

## EXTENSIONS OF REMARKS

## LETTERS FROM CONSTITUENTS

## HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. QUIE, Mr. Speaker, every Member of Congress, of course, is being bombarded with mail from constituents in regard to the Vietnam war now complicated by the Cambodia offensive.

One of the letters I have received in opposition to the war came from Mrs. James H. Carroll, 785 Upper Colonial Drive, St. Paul, Minn. It is her first letter to a Member of Congress.

I believe her thoughtful letter speaks the concerns of millions of Americans toward this conflict. Mrs. Carroll offers no one-shot solution to our present dilemma in Vietnam, but her letter sets out some of the effects of this war on the American people and the concerns that beset all of us.

I should like to have her letter reprinted in the RECORD.

In addition I should like to have reprinted a letter to the President from Mrs. Oran S. Olson, of 619 Albert Lea Street, Albert Lea, Minn. Mrs. Olson writes as the mother of a questioning teenager and makes the point that, if we are to have meaningful dialog between youth and their elders, both sides must listen.

I commend both of these women on their excellent letters in support of their individual points of view.

The letters follow:

ST. PAUL, MINN.,  
May 10, 1970.

HON. ALBERT QUIE,  
House of Representatives,  
Congress of the United States,  
Washington, D.C.

DEAR MR. QUIE: Last night on the news you were reported as saying that you had some misgivings about the situation in Cambodia but that "we must support the President." I heard this with alarm. I can see supporting the President's program for taxation, or space, or school lunch or whatever as a matter of party politics even if in conflict with your own views, but when he embarks on something which is in direct contradiction to the line of action he proposed in his drive for the presidency and which is of questionable legality having been done without consent of Congress as well as being un-Christian I find it reprehensible not to work for a change of direction.

I will not waste time discussing the morality of the Vietnamese (and now Cambodian) intervention which I consider totally indefensible but pass on at once to the pressing issue of national self interest, since in the materialistic society we have become this seems the only area in which pressure might have a chance of success.

For many years the north Vietnamese have pursued their objectives with foreign aid in money and materiel but apparently without manpower help. Despite enormous aid in every category South Vietnam has been unable to be secured which to me speaks in capital letters about the lack of concern among the average Vietnamese as

to the importance of which political idea will ultimately prevail. On television last week a young American soldier said something to the effect that he saw many Vietnamese who were not involved in fighting and found himself wondering why he was fighting for them. I ask myself the same question.

The only accomplishments I see coming from this engagement are totally negative.

1. We have brutalized a generation of young men who must one day take their turn as leaders.

2. In sending almost half a million to Asia we have widened and deepened exposure to drugs and increased our problems in that area.

3. We have left a legacy of countless fatherless children who by the nature of cultural patterns in Asia are alienated from the moment of their birth from their countrymen by lack of paternal name.

4. We have proved by our lack of success how well guerrilla activity works even in an undeveloped country. Think of its potential here! Does this explain the increasing amount of bombing and arson activities in this country? What dangerous knowledge to place in the hands of heedless revolutionaries who desire to destroy, not reform this great nation.

5. We daily increase the alienation of our young people. This to me is incredible and unacceptable. I have young people in school and on college campuses and I will not have them called bums because they dare to protest this war. Too long have we left the young people express and bear witness to a dissent many of us share with them. We must join them at once.

In closing I wish to mention the silent majority which I contend Mr. Nixon completely misunderstands. They are not a silent majority, but an apathetic majority of people like me who have not wanted to get involved on either side of an issue. They do not protect you from a revolution, nor support you if you get in one. They were around in 1775 when an angry militant minority struck against an intolerable governmental system of exploitation and repression and succeeded in spite of the silent or apathetic majority who would not adequately feed, clothe or support them as anybody who has read about Valley Forge remembers. They were even around during the last war, getting black market tires and gas and wanting triple time in war industries if overtime fell on a holiday!

