will tell you something tonight, brethren and friends, I hope I never have to make the choice, but if I do have to make the choice, I would far rather have police brutality of the criminal rather than criminal brutality of the public the way it is being done today. And so as I look at America, I see that she is already far ahead of any other system of government. Name any system of government that has done as much for their people as the United States of America! In fact, many of these governments today exist because of the American dollar that's kept them afloat. So why should we want to change to another form of government when we are already ahead!

M stands for *Mighty*, she is a mighty nation; and I, for one, am not ashamed of the military power of the United States because I'm convinced tonight that the only thing that stands between the Soviet, the Red Chinese war machine and world domination is the military power of the United States! I believe they fear and respect it and I'm not ashamed of our military power! I'm proud of every one of our men in uniform because they not only represent their country, but they represent a direct challenge to a way of life that would ruin our way of life. They represent power that the enemy will respect! And to those who would burn the American flag and tear it down, burn their draft cards (and by the way, when they burn their draft cards, I would have a lot more respect for them if they burnt their social security cards at the same time.) Those who burn the American flag ought to read up on their history and I'll make this statement in front of anybody—no nation has done more for the world in the history of the world than the United States of America!

Ask any Englishman if there would be an England today without America's help in World War II. Of course not! Charles De Gaulle, in France, can say all he wants to about his anti-Americanism (you notice he doesn't do it too much anymore . . . not since he got stung himself by the Communists last spring when they turned on him), but he used to be very anti-American in many respects. Yet, Charles De Gaulle has a nation to be President of tonight because there are 10,000 American graves in Normandy and throughout France that bought his country back from Hitler! I'll say this too! There wouldn't even be a Russia tonight without America! Just go back in history a few years. In 1942, Hitler's armies were at the gates of Moscow and we know that the Russian winter took its toll. But it wasn't the Russian winter that defeated Hitler's army—it was the Russian army that defeated Hitler's armies, but with what? Ships—hundreds of them left American ports and put in at Russian ports. It was American guns, and American tanks, and American planes, and American bombs in the hands of Russian soldiers that turned the tide and if she didn't have the war equipment we gave to her, she could never have done it! Hitler would have marched right into the streets of Moscow. So there is a Russia today because there was an America who pumped out of her factories war materials and armed the Soviet Soldiers. And then those who would say about America's involvement in Vietnam—how criminal we are over there—Look at the past! What did we do with West Germany, this enemy that had ravaged Europe and killed many of our men? Why we turned our treasures loose and we poured money into West Germany and today she is the fastest growing economy in all of Western Europe and her dollar is the soundest! What did we do with Japan? Here is an enemy that had a sneak attack on Pearl Harbor and 2700 American men died! With this enemy

that stabbed us in the back, we signed a peace treaty on the decks of the U.S.S. Missouri. Did we go in and plunder and loot and rape that nation? No! We sent money, medical aid, food supplies, factory equipment—we went in there and we put Japan back on her feet! We also turned back to her many islands of the Pacific taken at such a high price, Iwo Jima to name one. Today, Japan is the fastest growing economy in the whole world, thanks to her enemy, America, who treated her better than she had ever been treated before, even after Pearl Harbor. Who was the first one to come to the aid of the South Koreans, even before the United Nations involved themselves in it? And those in South Vietnam! When no other nation cared, the very finest of our young men went over there and are over there going through the ravages of war for the freedom of another country! Don't tell me we're criminal—History just doesn't prove it!

I am reminded of a story I heard when I was in theological seminary. It was told to me by one of the associate editors of the Baltimore Sun Newspaper. He said, "when I was born, my mother died in giving me childbirth. He said, my father was a good man—a farmer, and I was the last of eleven children. Dad wanted to keep the family together and he did. He said one warm summer day I saw my dad sitting on the front porch of the old farm house and I ran and climbed up into his lap. I was then about seven years old. Dad put his big arm around me and began to tell me all about my mother, whom I never knew. Tears rolled down his cheeks and when he had finished he pointed to a little cemetery across the way and said, son, you'll never know how much you cost me."

All across the world America can point to hundreds of thousands of little white crosses and say to the world, you'll never know how much you cost me. She is a *mighty* nation and I am not ashamed of her military power.

E stands for *Everyone*. Now we know and we have to admit that there have been injustices in this country. This is certainly true. But there have been injustices in every country. I do believe, however, that more people have been given an opportunity in this country than in any other nation. There are a lot of people tonight who are submitting bills to America. They want something. It is like the little boy who went to school. He found out from his classmates that some of them were getting a larger allowance than he was getting. When he found it out he thought he would give Mom the word. But when he got home, he chickened out and could not bring himself to tell her that he needed a larger allowance because every one else in the class was getting it. He wrote her a note, and left it on the dining room table. When he went to school the next morning his mother found it. She picked it up and read it. It went something like this: (To Mom. A bill from your son. For taking out the garbage, fifty cents; for helping with the dishes, seventy-five cents; for saying thank you and please, two dollars. It all totaled up to several dollars.

When he came home that night his mother did not say a word to him and he was a little bit surprised, but he was too afraid to bring up the subject. After he finished his supper, he saw a little note sticking out from under the plate. He pulled it out and opened it up. It said something like this: *To my son, a bill from your Mother*. For bringing you into this world and going into the jaws of death to do it, the cost was love. For walking the floor with you at night when you were sick, the cost was love. For teaching you to talk and to walk, the cost was love. He got the idea. He could never repay his mother).

Suppose that in some way America could submit a bill to us for the privilege of being born in this country. The cost was the grace

of God. For the freedom you have enjoyed, the cost was innumerable lives given at Valley Forge, Gettysburg, Iwo Jima, Korea and so on. We could never repay her for what she has done for us.

R stands for Religion. We will never be able to understand this great American phenomena *apart from God*. What is it that makes America unique? Not democracy. Other nations have had democracy. The Greeks had it thousands of years ago. Not her military power. Other nations have had military power. Not her resources. Other nations have great resources. I believe it is the fact that she is one nation under God. Notice that phrase—Under God. Not equal with God, or above God, or along side of God, but a nation under God. Under God's rule and law. As I have surveyed the American scene, I have wondered how people can get the idea she is supposed to be religiously neutral. Oh, I know that there was no religious denominations to be supported by our government. But I cannot buy the idea that she was supposed to be religiously neutral, not when I look at history. When the Pilgrims would rather have their Bibles than their lives, and came to these shores and wrote a Mayflower pact and stated therein that they took possession of this land in the name of God and for the propagation of the Gospel of Jesus Christ.

When I see Washington kneeling at Valley Forge, praying. When I hear Benjamin Franklin call thirteen colonies together when they were about to split up at the Continental Congress and say to those gentlemen, "let us pray." And out of that prayer meeting came much of the structures of our Government. I see the Continental Congress in 1775—one year before the Declaration of Independence—call upon the American people on July 12th to have a day of fasting and prayer in humility and recognition of Almighty God. That was done by the Continental Congress in 1775. It was George Washington who issued a statement that he would like to see ministers or chaplains in all branches of the armed services. And it was Washington, after he had finished his oath of office said "so help me God," and so has every President all down through history. The Congress in 1853 decreed that the motto on our coinage and our money should be "In God We Trust." Consider the National Anthem of this Nation (*The Star Spangled Banner*). It has this phrase in it: ("Praise power that has made us and preserved us a nation. Then conquer we must when our cause it is just and this be our motto In God is our Trust.") That is our National Anthem. Go to the Lincoln Memorial and there you can read his Gettysburg address which has this phrase in it ("*One nation under God*"). Go to the tomb of the Unknown Soldier and there you can read ("*Here Lies One Known Only To God*"). Go to the Washington Monument and there you can read many portions of Scripture, one of which says ("*Suffer the little children to come unto me and forbid them not for of such is the Kingdom of God*"). In 1956 the Congress of the United States had the phrase ("*One Nation Under God*") inserted into the Pledge of Allegiance to our flag. Many of the men who wrote our great historic documents were *Men of God* and they did not separate their Religious Convictions from their Political Philosophy. America's history is rooted in the Bible; she was reared in the cradle of prayer and nursed at the breast of the church.

I stands for her Institutions! Which one of her institutions would you want to do away with? A trial by jury? I wouldn't! A free press? I wouldn't! Free Elections? I wouldn't! Some may need updating, as times change, but, those who want to eliminate them never seem to have any better alternatives. And until they do, I am not for destroying a

structure of government that has served so many, so well, for so long.

C stands for Capitalism. Here is another dirty word today. It simply defines an economic system that says a man has a right to make a profit and own property. And it is this economic system called capitalism that has released the energies of man as no other system has, that he might achieve the capabilities God gave him. And this system, as Senator Walter Judd said, "has made it possible for six percent of the world's population living in the United States to own fifty percent of the world's wealth. Six percent of the world's population owns fifty percent of the world's wealth. It didn't just happen. There was an economic system that sparked it and primed it and that system is called capitalism. Although there are many nations around the world who look down their noses at it and do not want to have anything to do with it, they will take all the cream that it can produce. They will take all the money capitalism can make. They do not want the system, but they want all that it can produce."

We have this great system of capitalism because the political structure of our Government says that man is endowed with certain inalienable rights, and these rights are endowed by his Creator, including the right to own property and to make a profit. This rests on the foundation of a religious philosophy that men are important to God. That they are made in the image of God, and that freedom is not just something that we obtained. Freedom is something in the human heart. We can go back to the Book of Genesis in the Old Testament and note the creation of Adam and Eve. When God made Adam he gave him a free will. And God did it at a risk. A risk that he would rebel and disobey God. God was willing to take that risk because he thought it was so valuable for man to have freedom. Whenever the flame of that freedom planted there by Almighty God, has been imprisoned it has leaped out into the world. All are created with certain inalienable rights and endowed by their Creator. That is the philosophy that lets capitalism be what it is tonight.

A stands for Abundance. America is an abundant nation. We have over 500,000 men in Vietnam; 300,000 or so in Europe; 50,000 in Korea; hundreds of other thousands scattered around the world. We are fighting a costly, bloody war. We have a multi-billion dollar program in space going on now, reaching out to the stars. We have a multi-billion dollar social improvement program reaching out to the people. And not one of us has a ration card for food or gasoline. She is an abundant nation, she's been good to you and to me.

I remember several years ago a couple who celebrated their 60th wedding anniversary. Their daughter, now grown up, with children of her own, wanted to take mother and dad out for dinner. The parents said certainly we will be happy to go, but before we do, we would like to go to an old farm some miles from here. So the daughter drove them out to the farm. The barn had fallen down. Someone else was tilling the ground. The house had burned down. They got out of the car and they walked up the lane, the old farm lane, covered now with weeds. The wife said to the husband, let's stop right here. The daughter shook her head and said I do not understand it. I wanted to take you out to a very lovely dinner for your 60th wedding anniversary, and here you are in the middle of nowhere. Why did you come here before we go to dinner? The wife slipped her hand into that of her husband, saying, it was right here that your father first told me that he loved me. It is a meaningful place.

When history is written, may they look back on this troubled era of America saying of the Masonic Lodges, they were one of the first that told America they loved her.