This is my first letter to a congressman and I write because I am unhappy and deeply frightened. I see an angry nucleus in the United States and I see it on a snowballing course as it races through the discontented unanswered areas of need in our country—race relations, poverty, requirements for educational reform. These are the questions for which we must find solutions—not the political problems of Asia which need Asian answers.

Sincerely yours,

Mrs. JAMES H. CARROLL.

ALBERT LEA, MINN.,  
May 12, 1970.

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

MY DEAR MR. PRESIDENT: This is a letter from one of the "silent majority." Last night my husband and I had an interesting but very disturbing conversation with our 17-year-old daughter. She seems to think that because we do not participate in peace rallies and marches that we do not care—that we

have no real concern for the welfare of our country. I told her that we do care and that on different occasions have written letters to our Congressmen. We believe that is what the young people should do instead of marching down city streets and causing disturbances.

A "peace rally" was held in a downtown park in our small city last Saturday afternoon. This would have been just fine except for a certain element that was not content with staying in the park. They paraded down main street and as a result of this march one person was knifed and is in the hospital with a punctured lung. We believe that high school teachers and college professors have a lot to do with inciting these young people to this sort of action and this is deplorable.

We told our daughter that perhaps if the young people would stop relating to the "hippies" in their appearance that people might listen to them and not "turn them off." The young people talk of "revolution" and they had better be listened to. However, at the same time, the young people had better listen to their elders and not "turn us off."

We tried to explain to our daughter that we too are opposed to the Viet Nam war. We hope and pray that the troops will be removed from Cambodia by the end of June as you say. Also, we told her that as long as the President of the United States made the decision to send troops into Cambodia, we should pray that something good will come out of this venture.

One other thing that upsets me just as much as the war in Viet Nam is the drug situation in the United States of America. Forget about going to the moon and clean up our part of the earth not only from air pollution but from drug pollution!

Very respectfully yours,

Mrs. ORAN S. OLSON.

"COME WITH ME INTO MACEDONIA"—THE PRESIDENT AND HIS CRITICS

## HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. BRAY, Mr. Speaker—

In every circle and at truly every table there are people who lead armies in Macedonia, who know where the camp ought to be placed; what ports ought to be occupied by the troops; and when and through what pass that territory should be entered; where magazines should be established; how provisions should be conveyed by land and by sea; when it is proper to engage the enemy; and when to lie quiet. And they not only determine what is best to be done, but if anything is done in any other manner than they have proposed, they arraign the consul as if he were on trial before them . . . If therefore, anyone thinks himself qualified to give advice respecting the war I am to conduct, let him come with me into Macedonia . . . but if he thinks this too much trouble, and prefers the repose of city life to the toils of war, let him not on the land, assume the office of pilot. (Lucius Aemilius Paulus, speech in Rome prior to departing to take command in Macedonia, 168 B.C.)

On April 30, 1970, the President reported to the Nation that United States

and South Vietnamese troops were attacking Communist sanctuaries in Cambodia in an effort to save lives of American troops and to end the Vietnam war. The immediate objective, as the President made clear, was to clean out and destroy a series of North Vietnamese military sanctuaries along the Cambodian border, from which hit-and-run raids were constantly being made into South Vietnam.

For 5 years, these sanctuaries were untouched. The United States had no wish to move into the territory of Cambodia, a neutral country. But within recent weeks, after the ouster of Prince Sihanouk, of Cambodia, North Vietnam dropped all pretense of Hanoi's respecting Cambodia's neutrality, and thousands of Communist soldiers fanned out all over Cambodia itself.

If this effort succeeds, all of Cambodia would turn into one mammoth staging area and give a 600-mile-long privileged sanctuary for Communist raiders into South Vietnam.

Cambodia asked for help. The United States had three options:

First. Do nothing. Meaning, allow North Vietnam to take, unhindered, a tremendous strategic and tactical advantage.

Second. Massive arms assistance to Cambodia. But its army is small; quick and effective utilization of arms aid would be next to impossible.

Third. Go in and clean out major North Vietnamese sanctuaries and supply bases which were being used for attacks on both Cambodia and South Vietnam.

President Nixon took the third option. As he put it in his April 30 address:

Our purpose is not to occupy the areas. Once enemy forces are driven out of these sanctuaries and their military supplies destroyed, we will withdraw.

This entire move put the President into an extremely difficult position here at home—as he knew it would. Again, from his speech:

A Republican Senator has said that this action means my party has lost all chance of winning the November elections. Others are saying today that this move against the enemy sanctuaries will make me a one-term President.

No one is more aware than I am of the political consequences of the action I have taken. . . . But I have rejected all political considerations in making this decision.

Whether my party gains in November is nothing compared to the lives of 400 thousand brave Americans fighting for our country and for the cause of peace and freedom in Vietnam. Whether I may be a one-term President is insignificant compared to whether by our failure to act in this crisis the United States proves itself to be unworthy to lead the forces of freedom in this critical period. I would rather be a one-term President than to be a two-term President at the cost of seeing America become a second rate power and see this nation accept the first defeat in its proud 190-year history.

And he concluded with this paragraph:

It is customary in a speech from the White House to ask support for the President of the United States. Tonight, what I ask for is more important. I ask for support of our brave men fighting tonight half-way around the world—not for territory—not for glory—

but so that their younger brothers and their sons and your sons will be able to live in peace and freedom.

So what does it all add up to; what is being attempted? Crosby S. Noyes, a leading columnist for the Washington, D.C., Star, wrote in that paper on Tuesday, May 12, 1970:

The nature and function of the bases in Cambodia are quite different from the Communist bases in Vietnam itself. Their value to the enemy has lain in the fact that they were genuine sanctuaries, immune from attack. They provided the end of a long supply line, leading up through Laos to North Vietnam. They were the staging area for all of the enemy's military activities in the vital and heavily populated third and fourth corps areas of South Vietnam.

The existence of the Cambodian sanctuaries—and their continued immunity from attack—has been the essential presumption in the Communist plans for a successful protracted war. Without them, there is virtually no prospect of sustained guerrilla activity in the southern two-thirds of the country.

What is being demonstrated, quite simply, is the extreme vulnerability of these bases, once the decision is made to attack them. The North Vietnamese can, with great effort, rebuild their bases and stockpiles over the next six months to a year. And if they do, the South Vietnamese, with or without American help, are now prepared to destroy them all over again in a matter of a few days. In short, whatever the leaders in Hanoi decide to do, the Cambodian sanctuaries are no longer an essential factor in their calculations.

To Americans weary of the war, this may seem to amount to a dubious victory. But to the North Vietnamese, also weary of the war, it is a disaster. And to their brethren in the South, it is the promise of ultimate salvation.

This, then, is what President Nixon has in mind. His action has come under most heavy and bitter attack—most of it ill-informed, hasty, and making up in shrillness and harshness of invective what it lacks in commonsense. It is now charged the President has further divided the country. Rot. If anyone has further divided the country, it is a clique of self-seeking politicians who are attempting to make what was President Nixon's rare act of raw, naked political courage into an outrageous affront to military judgment, strategic planning, and a careless, willful, deliberate, miscalculation of the Vietnam war. Not a bit of this has any truth in it; the falsity of the charges has not stopped the President's detractors from shrieking in ever-increasing crescendo of decibels. As so often happens, however, a foreign magazine has come up with the best and most incisive commentary on the President's domestic problems following the Cambodian move that I have yet read. The following is taken from the lead editorial in the London Economist of May 9, 1970, and was entitled "The Real War":