Finally, Masons should not only be men of purpose and men of patriotism, but men of prayer. Men of faith who not only believe in the reality of God but that they can commune and communicate with God through prayer. If our prayers have simply degenerated into a little ritual that means nothing, then God help us. Whenever the Masonic Lodge loses its spiritual dimensions it will lose its life. We need to keep alive the great sinews of faith, a belief in God. A supreme being, not just an ideal but a personal God, who I believe as a Christian minister has made himself known in Jesus Christ.

Someone has said when you depend on money, you will get what money can do. And that is something. If you depend on organization, you will get what organization can provide. And that is something. If you depend on programs, you will get what programs can do. And that is something. But, when you depend on prayer, you will get what God can do. I know in my life I need what God can do. What my church needs is what God can do. What America needs tonight so desperately is what God can do for her through people like you.

Abraham Lincoln in his famous Gettysburg Address said that this nation needed a new birth of freedom and in his time that was very true. I think tonight we could change the words to say that this nation needs a new birth of faith; faith in God, so that government of the people, by the people, and for the people *shall not perish* from the earth.

God bless you.

WHAT HAS HAPPENED TO PATRIOTISM?

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, recently I had the high pleasure of introducing Brig. Gen. Robert L. Scott, Jr., U.S. Air Force, retired, at a lecture on LSU campus in my district.

General Scott, a combat veteran and author of the best-seller "God Is My Co-Pilot," is one of the most dynamic patriotic Americans I have been privileged to be associated with. General Scott knows war—and despises it. As a combat officer he knows fighting men, their morale and their purpose. As an American leader he knows what happened to our morality and national prestige.

His speech, "What Has Happened to Patriotism?" is in itself a classic pro-American document which I include following my remarks, along with General Scott's biography:

WHAT HAS HAPPENED TO PATRIOTISM?

(By Robert L. Scott)

Greetings! My fellow-workers in the modern American underground! Isn't it difficult to understand how this can happen today? It was understandable back there at the birth of this nation in 1775. . . . Those forefathers of ours had to meet underground then to even utter the forbidden words "freedom" and "liberty." Because, after all—there were Red-coats roaming around outside on guard—and there were Tories as neighbors ready and willing to "turn-somebody-in" to be hanged as a traitor to the Crown. Here though—almost two hundred years later—why do we have to meet almost clandestinely?

Why? . . . Because Patriotism has almost become a dirty word . . . as our liberal-leaning press seems to fairly delight in printing such bold-black headlines as: "War Hungry Military Blamed for Vietnam!" Yes, these very

same words that press of ours attribute to former U.S. Marine Corps Commandant David M. Shoup . . . written in his handwriting for *Atlantic Monthly* . . .

Hastily other U.S. Armed Service greats commented that they did not agree and it wouldn't do any good anyway. After all—said one admiral . . . : "These are Shoup's views—at least he just signed his name to such a thing, so the newspapers say. But Shoup's a has been and so am I. And we're both retired."

Well, Ladies and Gentlemen, I am retired too—an *Old Fighter Pilot*—and while never on a parity with the heads of the U.S. Army, our Navy or the Marine Corps—I was the Director of Information for the U.S. Air Force. And by the gods I shout this now to that former Marine Corps Commandant—that somewhere along the line *you must have at the very least suffered brain damage*—surely your patriotism has disappeared and it is a monumental shame because I have been to Vietnam four times as just a tourist-visitor to friends of mine I taught to fly. And of all the men I met out there *not one single one*—including hundreds of U.S. Marines—agreed with you that we were wrong in Vietnam—except they were not being permitted to fight to win.

Recently—speaking before the American Fighter Pilots Association on convention in Houston, Texas—A prominent Senator charged: there is a deliberate anti-defense campaign afoot which will reach fever-pitch among certain groups in the near future. . . .

The Senator went on to say that the *radical left* is busy trying to convince the American public that the ABM System is a device cooked-up by the *Pentagon Military* to siphon-off billions of dollars from anti-poverty programs and other social welfare projects dealing with improvements of our ghettos. . . .

Hells' Fire! All of us want the living conditions in America improved for every American. But please don't permit them to make you believe that the traitors among us are the military. Because that is just exactly what the Communists want you to believe. . . . As bad as things are in the United States for some people . . . get rid of the military professional or degrade him as the Communists are dictating—and there won't be much in our America as good as one of our present-day white or brown or yellow or black ghettos . . . Not under Communism—there won't be.

I am concerned not so much with the apparently senile statement of a used-to-be great American. I am concerned with the fact that such treason shrieks across the headlines of great American newspapers . . . I am concerned with what the Black Power advocates of the Marxist Doctrine slip so effortlessly into headlines. They all add-up to what we are forced to read ourselves and what our children and grandchildren are educated to accept as public opinion . . . All in all—it could not have been drafted better in Moscow or Red China.

Recently our Supreme Court ruled that a school board *may not* require students to salute the flag or pledge their allegiance thereto . . . Now—as you well know such meetings as this usually start out with the pledge of allegiance: "I pledge allegiance to the flag of the United States of America and to the democracy for which it stands."

Wait a moment—of course I made a mistake there—Our Constitution does not set up a democracy . . . our pledge of allegiance is to a republic. . . . The thing is: Do all of us know the difference? Because *that difference* is what has made this nation great.

The enemies of our country would like nothing better than to convince us that we are a democracy. Samuel Adams warned: "Remember democracy never lasts long. It soon wastes, exhausts and murders itself! There never was a democracy that did not commit suicide!"

And James Madison, one of the members of the convention—charged with drawing-up our Constitution, wrote: "Democracies have been found incompatible with personal security, or the rights of property; and have in general been as short in their lives as they have been violent in their deaths."

You see our founding fathers knew all about democracies—and, if they had wanted one for themselves and their posterity, they would have founded one. But—the word "democracy" does not appear in our Declaration of Independence and *neither does it appear in the constitution of any single one of our fifty states*. Madison, Hamilton and Jay and their compatriots of the convention prepared and adopted a Constitution in which they nowhere *even mentioned* the word democracy—not because they were unfamiliar with such a form of government, but, because they were familiar. . . .

John Marshall, who was Chief Justice of the Supreme Court from 1801 to 1835 said: "Between a balanced Republic and a democracy—the difference is like that between order and chaos."

Thus, we are a government of law—and not of men. . . . Nevertheless the Communists are fast convincing us; sometime through our own news media that we are a democracy—maybe a "mobocracy."

My friends—I am tired of my own stories. I almost cringe each time I have to rise and narrate (in modesty—I hope)—how a handful of us fighter pilots did—as we say—"won the war". . . . I gird myself and go on talking regardless—because of one thing I never can China—back there in World War Two . . . Shot off my wings, some of them, killed in aerial combat. These fine young Americans sacrificed their lives for this nation over a quarter century ago. They never did get to come home to its wonders—its comforts and pleasures or even its disgraces—its riots and its national cowardice—its very anarchy today. That is why I keep on telling my time-worn stories—*speaking out for them*. Otherwise, all they did—all that their sons—*your sons*—do in Vietnam today: goes all for naught. . . .

We elect some fine men to serve our civilization. And most of them serve us with honor. These professional politicians from city to county to state and all the way to the Federal Establishment. Oh, there are some exceptions and some failures—because man is frail and he is human. These we can accept. But there is another element of our society about which I have absolute contempt—that part which political writers call: *The Invisible Government*.

Man after man nobody ever elects—nobody ever has voted for—seems to gravitate to positions of the greatest responsibilities—and remain there administration after administration—decade after decade . . . Making crucial decisions concerning our heritage—methodically destroying our freedoms. And there is nothing new about it . . . it is as though we had walked into an old movie and finally realized we had seen the picture before. We are so certain that no such thing can ever happen to us . . . but it is happening. It has happened over and over to every great civilization of the past. *Why should ours be any exception?*

Rome has reached its zenith. That once great Republic was rotten to the core. Yet the people refused to heed the warnings repeated to them time after time that their civilization was falling. Was dying—is a better word . . . *dying of a moral cancer*.

It was 2000 years ago—seventy years before the birth of Christ—Marcus Tullius Cicero—a lawyer who had become Tribune—stood before the Roman Senate—this time to plead his own case before he was exiled. And why was he being banished from his land? For nothing less than having dared stand in the forum and warn his fellow

countrymen that they were losing all their freedoms by *indifference, cowardice, and by debauchery*. Back there though—it was much like it is today here in America—the Romans wouldn't listen either!

Said Cicero: "The traitor appears no traitor. He speaks in the accents of his victims—he wears their faces and their garments. He rots the soul of a nation. He works secretly and unknown in the night to undermine the pillars of the city. He infects the body politic until it can no longer resist. A murderer is less to be feared . . . the traitor is the carrier of the plague."

Here now—all these centuries later—we stand as did Rome. We have complacently permitted our destinies to be *managed* into disaster by avaricious men *we sat by and saw appointed* to high office. We indifferently permitted year after year to make vital decisions in our names . . . until now—the once awesome power of the United States *stands impotent*. We have become virtually a captive of our own mis-used power . . . a laughing stock for much of the jealous world . . . a scape-goat—a "paper tiger" the Red Chinese call us in derision.

Why is it so difficult to awaken all Americans to what is going on . . . make them realize the tragedy that came to Rome and all those other great civilizations is upon us now. Why can't we recognize this Shadow Government which sells us out—and summons these *never elected*—always *appointed* managers before us and say to them as Cicero said to his Roman peers:

"You are traitors. And I tell you this: A nation can survive its fools and even its ambitious . . . but it cannot survive treason from within. An enemy at the gate is less formidable. He carries his banners against the city . . . but the traitor moves freely among those within—his sly whispers rustling through all the alleys . . . heard in the very halls of government."

These security risks we insist on bearing as our national "crosses" administration after administration . . . the same worn-out names . . . are certainly not ordinary conventional traitors . . . they are far worse than all our Benedict Arnolds. For they are out there planning for us and acting in our names—designing new worlds for our children—sabotaging our heritage.

Thomas Jefferson said at the birth of this Republic that he didn't want to hear any more of placing our trust in mere man. But, that *man* be firmly bound-down from human errors by the chains of a constitution . . . A government of law . . . not of men.

And, that is what our forefathers did . . . bound down humanly frail man with the Constitution of the United States . . . an instrument most certainly handed down to us by Divine Hands.

Now, men to whom we permitted power to be given in our names have taken over as our managers and say to us *that our Constitution is outmoded . . . an obsolete eighteenth century document*. Thus, they advocate the violation of the very safety factor our forefathers wrote-in to protect us from foolish errors or from mischief or from diabolical plot.

Consider a few—Harry Dexter White, Alger Hiss, Dean Acheson, Owen Lattimore, and far more important ones—because they are still with us: former Secretary of State, Dean Rusk, former Secretary of Defense, Robert Strange McNamara, Under Secretary of State Nicholas Katzenbach—and President Johnson's special assistant, Walt Rostow.

Not one of these was ever elected to any office. Without exception they all were appointed . . . a special group of untouchables who have taken upon themselves the cloak of some kind of holy priesthood in a shadow world . . . this mythical *One World* they envision and advocate . . . all calling for the abandonment as archaic—our Constitution.

These manipulators—so arrogant they consider themselves not answerable to anyone . . . Regarding themselves as workers in the Service of History.