If Mr. Nixon did not have to worry about public opinion—if he had, say, Mr. Kossygin's power to manipulate it or ignore it—the attack on the Cambodian sanctuaries would have been a risky but rational stroke of war. He could have told himself that it would simplify the task he has set himself in Vietnam, which is to leave South Vietnam in a position to defend itself, even though it was probably not absolutely essential for that purpose. It is not in any genuine way a violation of Cambodia's neutrality or its sovereignty. It is an extension of the war only in the limited sense that it has pushed

the main arena of confrontation 20 miles to the west. These were all arguments for giving his men the order to march. Yet Mr. Nixon must know that his freedom of action in trying to bring the Vietnam War to a satisfactory conclusion is limited by the length of the tether that American public opinion sets upon him. The judgment must be that this week he has come very close to the rope's end.

It will be said that this is putting things the wrong way round: that public opinion is not just the tug on the end of the rope when things go too far; it is where any calculation of policy ought to start. The answer is that on most issues, and especially those of foreign policy, the President of the United States has to make up his mind—and act—before most other Americans know what they think. The formulation of policy comes first, and checking it against popular approval happens afterwards. It is hard to see how else a president can be expected to act when he is dealing with an adversary who has no effective public opinion of his own to bother about. If a democracy lets its internal debate drag on too long it will find it has lost the power to take any effective action. That is what Demosthenes told the Athenians when they were threatened by Philip of Macedon; and the Macedonian army proved him right.

How has it gone so far? As of Monday, May 18, 1970, with 2 weeks of the total 8-week gamble past, reports were good. At this time, it is estimated that after U.S. forces leave Cambodia by President Nixon's July 1 deadline, it will take the Communists at least 6 to 8 months to re-supply to previous levels. But the truth is Hanoi may have received a major military and psychological blow.

Many things point to this. First, this is the first time in the war that Hanoi has been hit where they did not expect a blow to come. Communist troops cleared out so quickly they did not even set booby traps or land mines; they just left.

Second, materiel already captured or destroyed exceeds total tonnage captured in all of 1969 in South Vietnam. Pacification gains in South Vietnam have made it impossible for the estimated 100,000 North Vietnamese regulars, and 200,000 Vietcong guerrillas, to live off the country. Removal or destruction of the Cambodian supply dumps mean short rations; this means lower morale—which has already showed up in the first week of the Cambodian operation, defections from Communist forces went up to 960 from 508 the previous week.

Secretary of Defense Laird has made it quite clear that it will be August or September before the "overall strategic success of the program can be judged." But it looks well on the way to giving South Vietnam a 6- to 12-month breathing space; and vastly increasing the chances for Vietnamization of the war, and further withdrawal of American troops.

#### THE CONSTITUTIONAL ISSUE

I find it bitterly ironic that the very same voices that are the first to chorus praise for a "liberal" Supreme Court decision that admittedly does a very loose job of reading the Constitution now insist on a hard-line, strictly constructionist reading of the same document when it comes to President Nixon's Cambodian move. This is a gray area; the more thoughtful of the President's critics have openly admitted this. There are now very active moves afoot in Congress to write



definite restrictions into pending legislation that will force a Southeast Asian timetable on the President, that would cut off funds for any further operations in either Cambodia or South Vietnam by a certain date. Doing this, it is argued, would reassert the constitutional right of Congress to take a hand in foreign policy.

On the surface, it all looks so very, very simple, but it is a deceptive, treacherous question, containing plenty of historical precedent to argue both sides. It is quite true that many of the Founding Fathers of this country in their own private remarks, writings, and actions, veered sharply away from having the Executive make any sort of unilateral move such as President Nixon has done. On the other hand, however, we have Thomas Jefferson himself writing in a letter to C. A. Rodney, in 1810, that—

In times of peace the people look most to their representatives; but in war, to the executive solely.

The history of our country's foreign involvement bears this out. There are, give or take a few, around 150 incidents since the birth of our Republic when the President has committed our Armed Forces to action abroad without prior consultation with or consent of the Congress. The two Roosevelts, Woodrow Wilson, Harry Truman, Dwight Eisenhower, John Kennedy, Lyndon Johnson, and Richard Nixon—to name those of this century alone—have all moved troops into action or across national frontiers without so much as a by-your-leave from Capitol Hill.

One of our country's most outstanding scholars and historians, Henry Steele Commager, in his book "Presidential Power," said:

The Issue Analyzed . . . It must be admitted at once that the constitutional document itself says very little about the matter of the conduct of foreign relations and the exercise of war powers, and what it does say is couched in general terms.

A group of distinguished lawyers, opposed to the Cambodian decision, did note in their own brief—which was reprinted in the CONGRESSIONAL RECORD—that President Nixon's move "is not without historical precedent and not without justification under a broad interpretation of the collective security theory."

Now, let us get one thing very straight: President Nixon had one thing and one thing only in mind—really two things, combined—when he made his decision. It was to protect American lives, and speed up the American withdrawal from Vietnam. Almost overlooked in his most recent press conference were three words he had never used before. He stated quite flatly that he put his withdrawal program "above everything else." This was never put so bluntly nor firmly previously.

It was not the President's intention to create a confrontation with the Senate or the House; he has enough confrontations from other sources to keep him occupied. It was certainly not to create a constitutional crisis. Neither, certainly was it to play domestic politics; his April 30 speech made it clear he knew what the risk was, as far as public opinion

was concerned, and he made quite plain his readiness to take the blame as blame should be laid on.

As far as the prerogatives of the House of Representatives are concerned, this charge was answered quite concisely by the gentleman from Tennessee (Mr. Brock) in the House on May 6, 1970. His remarks, in part:

I have heard a great deal of criticism here today from those who have opposed the war in the past, saying that the policies of the past administration were wrong. I agree. But were they rising up on the floor of the House and defending the prerogatives of the House when it became known that we had lost American lives because our men were fired at from sanctuaries in Cambodia and the permission to fire back was refused? Were they standing up for American youth at that time? Where were those who criticized this war when we found out that, under the previous regime in Cambodia, a major amount of war materiel coming into South Vietnam was not coming down the Ho Chi Minh Trail but coming through the seaport of Cambodia called Sihanoukville? Where were they then?

Indeed. Where were they; not only in the Congress, but in the universities? Where were they? For that matter, while I am speaking of universities, it might be well to take a look at this desire for involvement that is now being shrieked so loudly, by both students and faculty. Their self-imposed, self-anointed mantle of political maturity and perception gets somewhat ragged and stained if we take a brief look, not too many years back, to see how and on what topic they have performed in the past.

For the students themselves, Carl Henry, a leading Protestant theologian, former writer for the New York Times, and founding editor of Christianity Today, recently reminded the American Baptist Convention that 30 years ago the senior class at Princeton voted Adolf Hitler the man of the year—because he got things done. So much for student political perception.

The faculty, the administration? The following quotations appeared in the May 17, 1970, Washington Post:

I assume I have been invited here to present and explain the point of view of those many young citizens who oppose active official participation in the war abroad . . . Fundamentally, we believe that the peace of this hemisphere has more to offer the world of tomorrow than any possible outcome of a devastating transoceanic war. . . . If a transatlantic war is to be waged, we would rather make the enemy cross the water to try to land. . . . We resent the unwillingness of certain people to be honest and square with the public. We have resented the use of glib phrases just because they sound well even though they may be loaded with dynamite which may determine our future. We resent the effort to hide from the American people tomorrow's consequences of what we do today.