And by no means do they represent any single administration—not that of President Kennedy, nor General Eisenhower, nor Lyndon Johnson—not the administration incumbent today. Neither are they just Democrats or just Republicans. Though they must be considered mighty important somewhere because they seem absolutely indispensable. Every administration has a vital job ready and waiting for them.

Oh, if only these usurpers were mere busy-bodies or was it just nepotism—but they are far worse than that. They are smart and either carefully trained or monumental dupes—they are most industrious and they seem to have unlimited funds behind them—they are dangerous! That is why it is so very important what we do about them now.

We live in a new age . . . We are reminded of that every day . . . we are in World War Three. That, we are told repeatedly by our leaders, we are not in. But because of our technological advances . . . symbolized by such magnificent achievements as we have made in space; our advanced communications—that most educational of all mediums—television in our daily lives. We not only read and hear we have orbited the moon—we participate. Yes, we are almost passengers along with our astronauts in deep space—we are there! Made so aware of all this triumph in technology that suddenly there comes upon us the shock that we also have with us a thing called *The Bomb*.

Until, I cannot help thinking—that the ever alert Communists have used our own mighty medium of ultra-communications to educate us in reverse—brainwash us—to use an already badly overused word—that should ever a rash thought come to any American that the two mightiest powers on earth confront one another—both sides—could only lose at the very best. *Nobody wins*. We are not so much taught that, as we are conditioned over and over like the chant of some cigarette ad. *Defeat is drummed into our very subconscious souls*. The big eye and the nagging radio and the liberal-leaning press—our magazines and books and even the youthful rioters in our streets—shout at us constantly: "Everybody loses! Give up! Surrender!"

Until, having admitted there is no such thing as victory . . . and, *The Bomb* is ever-present for all time . . . hanging over our heads like the sword of Damocles . . . we are beaten before we start. Our minds become numb with the stark realization: The Communists already have the bomb too. And at least they imply they will use it. We, on the other hand, have announced formally to the world—we never will use it first . . . and of course that First Strike capability is all that really counts with that weapon. Far worse, though, we have failed to use it properly all the way—since Hiroshima and Nagasaki—as the true deterrent—that weapon might have been. Therefore, does it not follow—Q.E.D.—that any victory over Communism is impossible? We accept defeat without raising a hand—without raising even a feeble voice.

Because we are told over and over that all we can do is act mature. This is explained by our managers—that we must be objective and show the rest of the world that we realize the bomb is there and that by its very presence all those antiquated things like the U.S. Constitution and Freedom as we have known it have vanished forever.

The only realistic course, say these men who think and act for us—who design and execute our Foreign Policy—is to encourage the Communist World to move towards us. While simultaneously we counter by "building bridges" of cultural understanding towards them . . . meet that godless left more

than halfway . . . until, in the not too distant future, we will find our civilization merging with theirs. Then we come to form that World Brotherhood which the United Nations surely represents—that body to become the custodian of all weapons, and all armies and all navies and all air forces, thus rendering war impossible between nations.

And of course on the face of things, they are exactly right, these master planners, because absolutely nothing would be carried on between nations then—there would no longer be any such thing as nations, including our own United States of America.

We have become conditioned by our modern educational media to be convinced, that to retain our creature comforts to which we have become slaves, we close our eyes and simply wait while our Foreign Policy is managed—manipulated by those men with names we have become accustomed to, until no longer do we even act like Americans.

We must be careful never to provide our enemy with any cause to even question us—not even an honorable move to make the slightest effort at preventing the pirating on the high seas of one of our practically unarmed ships by barbarians—murderers—we dare sit still and permit this United Nations to dignify by calling a nation—nor, do we by any positive act—other than indifferent cowardice do anything to rescue a crew of Americans who trusted the might as well as the integrity of their United States. Nor do we do any more when an unarmed aircraft is wantonly destroyed over International Waters—oh, we announce apologetically that we are ordering that Task Force for top cover—and it is ordered "return to the USA"—even before it arrives off Korea. We shun any word or act which could be remotely construed that we remember there ever was such a course of action as victory.

This once mighty land of the free—this home of the brave—has reduced itself to epitomize national cowardice as we accept defeat after defeat and make excuses to ourselves. Give the Communists anything—anything they demand with nuclear blackmail—anything, just so they don't decide to become the aggressors again—just as they decided anyway last year when they marched into Czechoslovakia—Just as they did a few years before that when they violated Hungary and destroyed what remained of freedom there—and, just as they will do now anytime they think the time is ready and it be to their advantage. All their plans have been written down long ago by their historians, and the present day Communists are methodically carrying them out while we aid them all we can.

Fellow Americans, is this not our America? Even at this zero hour, not quite yet has the United Nations completely taken over. These traitors among us—managing us—have sort of "painted us in" to a dread predicament. But, are they not still our servants? Did we not vote into office the men who appointed them? Thus, could we not remove them—as per our Constitution—if we do not approve of what they do in our names?

Well, when the Communists want to damn anything to perdition, they simply lump together good solid American organizations in the same breath with Communism, Nazis, fascism and other abominations. Thus the good becomes guilty by association.

Therefore, right here I resort to the same tactics. Oh, I hope you read or have read the following books. I could read you boring quotes, but they bore me too, and so instead I am just going to take the essence of Robert Strange McNamara's: "Seven Years in the Hot Seat," and Walt Rostow's "The United States in the World Arena," and by another author, "Old Myths and New Realities," and certify to you that all their ideas have appeared before over and over, in this book, Karl Marx's "Das Kapital." All of these so-called Americans parrot his Communism.

"Victory is no longer possible"—the words of Rostow, Rusk, McNamara and repeated by others—not just average Americans, but one the man who was given the responsibility of managing our Foreign Policy Planning Division, and President Kennedy's special advisor on Foreign Affairs—Another the man recently replaced as our Secretary of State—and of course the man who was our Secretary of Defense.

Nobody can win, they all chant at us. Transfer our loyalty from the Nation of our birth to that mythical one world. These so-called Americans who think fuzzy and come to consider themselves citizens of the world, first—and surely United States citizens no better than second.

Can there be any wonder that the youth of our land knows not where to turn for leadership? No wonder they search for status and march on anything (a few of them) when those we have selected to safeguard their heritage defect themselves.

This thought is effervesced on page 87 of the book "Old Myths and New Realities" with the comment: "To survive we Americans must transfer our loyalty from our sovereign nation to the United Nations." And they all, these defectors, advocate it as a legitimate American objective—to remove from all nations, including the United States, the right to use military means to pursue their own interests.

"Since this residual right is the very root of national sovereignty, it is therefore an American interest to see an end to nationhood—as has been historically defined." (Unquote from the same author.)

And we sit placidly by and permit such treason to go on around us. While our children grow up not only having to read such Communist propaganda but are taught it in our schools—officially ordered by our Supreme Court—and given an aura of authority because it stems from men (we their parents) approved for high places—these Rostows and McNamara's and Hiss's untouchables—acting in accordance with their consciences—they say—and managing our American Heritage into its grave.

Well, enough of just plain criticism—what must we do if this Nation is to survive?

The best answer I have is to refer to the timeless words of General of The Armies Douglas MacArthur:

"Now is the time", he said "for some-one here in America to drink deep from the chalice of courage."

That some-one, the great soldier was talking about, ladies and gentlemen, is you.

Concerned Americans such as you must dedicate yourselves to awakening the unconcerned. If that requires a billion letters and telegrams and phone calls to our leaders—from the President on down—all through Congress and the Senate—including leading TV producers—especially the paying sponsors—the editors of our newspapers—demanding that facts about America be set forth—that riots be halted—that Americanism be the central theme—that our men in Vietnam be permitted to fight to win—that none of these managers were ever elected to anything—and they are aiding in the sale of our birthright.

And so we come back to President Nixon at the opening of this talk—Richard M. Nixon should know the Communist far better from first-hand experiences at their hands than any other chief executive before him. Moreover, we all heard his great acceptance speech at the Republican Convention in Miami, reiterating that the administration before his had refused to let the greatest military and economic advantage one nation had ever had in history be effectively used in Vietnam. Never had so much been used so ineffectively. "We shall, with this new administration," Mr. Nixon said, "restore the strength of America so that we shall always negotiate from strength and never from weakness. And I say to you tonight that

when the respect for the United States of America falls so low that a fourth-rate military power like North Korea will seize an American naval vessel on the high seas, it is time for new leadership."

Nevertheless on April 15th it all happened again—only worse—that U.S. Navy EC-121 was shot down over the Sea of Japan. You know the rest—again we have acted like a nation of cowards. We sent the Task Force and after it was announced on TV and the press, it was withdrawn, most likely before it ever got there. Does not Mr. Nixon know that sudden, massive retaliation against North Korea is all Communists respect? If our President will not take such American action then the people must force Congress to declare war on both North Vietnam and North Korea. After all those promises which brought Richard Nixon victory, there is anarchy still going on in America under the guise of "unrest" on our campuses. Nothing has been done about making the debacle in Vietnam a winning effort—men are dying and not being permitted to fight to win.

Therefore, Mr. Nixon, you are in the place at the time to be the greatest President this nation has ever had. Or, sir, you can be about the worst. This no-win tragedy, though, must be turned into a win-war with our first victory over the Communists—no matter what these rioters and these communists and these other American malcontents shout at you over television. But before anything can change, Mr. President, all those soft-on-Communism do-gooders have got to go. Those managers, those so-called diplomats, executing our military tragedy (not strategy) must be eliminated. Get them out of control and return the execution of the war to our military professionals. That, sir, is imperative. Next, Mr. President, there must go out from your office a cease and desist order against all aid and trade with our Communist enemies—to our so-called friends among the nations—any nation who delivers the goods of war to our enemies which are in turn used to murder our own sons in Vietnam.

Above all, you, sir, the Commander in Chief of all our Armed Services, can you not demand that at the very least our own America cease this trade with our enemies? I am convinced that this is the most damning issue of our time—we finance our own destruction!

We are at war—and we mean total war. Old wars, as bad as they were, are but adventurous picnics compared to this one. We do not even dignify with the name war—in which our sons are sacrificed. This could only happen by our people being conditioned to think only in the old fashioned concept where the primary weapons were guns and bullets and planes and bombs. We have failed to understand that for the first time in history we face a ruthless enemy which has mastered total war.

World War Three, which wages hot all around us today, is a political war, an economic war, a psychological war—and many other kinds of war—including a shooting military war. And, the military aspect is one of absolute frustration. This frustration to our professional soldiers on the field of battle is intentional, because of a frightening batch of hand-cuffing rules, self-imposed upon our troops by our own political leaders and master-planner-manager. In such a stupid manner we permit our military elite to be used as pawns, with its might frittered away in hopeless guerilla tactics. Exactly as the enemy would have us fritter it away—exactly. I repeat, as though our enemy had conceived and written our battle plans.

Favorite weapons of Communist conquest have never been bullets and bombs in the hands of soldiers in uniform. They are, instead, propaganda, the slanted view of history, internal subversion, assassination, the preaching of hatred to incite riot and civil

turmoil, treason from within, blackmail and the smear—all committed by another kind of soldier who never wears a uniform. This is how Communism has spread across the globe.