The time was February 1941; the place was before the Senate Foreign Relations Committee; the topic was lend-lease to Britain; the speaker was Kingman Brewster, then chairman of the Yale America First Committee. Brewster is today president of Yale; his recent intemperate remarks about the impossibility of the Black Panthers getting a fair trial were denounced by practically every major newspaper in the country regardless of political persuasion. As he would have

left Britain helpless before Nazi Germany; as he implied in his 1941 testimony, a U.S. accommodation with Hitler would have been possible; so he today counsels unilateral, immediate withdrawal from Vietnam. If this country had followed Brewster's counsel in 1941, the swastika would fly over the world today. What if we follow his counsel today?

Now, just what is it historians say about the Bourbons of France? "They forgot nothing, and they learned nothing." After being booted off the throne of France, they or their spiritual descendants must have wound up attending, teaching, or running, U.S. colleges.

I would venture to say that all the screams about the constitutionality of the President's decision from the liberal left is because they suddenly realized what they, themselves, and their predecessors in and out of Government, were so hasty to create when the Executive was a man more to their liking, has now been used in a way by a man whom they admittedly hate, and will do all they can to cut down.

Max Lerner, prominent columnist and a writer with impeccable liberal qualifications, smashed his verbal hammer down on some writhing fingers just last week when his May 14, 1970, Washington Star column contained this paragraph:

What do the new revolutionaries want to do with Nixon? Many talk of impeaching him, but that is the same sort of nonsense as the old far-right movement to impeach Earl Warren. The real question about Nixon's use of presidential power is not whether it is constitutional (the liberals themselves made it constitutional in their broad interpretation of it under Franklin Roosevelt) but whether Nixon can make it effective.

How very true. Now, in conclusion, let us get some facts straight about the short- and long-run implications of these pending amendments that, it is said, will "end the war," by limiting the President's freedom of action due to suspending funds for further operations in Southeast Asia.

There is absolutely no clear-cut definition of what involves American "participation" in a war, nor is there ever likely to be. One Senate amendment defines it as furnishing advisers to a friendly country—today, Cambodia—but if this is so, then we were certainly a belligerent in the Greek civil war, 1947-49. Loss of life? How about the Dominican Republic in 1965? And were we certainly not, under these premises, at war with North Korea and Communist China in the early 1950's? And with North Vietnam since 1964?

The truth of the matter is, simply, that these amendments to limit funds are attempts to reassert a congressional prerogative that has withered and fallen into disuse, not only and solely through lack of use, but through the inexorable movement of time and history. The Washington, D.C., Star on May 17, 1970, gave a very thoughtful and rational discussion of the problem in its lead editorial, and I wish to cite the concluding paragraphs of that editorial:

In effect, in an era of instant mass communications and push-button warfare, the senators are resting their constitutional case

on a document forged to deal with contingencies in the age of sail. The founding fathers were wise men, but they were not prophets. Only a lunatic in the 18th Century could have predicted the world in which we live today. The problem, then, is to interpret the Constitution to deal with the world as it is, not as it was or as we might wish it to be. It happens to be an extremely dangerous world.

We cannot believe it is the intention of Congress—or the wish of the people—to restrict the President's ability to protect the lives of American troops in Vietnam. The point is not whether they *should* be there; the point is that they *are* there, (italics in original text) despite what we believe to be Mr. Nixon's sincere desire to bring them home as rapidly as possible. On this basis alone, the Cooper-Church amendment, which would outlaw any future operations by U.S. troops in Cambodia after June 30 and ban virtually all aid to that country, is wrong and ought to be defeated. We hope that no more American expeditions will be necessary, but we would support them if we felt they would save the lives of American soldiers who might otherwise die in Vietnam.

As to the larger question of future undeclared wars, we noted in these columns a few days ago that the alternative to an undeclared war often is not peace but a declared war. Given the temper of the times, President Johnson almost certainly could have obtained a declaration of war against North Vietnam at the time of the Tonkin Gulf incident.

It would be useful—most of all to presidents—to have constitutional provision for some exigency short of war. But such does not exist and there is little chance of creating one. Any president's practical need for popular political support for his policies, doubled with the infinite capacity of Congress to make life miserable for the Chief Executive, seems to us to provide an adequate curb on the presidential powers.