Certainly the Atomic Bomb poses a terrible threat. Americans put it together and have been conditioned by propaganda to take upon themselves a guilt-complex ever since they used it first—to stop a war. All while other so called Americans—traitors among us—were speeding the terrible capability to the U.S.S.R.—building those "bridges"; being "do-gooders" to the rest of the down-trodden world.

And that is one reason it faces us now in the Soviet arsenal—and grows near capability in other Communist nations. However, it is a psychological weapon right now, not a military one. The Soviets have gained far more this way than they ever would have gained had they directed their military to deliver it. But they are realists. Under its constant threat, used the way they had the guts to use it, we have made concessions and compromises and suffered defeats one after the other. Such things which would have been unthinkable without the specter of that mushroom nuclear cloud—depicted faithfully before our eyes hour after hour by our mighty entertainment and communications facilities. All its horrors are indelibly fixed deeply in the subconscious of every American. As a matter of fact, the bomb, has already been "dropped" many times on the American people. Entertaining movies such as *On The Beach*, *Seven Days in May*, *Doctor Strangelove* and *Fail Safe*, well produced with top budgets, have been used to educate us all—as entertainment, yes, but with another kind of more subtle intent. A most professional job of furthering the Master Plan of Communism—why we cannot fight it—why we must not—why we have but to surrender; and even why we Americans are the aggressors in Vietnam—how we should take this collective shame upon us because we have brought so much misery to the world.

Anyone daring to be outspoken against the Communist had best have a thick skin because he becomes a "fright peddler". Thus, the devastating problems of the nuclear age have been exaggerated for propaganda. We accept the bomb as terror—but that is not the point. War is a terrible thing—but not the most terrible! Perhaps that most terrible thing is to have to stand by and see the once most powerful nation in the world grovel at the feet of the Communists—maybe to die, without ever making a stand for liberty.

Ask the men of the Pueblo. In recent testimony before the Naval Board of Inquiry one of the officers testified that he prayed that his County would drop the bomb on Wonsan—upon them as well as their inhuman North Korean captors. Far better to be destroyed as human beings with a shred of dignity left than die by torture—forgotten. While all the time their America sat back and waited it all out—safely, complacently hoping.

We have become so conditioned to Communist propaganda and our own manipulated news that we seldom get far enough in our thoughts to see the facts. Thus we fear nuclear war far more than we should fear a Communist dictated peace.

Instead of maintaining this fixation as to nuclear war, we must recognize that because Communist strategy is what it is—the chances of World War Three involving any exchange of nuclear warheads is so remote as to be almost negligible.

Far worse though is the preaching of these "managers" of our destiny that victory is impossible. Fellow Americans victory is not only not impossible; Victory is inevitable! The only question is: whose victory, ours or the Communists. For it is inconceivable that the forces of freedom shall exist side by side with those of Communism for very long. One side or the other is going to triumph. And

that triumph must be given some thought from our side.

As to what side is leading in the contest today, all one has to do is compare the relative prestige of the United States now all over the world with what it was at the end of World War Two. We lose on every front—even on the home front! It is epitomized in the classrooms of our schools, on our captured college campuses, in the riot-torn streets of our land. We aid in our own destruction by condoning that Communists "educate" our children and work in our defense plants. All the while some of these same Communists are organizing and leading anarchy among us. While we do nothing more dramatic than hope it will all go away like a bad dream.

There is something we can do—that is why I am here. I do not say we are going to lose regardless—but we are losing now and the trend is a losing trend. But to start winning, what have we got to do?

Step one: Independence must be restored to our military, economic and political leaders and functions. They must all be freed from the entanglements of the United Nations. Instead of further disarmament by agreeing to such a farce as the Non-Proliferation Treaty (which we would sign and honor) and which surely the Russians might sign with no intention whatever of honoring, we should investigate any American who proposes such a thing. Disarmed nations are far more vulnerable to war than those combat-ready to defend themselves. The best way to insure our peace—and peace in the world—is to be ready for war. And, in our case our aim must not be the containment of Communism; or co-existence with Communism; or gradualism in our present effort with Communists in North Vietnam—it must be victory over communism. This is the only way our nation and our civilization is going to survive. Thus, we have no other choice.

Victory over communism—wherever the Communists advance—whether their aggression be in the form of a Berlin Blockade—with which they tested us in 1949—and with which they test us now periodically whenever the whim strikes them—or, be it in Vietnam. No matter if it be with the National Liberation Front of the Viet Cong, or another form of Communist aggression here at home just as sinister, where Communists have infiltrated our heartland of America—all these are carefully planned—overt acts against us and must be halted—stopped absolutely—whether they be the befuddled youth of the SDS, the Black Panthers, or any other color-power against the integrity of the United States of America. We have sat by indifferently far too long. Such treason and Communist take-over should have been halted on the very first university campus. But we failed there and have failed again and again. Now this Communist inspired anarchy must cease. I do not say neutralize it—destroy it—as we would the cells of a cancer—because that is what it is.

Step two: Win this war in Vietnam—better, permit our Armed Forces to win—and so we come to the word "escalate." The very object of war, once our political action and our diplomatic (civilian) efforts have failed, is to turn it over to the military professional and escalate. War is an extension of diplomacy—we soldiers are taught—but I repeat: after civilian leadership has failed to keep the peace, turn the combat over to the professional soldier and get the diplomats out of the way.

Escalate—pour it on—increase all pressures upon the enemy absolutely beyond his ability to tolerate—beyond all his endurance to exist under such military pressure—until he quits—until he ceases all resistance and begs for peace at our terms—not his terms. That is not only the military way—it is the only humane way, because without such a

decision the slaughter drags on—for our people as well as for the enemy.

Yet, contrary to all this we have ceased all positive action time after time, against the advice and the pleas of our professional soldiers, at the whim of our own do-gooders as well as at the request of a treacherous enemy—that enemy, which has used every such truce to betray and murder more Americans. Our Communist enemy does not want peace—he is after victory in his own way. And he surprises our diplomats by demanding our surrender when they meet him with expectancy at the conference table—which, no matter what its shape, is but another part of the battlefield to a Communist.

Yet, for such indecision as this we have asked over a million of our sons to put on a uniform and be ready to die in the mess of Vietnam. The overall effort our *strategic managers* have permitted our military forces to make out there has not been worth one of the American lives we have sacrificed. Our young men have been used shamefully. Why have we the people not forced our elected officials to give our sons a chance to win and come home to live again? *Instead*, orders have been given them *not to win. Instead*, we have made it a game of doing it all as the enemy dictated—on the ground; slogging it out in a way we gave our sons no chance—*instead* of honoring the strategy advocated by an admiral we had out there until he retired in disgust—Ulysses Grant Sharp—who said we should have taken the war to the enemy with our air power—*exactly as the enemy did not want us to*—and destruction should have been taken right to the heart of his war-making industry even if inside the city limits of Hanoi—even if inside the “Court House” there. *Instead*, sanctuary was granted by our manipulators to hundreds of strategic targets as we waged a land war of attrition in rice paddies and jungles—man to numberless man—against the limitless population of Communist Asia. Thus our military had no chance to win. *We made our sons lose*—made them lose the only way the United States could have lost. No, our enemies could not have planned it better.

Step Three: This would be step III—except it cannot be. I wanted to say we must get on with the bombing and above all bomb the Viet Cong's main source of war supplies. But, like I say, I cannot because, as much as I am ashamed to have to remind you, that supply source is right here at home in the United States. For we do give Aid and Trade to our mortal enemies. Never before in history can there be found such an analogy—as we make the motions of fighting Communism with one hand, and with the other hand helping murder our own sons. What a reality.

There you have it. I could stop right here. But if I did I would be less than honest with you. For I'd be leaving one big issue hanging in thin air . . . glossing-over The Bomb—it is still there. Sure, I know I said it was primarily a psychological weapon, and that I didn't think even the Russians would use it as a terror weapon on the world—because it is their world too. But, nevertheless *The Bomb* could become much more than a psychological weapon. And it cannot be ruled out. So, with that admission, *what is our position now?* Do we give up the whole idea of any resistance and resign ourselves—that somehow by compromise we can co-exist, as our managers advise? Live a little longer enjoying free all the blessings of America—just ignoring duty along with that black nuclear cloud. Well, I don't think we can do this—certainly not as Americans.

Because I don't think the goal of any American should be simply to exist and last-out as *comfortable passengers in this civilization*. After all, our forefathers had to risk everything for these freedoms we are given, and if we are not willing to risk something for the principles upon which our very civilization has been founded, how then could we have had the callousness to send our sons

onto any foreign battlefield and ask them to give up this civilization as well as their lives? Can we do such a thing without risking something—without risking *all*, if need be—ourselves?

As Americans today, we are truly a privileged people living in a privileged land. A land we could take charge of and make better for all Americans. But for all these blessings God has bestowed upon us—He has also bestowed great responsibility. *Responsibility that risks be taken for blessings enjoyed—and if we are worthy of keeping such blessings.* If we refuse to accept these risks then we do not deserve those blessings which are but a part of the risk.

This I consider the obligation of citizenship in America—the land our fathers bought and paid for with their all—and then presented to us with the trust we would have the guts to keep it.

BIOGRAPHY OF BRIG. GEN. ROBERT L. SCOTT, JR., U.S. AIR FORCE, RETIRED

Robert Lee Scott, Jr., was born in Waynesboro, Georgia, April 12, 1908. After initial frustrations for an easy method of entrance to West Point he enlisted in the Regular Army. He won a competitive presidential appointment to the United States Military Academy from the Regular Army in 1928 and was graduated a 2nd Lieutenant of Infantry in 1932. His first assignment was to the Air Corps Training Center at Randolph Field, Texas. He was successfully graduated from pilot training at Kelly Field, Texas, October 14, 1933—with tactical assignment to Mitchell Field, New York. While there he flew the Air Mail when that duty fell to the Army Air Corps in the winter and spring of 1934. His first command was the 78 Pursuit Squadron in Panama—an organization to which he was assigned in March 1935. After three years there he was returned to the United States in August 1938 to fill assignments as a flying instructor in Texas and California.

At the start of World War II he was in command of the largest Air Force flying training school in the USA—Cal-Aero Academy, Ontario, California. General Scott was ordered overseas almost immediately after the advent of WW II—with the Japanese attack on Pearl Harbor. He was a part of Task Force Aquila whose secret mission was to bomb Tokyo in conjunction with the Doolittle Raiders. He was active in pioneering phases of all Air Force activity in the China-Burma-India theatre of war. Within his first month in the Asiatic action he was made executive and operations director of the Assam-Burma-China Ferry Command, forerunner of the famous Air Transport Command—The Hump Route from India across the Himalayas into Burma and China.

On July 4, 1942 he was ordered by the President of the United States, at the request of Generalissimo Chiang Kai-shek—to command the Flying Tigers—who, at that date were inducted into the US Air Forces as the 23rd Fighter Group of the China Air Task Force—all under General Claire Lee Chennault. At a later date General Scott became Fighter Commander for all the China Theatre of War—when Chennault's command was the 14th US Air Force.

In October 1943 as leading American Ace—he was recalled to the Zone of the Interior (within the USA) by General Hap Arnold—and used for publicity purposes. Officially he was assigned as Deputy for Operations on the Army General Staff—and assigned to the School of Applied Tactics—Orlando, Florida. However, he was used to make countless speeches across the country for morale purposes. He occupied pulpits as a layman, made radio appearances, did war-bond speeches and put on gunnery demonstrations in every gunnery school. It was during this period that he wrote his first book *God is My Co-Pilot*.

By 1944 he had again managed an overseas combat assignment and led an aerial rocket team (firing the first HVAR's—High Velocity Aerial Rockets—upon the enemy from fighter aircraft) in China for General Chennault. His team had as their primary targets the armored troop trains of the Japanese in Eastern China. When the war ended he had advanced with his rocket team to where there was a war still going on—across the China Sea to Okinawa and even against the home islands of Japan. At the conclusion of combat and after the surrender aboard the Battleship *Missouri* he was returned to the USA for staff duty in Washington's Pentagon—then detailed to command the first jet fighter school in the world—The Fighter School, Williams Field, Arizona—1946-1949. From there he was ordered to USAFE (US Air Force in Europe) to command half of our fighter aircraft in Germany—the 36th Fighter Wing (jet) at Furstenfeldbruck, Bavaria. After this duty he was selected for the National War College in Washington, D.C.—from which he was graduated in 1954. Then came duty with the Directorate of Plans, Headquarters USAF in the Pentagon which led to the duty in which he was promoted to general officer as Director of Information, Office of the Secretary of the Air Force . . . 1955. After two hectic years in that hot seat with literally a thousand speeches—always controversial—as he fought for more recognition for the Air Force—he was sent back to his first love—the command and leadership of a fighter wing—the Jets at Luke Air Force Base, Arizona. It was from this station he requested retirement in 1957 after 30 years of service, which had begun in 1927. He then hung up his parachute and turned in his suit.

General Scott is a command pilot with more than 23,000 hours in the air in single seater aircraft—that is a total time of over three solid years. It is estimated that he flew his own craft over six million miles without accident except the bullet scars of enemy action. He led some 388 combat missions in World War II, was credited with 22 confirmed victories against the enemy in the sky.

Gen. Scott says he used to say he accidentally wrote a book in three days and three nights and came to be called an author—however, after having to keep on writing successive books, not only to get things off his mind but to make enough money to pay the back income tax (he had already spent) from his first effort—*God is My Co-Pilot*—he guesses now he must be considered an authentic author. His thirteen books now include: *God is My Co-Pilot, Damned to Glory, Runway to the Sun, Between the Elephant's Eyes, Look of the Eagle, Samburu, Flying Tiger, Chennault of China, and Boring a Hole in the Sky*.

Decorations: Silver Star with two oak leaf clusters (award of the medal successive times)—for Gallantry in Aerial Action, Distinguished Flying Cross with three clusters, Air Medal with five clusters—USA. British Distinguished Flying Cross, Special Necklet, YUMWHEI (Flying Cloud Order) and Ten Star Dragon—from China. Is retired now—but happily in name only—as he admits he has just started to work—and there is much work to do.

KOREA AND VIETNAM—THE PENALTY OF PERFDY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, in 1950-53, the Armed Forces of the United States fought a “no-win” type of war in Korea and since 1965 has been bogged down in a second “no-win” war in Vietnam. Both

have been "meatgrinders" of American youth. In the Korean war, our country had a total of 157,530 casualties of which 33,629 were battle deaths and 20,617 other deaths. In the Southeast Asian war, battle deaths have already exceeded those of the Korean war and the end is not yet in sight. It is, therefore, natural that growing numbers of our citizens wish to know how and why we have been so calamitously involved.

Such tragic results were not because our Government was not properly advised by professional officers. After the Chinese intervention in the Korean war, General MacArthur offered a program for ending the war with the least possible delay and the saving of countless lives for which statesmanlike initiative he was summarily relieved of his command.

Even so, this greatest of American soldiers outlined his ideas with the eloquence born of experience in an immortal address before the Congress on April 19, 1951, and in 3 days of testimony without notes or prompters on May 3-5, 1951, before joint hearings in the Senate Committees on Armed Services and Foreign Relations. He stressed that if the Korean war was not brought to a decisive and victorious conclusion it would spread and that the United States would have to accept the consequences of a disastrous defeat. General MacArthur's ideas apply with even greater force today in Southeast Asia than they did in Korea.

Mr. Speaker, I would urge all Members of the Congress and officials of the executive branch of our Government charged with war policy matters to study the indicated address and testimony. Those who do will understand that General MacArthur's removal from command has served to intimidate the professional officers of the Armed Forces who followed him. For additional information on the Korea war, I would commend General MacArthur's "Reminiscences," published in 1964 by McGraw-Hill, and Maj. Arch E. Roberts' book, "Victory Denied," published in 1966 by Charles Hallberg, Inc.

Though our country has not produced any more leaders of MacArthur's vision and capacity, some of our experienced officers in high command positions have spoken out clearly and strongly. The most recent article on the Vietnam war is one by Adm. U.S. Grant Sharp, former commander in chief, Pacific, in the May 1969 issue of the Reader's Digest. It is accompanied by the following biographical sketch of its author:

As Commander in Chief Pacific from June 30, 1964, to July 31, 1968, Adm. U. S. Grant Sharp had charge of the largest American military command in the world, covering an area extending from the West Coast of the United States to the Indian Ocean. During this period he personally directed the air war against North Vietnam. Though most of his 41-year career in the Navy was spent on surface ships—he was decorated for gallantry under enemy fire as the skipper for a destroyer in World War II—Sharp has long been a strong advocate of air power. Now 63 years old, he lives in San Diego, Calif.

Admiral Sharp's article is timely and correct in stating that "Vietnam is a classic example of how not to fight a war." Experienced professional officers

have pointed out that regardless of its value in clarification, the article does not deal with the cruxes of the Vietnam situation. These are:

First. That our prime adversaries in Southeast Asia are the U.S.S.R. and Red China, which countries are utilizing the military manpower of their puppets, furnishing them with munitions without which they could not wage war;

Second. That these munitions flow mainly by sea through, and under the guns of our 7th Fleet; and

Third. That these munitions are utilized to needlessly slaughter and maim tens of thousands of ours and our allies' fighting men, sacrificed futilely in a war that Washington officialdom did not, and does not, intend to win.

In addition, I would add that there has not been a single example of brilliant exercise of command leadership in the Far East since the Inchon landing of 1950 in the Korean war. This failure is not because of inability of professional fighting men but because of controls imposed by high civilian officials in our Government who, because of their obsessive but groundless fears of the U.S.S.R. and Red China, have failed to take needed steps on the assumption that such action might spark world war III.

This, Mr. Speaker, is not a valid contention because we ran this very risk when we intervened in both Korea and Vietnam.

As I have stated on other occasions, there are a number of strategic points in the current struggle for the world:

First. The Near East where the Soviets dominate the Suez Canal-Red Sea route to the Indian Ocean through its puppet, Nasser;

Second. The Panama Canal where pro-Red and internationalist groups in Panama and their collaboration in our Government have jeopardized U.S. sovereignty over the Canal Zone;

Third. Southern Africa where Red influences seek to overthrow the only stable and efficient governments in Africa;

Fourth. Southeast Asia, where the United States is engaged in a bloody war; and

Fifth. The crucial Denmark-Alps line in Europe where the control of the world island will ultimately be decided.

In addition of these, we are facing what is a total warfare against Western civilization being waged in our churches and schools, in the streets, in art and literature, and under the guise of civil rights. The United States is civilization's strongest bulwark and it is rapidly being undermined.

The gravity of the situation in the Far East was illustrated dramatically in the seizure by North Korea of the *Pueblo* in January 1968, and that country's shooting down in April 1969, of one of our unarmed naval reconnaissance planes over international waters. Such incidents were not happenstances but parts of a grand design that aim to divert our forces from Vietnam. Moreover, the same influences that seek to bring about a unilateral withdrawal of our forces from Southeast Asia are exerting strenuous efforts to involve the United States in a war in southern Africa. These influences include not only vocal Members of the

Congress but also the Carnegie Endowment for International Peace, which organization has published a general staff type of war plan against the pro-Western Republic of South Africa. This plan estimates that the forces involved in the contemplated military action would suffer losses between 19,000 and 38,000 killed and wounded. This iniquitous proposal for another military intervention would be a far more sanguinary war than either Korea or Vietnam. Moreover, it is one desired by international communism which wishes the United States to withdraw from Asia.

Mr. Speaker, in view of the facts above set forth, I submit that responsible committees of the Congress should conduct full and complete inquiries into the formulation of policies that have brought, and can only bring, disastrous consequences, including the activities of the Carnegie Endowment for International Peace.

Fundamental to proper understanding of the situation just described, is knowledge of the secret pacts by which China was turned over to Red control during and immediately after World War II.

When Harry S. Truman assumed the Presidency in April of 1945, he was known to hesitate over the secret pacts which he inherited from the preceding administration and then reluctantly decided to honor these secret deals though none was ever ratified by the U.S. Senate as required by the Constitution of the United States. One of the most evil of these secret pacts provided that Red troops under Soviet command were to take over the occupation of Manchuria and the northern half of Korea. This was, of course, a base betrayal of the Koreans who had been promised their complete independence by Washington officials. It was likewise a betrayal of the Chinese because, as Owen Lattimore himself had said in his writings, that control of Manchuria by any power meant domination of East Asia by that power. Hence, as one of the chief architects of the U.S. policy in Asia, Lattimore knew that Red domination of Manchuria would mean Red domination of China within a short time. Assisting this process, the Soviet Government in Manchuria by U.S. secret agreement turned over to the Chinese Reds under Mao Tze-tung vast quantities of surrendered Japanese arms. On top of this, Gen. Albert C. Wedemeyer relates, in his famous report, how Chiang Kai-shek was notified by Washington that he would receive no more U.S. aid to fight the Communists and was told, in effect, to admit the Communists to partnership in the Chinese central government. So Chiang Kai-shek became a fugitive from the superior Red forces built up by Washington secret pacts, and by 1949 the Reds dominated the Chinese mainland.

Patriotic Americans who struggled in vain to avert this catastrophe to the world between 1945 and 1949 were ridiculed as antiliberal horse-and-buggy types, unworthy of serious national attention. This ridicule in the press came from exactly the same columnists, publishers, and editors who in the 1930's and 1940's had pictured Mao Tse-tung and Chou En-lai as harmless agrarian

reformers with no ambitions whatsoever to make China Red. When after 1945 the real Bolshevik character of the Mao Tse-tung gang was unmistakable, the same elements in the U.S. press explained away the Red accession to power as a natural trend which thinking Americans should not oppose.

Thus by a succession of betrayals by topmost U.S. officials and planned secret deals by influential elements of the U.S. press, the calculated conspiracy to install Reds in command in China was achieved.

Since then the Chinese Reds from their central position have been able to make pushbutton wars at will in Korea and Vietnam. American soldiers, sailors, marines, and airmen have died under the absurd and tragic obligation to defend fractions of the Asian mainland against the same Red armies which U.S. betrayals planted in China. It is in this retrospect that we view with anguish to-day the consequences of what "liberals" step-by-step contrived over a period of years in the 1930's and 1940's.