In the end, despite the Constitution, power belongs to him who is willing and able to exercise it. Presidents of both parties have sent troops into foreign countries primarily because Congress has been unwilling or unable to act. If congressional action were necessary before a solitary Marine could land, there would be much talk, few casualties and fewer freedoms, in this country and the world.

It seems to us that the Senate would do better to support the President in his efforts to extricate us quickly and honorably from a war which almost everyone agrees, probably including most of those who to their credit have had the courage to fight it, has lasted too long.

The truth behind it all—all of this present criticism—is harsh and terrible in its implications, but I believe the majority of the American people know it for what it is. It was summed up in the title of a column by Richard Wilson in the Monday, May 18, 1970, Washington, D.C., Star: "Emotional Critics Want No Indochina Success." I wish to conclude by quoting from Mr. Wilson's column:

Once these sanctuary areas have been made reasonably secure the kind of war the Communist side has conducted in the past could not continue and the South Vietnamese are fully justified in demanding that they remain there as long as they can, or until they can be as certain as possible that Cambodian forces can prevent Communist re-occupation.

This is in the American interest, also, so that the withdrawal can continue with the minimum of external threat.

Why the Senate and the raging, rioting college students cannot see this illustrates how

emotion is blinding reason. Why they cannot see that Nixon is facilitating the orderly American retreat from Vietnam shows, too, how cultivated fear and distrust can befuddle the minds of those who wish to believe Nixon is playing some kind of a trick to prolong the war.

But from that point of view nothing fails like success. With the Cambodian operation Nixon is further along toward a withdrawal that will leave behind an independent government in Vietnam that would not have been thought possible a few months ago.

The very success of the operation so far is cause for complaint. He shouldn't have done it, the argument goes, because the war would be widened.

But it is not being widened for the simple and valid reason that clearing out the Cambodian sanctuaries reduces the ability of the Communist side to conduct the war, at least for the next 6 to 12 months while 150,000 American troops are coming home.

Nixon is also being criticized because it now becomes apparent that he seized an opportunity to help create the conditions he thinks must prevail in Indochina when all combat troops are gone. Why not? What is so sacred about enemy troops operating out of Cambodia against the desires of the Cambodian government?

It has been pointed out that this would be like denouncing the British for invading German-held Holland in World War II operations at Arnhem. Cambodia's neutrality was violated no less by the North Vietnamese than was Holland's neutrality by the Germans.

The difference, of course, is that the critics of Nixon in the Senate and on the inflamed college campuses want no success at all in Indochina.

They want defeat and admission of wrong. They want atonement and apology—apology for justifiable exercise of power to bring political stability to Southeast Asia, apology for helping little countries avoid external domination, apology for as unselfish a national sacrifice as any nation ever made. . . .

Success on Nixon's part will be greeted with the reproach that he has not gotten all troops out of Vietnam and has let the Thieu-Ky government go down the drain. There is no winning that argument with his opponents. Nor will they, it appears, win their argument with him.

## THE ECONOMY OF OUR NATION

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, May 20, 1970

Mr. MOSS. Mr. President, on Sunday, May 17, and again on Monday, May 18, Mr. Hobart Rowen published in the Washington Post two articles concerning the economy of our Nation. Mr. Rowen is the business and financial editor of the Washington Post and a most discerning and able reporter of financial trends and developments in the Nation. What he says in his two articles is sobering, indeed, and I believe should be considered thoroughly by Members of the Senate and, indeed, by all who have access to the CONGRESSIONAL RECORD.

I ask unanimous consent that the articles be printed in the Extensions of Remarks.

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

## BUSINESS IS SLOW TO PERCEIVE TREND

(By Hobart Rowen)

To many persons, young and old, U.S. business presents an image of insensitivity to the key issues of the day. Thus, at the meeting of the Business Council a week ago, former Commerce Secretary John T. Connor got a cold shoulder when he denounced the invasion of Cambodia, warning of "tragic consequences" at home and abroad.