As the issues were global and beyond the realm of partisan politics, I quote two papers, which together give a realistic picture of the military-naval situation in the Far East and how to meet it, and refer our colleagues to my remarks in the CONGRESSIONAL RECORD, volume 113, part 12, pages 15863-15865—"What Would General MacArthur Do?"

The articles referred to above are as follows:

[From the Reader's Digest, May 1969]

WE COULD HAVE WON IN VIETNAM LONG AGO
(By Adm. U. S. Grant Sharp, U.S. Navy, retired)

During the four years I was deeply involved in the direction of the war in Vietnam, I faithfully carried out the orders of my superiors. Now that I am retired, I feel obliged to speak out, to warn the American people against the folly of conducting a major war on a piecemeal basis.

There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967. We could have achieved victory with relative ease, and without using nuclear weapons or invading North Vietnam. All that we had to do to win was to use our existing air power—properly.

We had tremendous air power within easy striking range of North Vietnam—on aircraft carriers in the Gulf of Tonkin and at bases in Thailand and South Vietnam. Yet never in the entire course of the war have we used our air power to its full advantage. This tragic failure to do so is, in my opinion, perhaps the most serious error we have made in all of American military history. It has resulted in needless casualties. It has added billions of dollars to the cost of the war, and each month that passes causes our worldwide prestige to sink lower and lower.

For this failure, Robert S. McNamara, former Secretary of Defense, must take a large share of responsibility.

DEAD WRONG

I strongly support our American concept of civilian control of the military; it is one of the vital bulwarks of our system of government, and I would oppose any effort to change it. At the same time, I believe wisdom dictates that the civilian authority should consider carefully the advice of his professional military advisers. In his handling of the air war, however, Secretary McNamara

arbitrarily and consistently discarded the advice of his military advisers. His insistence that we pursue the campaign on a gradualistic basis gave the enemy plenty of time to cope with our every move. He was, I submit, dead wrong.

The primary purpose of the air campaign against North Vietnam should have been to disrupt the enemy's economy and thus destroy his ability to wage war. We could easily have done this. Instead, primary emphasis was put on seeking to cut down on the infiltration of men and materiel from North to South Vietnam. Now, you can slow infiltration with air power, and we did just that—but you can never stop it. To concentrate on infiltration and to refrain from hitting primary targets—as we were required to do—emasculated our war effort.

We were and are in this war for just one purpose—to convince the leaders of North Vietnam that they should cease their aggression, get out of South Vietnam and leave their neighbors alone. We said long ago that we would stop the bombing and withdraw our troops when their aggression ceased. Until North Vietnam does stop its aggression, I believe we should use the force necessary to win the war as rapidly as possible.

What my colleagues in the field and I wanted to do was to bring the economy of North Vietnam to a halt. That is one of the major functions of air power in warfare. Some argue that North Vietnam has an agrarian economy and that air power is thus less effective than it would be against an industrialized nation. North Vietnam's is an agrarian economy, but it functions around the hubs of Hanoi and Haiphong, and we could have brought that economy to a grinding halt. This would have deprived the enemy of his ability to support his forces in the south—and thus brought the war to a quick end.

Instead, what did we do? To take just one example: there are several railroad yards in the Hanoi area which are vitally important to the enemy's war effort. We should have hit them fast and hard, but we were never allowed to do so. We were permitted to go in and peck at some less important yards on the fringes of the city. And then we were pulled off. This happened time and time again. We would get authority to go to Hanoi; the communists and their sympathizers would then push the propaganda buttons, and there would be a worldwide outcry. Washington would get nervous, and we would be pulled back.

Neither I nor my military colleagues ever favored hitting targets that would result in the deaths of large numbers of civilians. Indeed, we went to great lengths to avoid killing civilians, even though this often created extra risks for our pilots. Our air campaign was the most precise ever fought. It is worth noting that the communists observed no such restrictions; they have repeatedly lobbed rockets blindly into Saigon and other population centers. From 1957 through 1968, the communists killed more than 27,000 South Vietnamese civilians and kidnapped more than 52,000 others, most of whom have never been heard from again. There is no precise information on the number of civilians who may have been killed in our air raids over North Vietnam, but the North Vietnamese frequently published reports indicating the number of civilian casualties resulting from individual attacks. An analysis of these reports during a 7½-month period at the height of our air campaign in 1967 indicates that fewer than 400 civilians were killed.

When I was Commander in Chief Pacific, I submitted repeated requests to my superiors for permission to bomb additional military targets in order to make the air war really effective. I made these requests about once every two weeks. I have been given to

understand that the Joint Chiefs of Staff supported my position 100 percent. But most of my requests were denied when they reached the office of the Secretary of Defense.

When McNamara visited Saigon in July 1967, he was briefed by Gen. William C. Westmoreland, the commander of U.S. forces in Vietnam, by Lt. Gen. William W. Mommyer, commander of the Seventh Air Force, and by me. I emphasized what I thought ought to be done about the air war against the north. On several occasions I also talked with President Johnson about the problem. I thought he was receptive to the arguments of our military leadership, but the Secretary of Defense seems always to have prevailed.

It may well be that our civilian leadership believed that to use our military tools properly, to eliminate the enemy's ability to make war would have been to risk a nuclear confrontation with the Soviet Union. Personally, I believe the risk was minimal; in any case, a nation which is not willing to take calculated risks to achieve its objectives should never go to war in the first place. Further, I believe that once a political decision is made to commit American troops to battle, we are morally obligated to use our military power in such a way as to end the fighting as quickly as possible.

POWER ON A LEASH

Our first chance to win the war quickly came in February 1965, when we started bombing the north. At once, we should have launched a sustained, maximum-effort attack on all of the enemy's war-supporting industries, transportation facilities, military complexes, petroleum-storage depots. At that time, the enemy had no Soviet surface-to-air missile (SAM) sites installed, and his anti-aircraft capability was practically nil. He could not have opposed us in any significant way, and we could have quickly broken North Vietnam's resistance.

If we had launched a maximum-effort air campaign—coupled with heavy pressure on the enemy's troops in South Vietnam—it would not have been long before he would have been forced to ask for negotiations. And it is important to note that these negotiations would have been conducted on terms favorable to us—instead of, as it turned out, our having to coax him to the negotiating table, more or less on his terms. It's also possible that under this extreme pressure the enemy's aggression in the south might just have faded away. Either way, it would have been a victory for us.

But what happened? From the start, our air power was kept on a tight leash. At first, when we sent even a reconnaissance plane over the north, Washington would tell us what route and altitude to fly. We started our operations close to the Demilitarized Zone and worked gradually northward about 30 miles at a time, always under Washington's close control. It was obvious to anybody plotting the course of events that the enemy could expect us eventually to move on up to the heartland of the country. Thus, the vital military elements of surprise and maximum impact were lost.

We also lost valuable time. Our policy of gradualism enabled North Vietnam to mount the most formidable air-defense system that has ever been used in combat history. The North Vietnamese began building SAM sites in 1965, and during that year were able to fire only 125 missiles. Eventually, the North Vietnamese had about 40 SAM battalions and during 1967 they fired nearly 3500 missiles at our aircraft. The result is that we have lost nearly 1000 planes over North Vietnam. Many of the pilots were killed or captured. Not only did we suffer this needless loss of men and aircraft, but the North Vietnamese were given time to disperse their factories and military installations. This made it all the more difficult to go after them later, and hence prolonged the war.

HAVEN IN HAIPHONG

Of all the things we should have done but did not do, the most important was to neutralize the port of Haiphong. During 1967, some 80 percent of North Vietnam's imports came in by sea, mostly through Haiphong. This included arms, ammunition, oil, trucks, generators, machinery, spare parts, steel and cement—all vital to the war. We should have blocked the approaches to the harbor with mines laid by aircraft. Closing an enemy harbor is customary and logical in warfare. This was the simplest and most effective measure we could have taken.

All along, our military leaders recommended that the port be neutralized. The recommendation was always vetoed. It was claimed that closing Haiphong would not affect the enemy's capability of waging the war in South Vietnam—that North Vietnam could sustain the war at the same level by means of rail, road and coastal shipments from China. But a reasonable evaluation of our intelligence convinced us that it was next to impossible to move that amount of matériel over North Vietnam's exceedingly limited transportation network. In my opinion, closing Haiphong would have shortened the war by many months.

Along with mining the approaches to the harbor, we should have destroyed the enemy's stockpiles of matériel on the docks at Haiphong and in the centers of the cities of Haiphong and Hanoi. The stockpiles were easy targets there—but the Defense Department ruled that we had to wait until the enemy moved this matériel away from the cities and scattered it for 300 to 400 miles along the trails into South Vietnam. Then it was extremely difficult to find, and much of it, including vast amounts of ammunition, reached South Vietnam, where it was used to kill American and other Allied soldiers.

LOST TARGETS

Much earlier in the conflict, we should have gone after North Vietnam's most important bridge, the Paul Doumer span in Hanoi, which handles all rail traffic between Hanoi and Red China and Hanoi and Haiphong. We hit a lot of minor bridges in North Vietnam before we finally were allowed to go after the Doumer. Even then, we were allowed to hit it only for limited periods of time. Then it would be taken off the list, and the North Vietnamese were given time to build it up again! Whenever we struck anywhere close to Hanoi, people in Washington would complain that we were causing too much disruption in the city—which was exactly what we were trying to do.

We were never permitted to hit the docks along the Red River in Hanoi. We should have kept the Hanoi power station out of commission. We hit it several times. Inexplicably, after each strike it was taken off the target list, and the enemy would put it back into commission. Eventually, we were prohibited from making any more attacks on it—and this was long before the Johnson Administration ended all bombing of the north.

We also should have hit the Hanoi waterworks, which was next door to the power station, but we were never allowed to do it. We hit the railroad yard close to the town of Hanoi once; then we were pulled off that. This is another thing that is hard to understand: we were allowed to do something, then two months later it would be off limits—and it stayed off limits for the rest of the air war.

Privileged Sanctuary. But even with the restrictions, the air campaign was effective as far as it went. By early 1967, we had destroyed or disrupted about 50 percent of North Vietnam's war-supporting industry. The North Vietnamese were hurting far more than most people realized. We had intelligence reports that their morale was suffering. Their whole effort was weakened by the fact that they had to have more than 500,000

people working to rebuild their transportation network—plus 125,000 to man their anti-aircraft defenses. Thus, despite all the restrictions, we really had the enemy on the ropes by late 1967. If we had hit his war-making resources harder all along, he would have been knocked out by then. In my judgment, the war would have been over.

Once North Vietnam gave up, the Vietcong in the south would have had no choice but to follow suit. The Vietcong are directed and supplied by Hanoi. Vietcong combat units are now two-thirds North Vietnamese; they cannot fight without North Vietnamese regular forces in close proximity, and could not have continued on their own.

If there is no progress in the negotiations with the communists in Paris, and if the communists continue to wage their aggression in South Vietnam at either present or increased intensity, then we should resume the air war. If they are going to continue to fight, I don't think they should be granted the luxury of being able to conduct their aggressions from a privileged sanctuary. We should resume the air war, moreover, on an all-out basis and not in piecemeal fashion. We should finish the whole Vietnam war quickly.

Vietnam is a classic example of how not to fight a war. The "gradual" approach requires the expenditure of much more of one's manpower, resources and prestige than is necessary. Our prestige is by no means as high now as it would have been if we had gone in, cleaned the thing up and made our exit.

If we had fought World War II as we have fought the Vietnam war, we would still be fighting it—if we hadn't lost it.

[From the Dan Smoot Report, Apr. 28, 1969]
MORE "PUEBLOS"

In October, 1966, North Korean Premier Kim Il Sung told the Korean communist party central committee to prepare the country for war. He said that all of Korea must be united under communist domination and that this could be accomplished only by armed force.

Overt acts of war against the U.S. and South Korea soon began. On November 2, 1966, North Korean soldiers ambushed and killed six Americans and one South Korean in the southern half of the demilitarized zone.

During 1967, North Korean communists made more than 450 sneak assaults in, and south of, the demilitarized zone, killing 139 Americans and South Koreans, wounding 294. During that year, two American camps were shot up, trains were sabotaged, and a South Korean patrol boat in South Korean waters was sunk.

During 1968, North Korean sneak attacks killed 62 American and South Korean soldiers, wounded 130, and killed and wounded several South Korean police and civilians. The two most notable incidents of 1968 occurred in January. During the night of January 21, 1968, 31 North Korean commandos slipped through the demilitarized zone and got within 800 yards of the presidential mansion in Seoul, before they were discovered. Their mission was to assassinate the South Korean President. Thirty-six hours later, North Korean gun boats seized the U.S.S. *Pueblo* in international waters in the Sea of Japan.¹

The South Korean government pleaded with the Johnson administration to retaliate against the communists for their repeated, bloody violations of the Korean armistice agreements of 1953. Johnson did nothing.

The outcome of the *Pueblo* affair is now known to the world. The Johnson administration finally ransomed the *Pueblo* crew with a bald-faced lie (falsely confessing that

the ship had deliberately violated North Korean territorial waters, apologetically apologizing for an offense that was never committed)—after our men had been subjected to 11 months of bestial treatment at the hands of communist barbarians.

Far more than American pride was damaged by the disgraceful *Pueblo* incident. The vital security of our nation was deeply compromised. Without a change of policy in Washington, American servicemen would be fair game whenever in range of communist guns, with no hope of protection from their own government.

The people were anxious and angry.

In his acceptance speech to the Republican Convention at Miami on August 8, 1968, Richard M. Nixon said:

"For four years, this Administration has had at its disposal the greatest military and economic advantage that one nation has ever had over another in a war in history. For four years, America's fighting men have set a record for courage and sacrifice unsurpassed in our history. . . .

"Never has so much military and economic and diplomatic power been used so ineffectively. And if after all this time, and all of this sacrifice, and all of this support, there is still no end in sight, then I say the time has come for the American people to turn to new leadership not tied to the mistakes and policies of the past. That is what we offer to America. . . .

"We shall restore the strength of America so that we shall always negotiate from strength and never from weakness. . . .

"For five years hardly a day has gone by when we haven't read and heard a report of the American flag being spit on, and our embassy being stoned, a library being burned, or an ambassador being insulted some place in the world, and each incident reduced respect for the United States until the ultimate insult inevitably occurred.

"And I say to you tonight that when respect for the United States of America falls so low that a fourth-rate military power like Korea will seize an American naval vessel in the high seas, it's time for new leadership to restore respect for the United States of America."

That brought Nixon the most thunderous and sustained ovation he received during his acceptance speech. When it subsided, he said:

"My friends, America is a great nation. It is time we started to act like a great nation around the world."

During the campaign, Nixon said:

"Unless the United States reacts to those small slights, you are bound to encourage bigger slights and you're going to have more *Pueblos*. And in a new administration, I say we've got to stop that kind of action against the United States before it gets started."

On April 15, 1969, North Korea—that "fourth-rate military power"—shot down a slow-moving, propeller-driven, unarmed U.S. Navy reconnaissance plane (an EC 121) over the Sea of Japan, not far from where the U.S.S. *Pueblo* was seized in January, 1968. The plane was on a routine monitoring flight, out of Japan, under strict orders never to get closer than 40 miles to the nearest point of North Korean land. Apparently, the crew detected the oncoming attack and notified its command headquarters at Atsugi, Japan. On orders from that command, the plane aborted its mission and headed further out to sea, but was overtaken by the faster, Russian-built North Korean jets.

Our plane scrupulously respected North Korean air space throughout its flight. Radar proves this. In fact, our technology for radar scanning is so good that we know what the North Korean and Soviet radar equipment showed: it showed that the plane was over

¹ The Dallas Times Herald, April 17, 1969, p. 1.

² Editorial, The Dallas Morning News, April 17, 1969.

international waters throughout its flight, never anywhere near penetrating North Korean territory.

First news of the event came from an official North Korean radio broadcast which said that a "reconnaissance plane of the insolent U.S. imperialist aggressor army . . . was reconnoitering after intruding deep into the territorial air of the northern half of the republic," and that the North Korean air force "scored the brilliant battle success of shooting it down with a single shot at high altitude."

A few hours later, North Koreans demanded a meeting with U.S. representatives at the "Truce Village" in Korea where we have had 290 fruitless meetings with them since the Korean armistice of 1953. At first, President Nixon declined; but Dr. Henry Kissinger said our refusal might give the communists a pretext to reject some future American request. Nixon authorized the meeting, which was held on April 18.

Since the communists had asked for the meeting, they had the privilege of speaking first. The North Korean representative did not even mention the shooting down of our plane. Instead, he accused the U.S. of breaking Korean cease-fire agreements.

Major General James B. Knapp, U.S. Air Force officer replied by denouncing the attack on our plane. Getting no response, he walked out of the meeting.

For three-and-a-half days, President Nixon made no public statement about the airplane incident, but his spokesmen worked hard to create an atmosphere of calm. It was reported that Nixon had asked the Soviets to help us search for the downed plane. They cooperated. On April 16, a Soviet destroyer found airplane wreckage on the sea about 85 miles off the North Korean coast. A few hours later and a few miles away, an American destroyer found other wreckage and the bodies of two of the 31 crewmen who had been aboard the plane.

On April 16, Secretary of State William Rogers made a speech in Washington. He did not mention the shooting down of our plane (which had occurred the day before), but he explained the Nixon administration's Orwellian theory that strength is weakness. Secretary Rogers said:

"International affairs, the weak can be rash; the powerful must be restrained . . .

"One lesson is quite clear. Great power does not mean great freedom of action and decision. On the contrary, it often means very narrow choices of action, and what we can do to influence events in a given case may well be marginal."

Thus, we are impotent because we are strong. That extraordinary attitude became the hallmark of the Nixon administration, even before the administration was officially installed; and it is the exact opposite of the attitude that Nixon assumed in bidding for votes last year.

During the political campaign, Nixon said that communist nations, in committing atrocities against America, were testing American power—"not the quantity of American power, but its credibility and utility." Nixon explained that the credibility of our power is the "linchpin of our alliances, and it stands behind all the commitments that keep global peace." The foundation of our global strategy, Nixon said, is the general conviction that we have adequate power and that we will use it when our vital interests are under attack.³

Candidate Nixon promised in 1968 to strive to regain American nuclear superiority over the Soviets, so that we could always "negotiate from strength" with communists. Immediately after becoming President, he repudiated that stand. Now, he accepts the present balance of power, which (on the basis of his political criticism of the Democrats for letting American military power degenerate) means American inferiority in weaponry and defense. During his trip to Europe shortly after his inauguration, President Nixon told NATO nations that the West no longer has, and will not seek, predominance of nuclear power. Instead, he said, his administration will try to have strategic arms-control talks with the Soviets to "codify the present balance."

At a news conference on April 18, 1969, President Nixon discussed the EC 121 incident. He said the North Koreans and the Soviet know positively, as well as we do, that the plane never penetrated North Korean air space. He said a protest had been filed, but no response had been made. He refused to say more, in the absence of a response from the communists.

He said the reconnaissance flights had been stopped immediately after the incident, but had been renewed because they are necessary to the security of American troops in South Korea. He said if he had known the plane was in danger, he would not have let it go on the mission without protection; and he promised protection for all future flights of this kind.

The President declined to say what kind of protection. Reports indicated that heavy U.S. naval units were being moved into the Sea of Japan. Are we to tie up a substantial part of our Pacific fleet to protect our unarmed aircraft from one "fourth-rate military power"? Forcing us to divert that much naval power from other missions is a major victory for North Korea.

It is difficult to see what other protection can be given. Fighter jets cannot feasibly fly escort for low-altitude, slow-moving, propeller-driven planes. There have been reports that we will have fighters stationed on call where they can fly to the defense of a reconnaissance plane that comes under attack. Where will they be stationed? We have jet fighters now at all our Pacific bases. We are told that none of them had time to get to the EC 121 before it was shot down.

On April 19, 1969, President Nixon was reported to have told congressional leaders he "means to go beyond the mere accompaniment of the intelligence craft by fighters and warships." The congressional leaders are said to have reported that the President "will order drastic retaliation, without warning, for any future attack on U.S. intelligence ships or planes."

After the President's mild-mannered, non-committal public pronouncement about the EC 121 incident, the communists are not likely to pay much attention to a warning attributed to unnamed sources and reported at third hand.

Nothing but sudden, massive retaliation against North Korea will give us any protection in Asia, and discourage communist atrocities against us elsewhere. That retaliation should be coordinated with a sudden all-out attack on North Vietnam, to knock out that "fourth-rate military power," and stop the loss of American lives. The Republic of Free China should also be given our blessing to move against the Chinese mainland, when and if it pleases.

President Nixon will not take such action, but Congress could force his hand by declaring war on both North Vietnam and North Korea.

³ The Dallas Times Herald, April 20, 1969, p. 1.

POLISH CONSTITUTION DAY

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record and that his remarks appear in the permanent Record with other remarks on the above subject.)

Mr. STRATTON. Mr. Speaker, I take pride again in rising to commemorate the adoption of the Polish Constitution of 1791, officially on May 3. I take pride in joining with Polish Americans throughout the Nation and with all men dedicated to the spirit of freedom, in turning our thoughts back once again to one of the earliest awakenings of democracy in Europe.

This would be a great and happy occasion if the seeds of freedom planted way back in 1791 had been allowed to grow into full flower and if a free people now lived and prospered in Poland. If the people of Poland could live today in pursuit of their aspirations, without fear and intimidation, we could celebrate this occasion with real pleasure and satisfaction and in a full holiday spirit.

But the ugly fact is that millions of freedom-loving people in Poland and in other captive nations around the world, still live under the domination of Soviet Russia and its Communist counterparts in Asia.

Because of these unhappy circumstances we must mark the Polish 3d of May Constitution Day in a spirit of hope but with a sense of sorrow and resolution.

Neither the ravages of the Nazis nor the iron control of the Russians has extinguished the flame of hope in the hearts of the Polish people. The yearning for self-determination and the hope that the future will release them from the evil Soviet domination are what keeps the spirit of freedom alive in Poland today.

But hope and yearning are not enough unless they are bolstered by resolution and determination—a resolution that the captive nations will not for long remain slaves to their Russian masters and a determination to move toward that day when all the Polish people are free again.

To the Polish people I say—keep alive your hope and resolution.

To the free people of the world I say, we must maintain and strengthen our determination to set these captive peoples free.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FASCELL, today, for 20 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. ESHLEMAN) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 10 minutes, today.

Mr. BUSH, for 5 minutes, today.

(The following Members (at the request of Mr. BURLISON of Missouri) and to revise and extend their remarks and include extraneous matter:)

³ The Wall Street Journal, April 18, 1969, pp. 1, 12.

⁴ The Wall Street Journal, April 17, 1969, p. 1; The Wall Street Journal, April 18, 1969, p. 14.

⁵ Editorial, The Dallas Morning News, April 18, 1969.

Mr. FARBEIN, for 20 minutes, today.
 Mr. GONZALEZ, for 10 minutes, today.
 Mrs. SULLIVAN, for 30 minutes, today.
 Mr. CORMAN, for 60 minutes each, on June 17 and June 24.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DEVINE.
 Mr. RYAN to include extraneous matter with his remarks during debate on S. 1011.

(The following Members (at the request of Mr. ESHLEMAN) and to include extraneous matter:)

Mr. DERWINSKI in two instances.
 Mr. ZWACH.
 Mr. ESHLEMAN.
 Mr. RIEGLE.
 Mr. BUSH in two instances.
 Mr. HALPERN.
 Mr. HARVEY.
 Mr. BRAY in three instances.
 Mr. CONTE.
 Mr. BOB WILSON in two instances.
 Mr. DICKINSON.
 Mr. MORTON in two instances.
 Mr. MICHEL.
 Mr. MILLER of Ohio.
 Mr. REID of New York.
 Mr. BLACKBURN.
 Mr. ASHBROOK.
 Mr. BROTZMAN.
 Mr. LANDGREBE.

(The following Members (at the request of Mr. BURLISON of Missouri) and to include extraneous matter:)

Mr. EVINS of Tennessee in two instances.
 Mr. FISHER in three instances.
 Mr. MINISH.
 Mr. FALLON.
 Mr. MONTGOMERY in two instances.
 Mr. FRIEDEL in two instances.
 Mr. BOLLING.
 Mr. BROWN of California in two instances.
 Mr. CAREY.
 Mr. DELANEY.
 Mr. GONZALEZ in two instances.
 Mr. ASHLEY.
 Mr. DE LA GARZA in two instances.
 Mr. RARICK in three instances.
 Mr. WRIGHT.
 Mr. VAN DEERLIN.
 Mr. NIX.
 Mr. OLSEN in two instances.
 Mrs. SULLIVAN in two instances.
 Mr. BINGHAM.
 Mr. RYAN.
 Mr. VANIK in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

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; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. BURLISON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, May 15, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

769. A letter from the Director of Selective Service, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

770. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the 1968 annual report of the Board, pursuant to the provisions of section 17(b) of the Federal Home Loan Bank Act; to the Committee on Banking and Currency.

771. A letter from the Acting Administrator of General Services; transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into contracts for janitorial services, trash removal, and similar services in federally owned and leased properties for periods not to exceed 3 years, and for other purposes; to the Committee on Government Operations.

772. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal of a certain case involving suspension of deportation under section 244 (a) (1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Resolution 399. Resolution to provide funds for the study and investigation authorized by House Resolution 17; with amendment (Rept. No. 91-239). Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 10666. A bill to establish a National Commission on Libraries and Information Science, and for other purposes (Rept. No. 91-240). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 10946. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects (Rept. No. 91-241). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. S. 408. An act to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required (Rept. No.

91-242). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 6808. A bill to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes; with amendment (Rept. No. 91-243). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Committee on House Administration. Senate Joint Resolution 13. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91-246). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. Senate Joint Resolution 35. Joint Resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91-247). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. H.R. 2667. A bill to revise the pay structure of the police force of the National Zoological Park, and for other purposes (Rept. No. 91-248). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 3044. A bill for the relief of Rodric Stewart Pence (Joo, James); with amendment (Rept. No. 91-244). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 10060. A bill for the relief of Lance Cpl. Peter M. Nee (2465662), (Rept. No. 91-245). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS (for himself and Mr. REID of New York):

H.R. 11235. A bill to amend the Older Americans Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 11236. A bill to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 11237. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUTTON (for himself, Mr. FISH, and Mr. MCKNEALLY):

H.R. 11238. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 11239. A bill to prohibit the expenditure of Federal funds by the Secretary of Health, Education, and Welfare to promote the fluoridation of public water supplies; to the Committee on Interstate and Foreign Commerce.

By Mr. DELLENBACK:

H.R. 11240. A bill to establish the National Oceanic and Atmospheric Agency; to the Committee on Merchant Marine and Fisheries.

By Mr. EDWARDS of Alabama:

H.R. 11241. A bill to make certain expenditures made by the city of Mobile, Ala., eligible as local grants-in-aid for the purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. EDWARDS of California:

H.R. 11242. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. EDWARDS of California (for himself, Mr. GUBSER, and Mr. McCLOSKEY):

H.R. 11243. A bill to amend section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. FARBERSTEIN:

H.R. 11244. A bill to establish a World Economic Cooperation and National Development Organization to encourage the contribution of U.S. enterprises toward the economic development of less developed countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FISH:

H.R. 11245. A bill to promote fair competition among prime contractors and subcontractors and to prevent bid peddling on public works contracts by requiring persons submitting bids on those contracts to specify certain subcontractors who will assist in carrying them out; to the Committee on the Judiciary.

H.R. 11246. A bill to amend title II of the Social Security Act to provide for standard-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 11247. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. GAYDOS:

H.R. 11248. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 11249. A bill to amend the John F. Kennedy Center Act to authorize additional funds for such Center; to the Committee on Public Works.

By Mr. GUDE:

H.R. 11250. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 11251. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 11252. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 11253. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

H.R. 11254. A bill to designate the Washington National Airport as the "Dwight David Eisenhower National Airport"; to the Committee on Interstate and Foreign Commerce.

H.R. 11255. A bill to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes; to the Committee on the Judiciary.

H.R. 11256. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

H.R. 11257. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 11258. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. HORTON (for himself and Mr. REID of New York):

H.R. 11259. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOWARD:

H.R. 11260. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11261. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. KEITHE:

H.R. 11262. A bill to protect consumers and to assist the commercial fishing industry by providing for the inspection of establishments processing fish and fishery products in commerce, and to amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting such requirements; to the Committee on Merchant Marine and Fisheries.

By Mr. McDADE:

H.R. 11263. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

H.R. 11264. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in benefits, and to liberalize the retirement test; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 11265. A bill to provide for crediting service as an aviation midshipman for purposes of retirement for nonregular service under chapter 67 of title 10, United States Code, and for pay purposes under title 37, United States Code; to the Committee on Armed Services.

H.R. 11266. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. McFALL (for himself and Mr. JOHNSON of California):

H.R. 11267. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of

sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MADDEN:

H.R. 11268. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 11269. A bill to amend the act to establish Federal agricultural services to Guam; to the Committee on Agriculture.

By Mr. MICHEL:

H.R. 11270. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. MILLER of California:

H.R. 11271. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

By Mr. MILLER of Ohio:

H.R. 11272. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 11273. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 11274. A bill to assist in removing the financial barriers to the acquisition of a post-secondary education by all those capable of benefiting from it; to the Committee on Education and Labor.

H.R. 11275. A bill to amend the Higher Education Act of 1965 to increase the maximum annual educational opportunity grant to \$2,000, and for other purposes; to the Committee on Education and Labor.

H.R. 11276. A bill to amend the Public Health Service Act to provide increased support for medical education; to the Committee on Interstate and Foreign Commerce.

H.R. 11277. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. PICKLE:

H.R. 11278. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 11279. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RIEGLE:

H.R. 11280. A bill to provide for financial disclosure by members of the Federal judiciary; to the Committee on the Judiciary.

H.R. 11281. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 11282. A bill to promote safety in the operation of manned submersibles; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL:

H.R. 11283. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STRATTON:

H.R. 11284. A bill to amend section 131 of title 23 of the United States Code relating

to the control of outdoor advertising; to the Committee on Public Works.

H.R. 11285. A bill to amend section 131 of title 23 of the United States Code relating to the control of outdoor advertising; to the Committee on Public Works.

By Mr. TALCOTT:

H.R. 11286. A bill to amend titles 18 and 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person; to the Committee on the Judiciary.

H.R. 11287. A bill to amend title 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALDIE:

H.R. 11288. A bill to repeal the first section of the act of July 15, 1968, relating to the land and water conservation fund; to the Committee on Interior and Insular Affairs.

H.R. 11289. A bill to amend section 4005 of title 39, United States Code, to restore to such section the provisions requiring proof of intent to deceive in connection with the use of the mails to obtain money or property by false pretenses, representations, or promises; to the Committee on Post Office and Civil Service.

By Mr. WAMPLER:

H.R. 11290. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. WATTS:

H.R. 11291. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 11292. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establish-

ment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.R. 11293. A bill to amend title 5, United States Code, to correct inequities with respect to the overtime, night, holiday, and Sunday pay of certain employees of the Departments of Agriculture and Health, Education, and Welfare, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS:

H.R. 11294. 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. CHARLES H. WILSON:

H.R. 11295. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959, and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 11296. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 11297. A bill to apply the prevailing wage provisions of the Davis-Bacon Act to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

By Mr. ZWACH:

H.R. 11298. A bill to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representative of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes; to the Committee on Agriculture.

By Mr. COLLIER:

H.J. Res. 719. 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. MURPHY of New York:

H. Con. Res. 254. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII,

166. Mr. HICKS presented a memorial of the House of Representatives of the Washington State Legislature, through which, by a vote of 96 to 0, the said house seeks to provide that income from increases in social security benefits or public or private pensions or annuities shall not be counted as income for establishing eligibility for Veterans' Administration benefits, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 11299. A bill for the relief of Fabio Rodriguez; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 11300. A bill for the relief of Catello, Garcia, and Adriana Striano; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 11301. A bill for the relief of Mrs. Edith Arbogast and her children, Edward Lee Arbogast, and Harold Leroy Arbogast; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.R. 11302. A bill to provide private relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. REES:

H.R. 11303. A bill for the relief of Mr. Dong Yup Lee; to the Committee on the Judiciary.

H.R. 11304. A bill for the relief of Mr. and Mrs. Rinaldo L. I. Mariani and their daughters, Chantal and Fabienne Mariani; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 11305. A bill for the relief of James Ryan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

110. The SPEAKER presented a petition of Ralph Borzysewski, Rochester, N.Y., relative to impeachment proceedings, which was referred to the Committee on the Judiciary.

SENATE—Wednesday, May 14, 1969

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let your light so shine before men that they may see your good works and glorify your Father who is in Heaven. Matthew 5:16.

Almighty God, renew the energies of our minds and bodies as we dedicate the labor of this day to Thee. Make us to know that the divine vocation is fulfilled in the work of this place as truly as before the altar in the house of worship. Keep our ears open to the call for justice, righteousness, and peace and our souls attuned to the guidance of Thy spirit. May discord and disunity give way to

concord and harmony, that this Nation under God may lift high the banner of freedom everywhere and advance Thy kingdom among the nations of the earth. In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 13, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.