"Within the populace at large," Mr. Connor told his executive suite peers, "it is already clear that the Cambodian move will result in more widespread dissension in this country, involving many other loyal citizens besides most of the young, the intellectuals and the blacks. This time, many of the silent majority will cease to be silent and will speak out against the continuation and expansion of this senseless warfare."

But when Mr. Connor was asked by newsmen what sort of reception he had gotten, Business Council Chairman Fred J. Borch (General Electric) brusquely cut in to say: "Polite."

The Business Council need not have agreed with Mr. Connor to have taken his warnings more seriously. Even supporters of President Nixon's move into Cambodia cannot shut their eyes to the deep division it has caused in our society.

Matching the economic and social consequences stressed by Mr. Connor, the foreign policy implications may be equally significant. As CBS White House Correspondent Dan Rather observed the other day, many of our European friends have concluded that the United States, not Russia, is the chief threat to world peace today.

So the issue, as raised by Mr. Connor, can hardly be ignored by leaders of the business community. Indeed, at another level, it is not being ignored by Wall Street, which no longer equates war and inflation with happiness on the stock market.

As a matter of fact, because of the invasion of Cambodia, the U.S. Treasury came within a hair, for the first time in modern financial history, of suffering a failure in a \$3.5 billion borrowing. This has almost completely eluded the attention of the general public.

When the Cambodian crisis erupted, financial markets—banks and other investors—decided that it was not a good time to lend money to Uncle Sam. If the Federal Reserve had not stepped in with a frantic rescue operation, the borrowing would have failed and undoubtedly caused a financial panic.

If one grim fact stands out from the episode, it is that the Treasury and the Federal Reserve had no clue—when the borrowing was announced—where White House foreign policy was taking the country. At least that unnerving realization of bad management in Washington should have shaken up the Business Council.

But aside from the Southeast Asia war itself, it would seem that the Business Council and other modern businessmen can ill afford to ignore the social issues pressing upon all of us in today's America: racism, poverty, pollution, urban congestion, to name a few. Yet, some of the most perceptive students of American business think that corporate leaders give either lip service or public relations time to these problems, and little else.

The profit motive is still the main, and perhaps exclusive guide for business. For example, a man like George F. Bennett, president of Boston's State Street Investment Co. and treasurer of Harvard University, says flatly that Harvard's large stake in corporate enterprise should not be managed "for any purpose other than the growth of capital and income."

It is this sort of attitude that courts trouble. Harvard Business School of Administration professor John D. Glover believes that so many people are alienated by such



"establishment" views typified by Bennett that revolution "is a conceivable alternative."

Mr. Glover paints a grim picture, and perhaps it is not all that bad. He himself points out that many big corporations have made good progress on minority hiring. The New York Telephone Co., for example, has done an outstanding job (about 50 per cent of new hires in the last few years have been blacks). Moreover, there are plenty of individuals, like Mr. Connor, who have the guts to step ahead of the pack. It took some courage for Jay Rockefeller IV to back Campaign GM, directed to forcing the big motor company to be "more responsive" to social and public needs.

But these are the hopeful exceptions to the rule, and one result is that many of the students in the Ivy League business schools, who used to be ranked as "square," are hesitant to follow the traditional path into careers with big corporations. The tendency today is for these young men to look for smaller firms, start their own businesses—or if they must go to one of the giants, they plan to stay just a few years.

"I would say," Mr. Glover told a group of financial writers in Boston the other day, "that none of the companies on Fortune's 500 list, or any of the companies on the Big Board or the Amex would be on a list of companies they would prefer to go to."

Mr. Glover, it should be understood, is no Bolshevik himself. He doesn't advocate revolution. But he thinks it could happen, whereas two, three or five years ago he would have said it was inconceivable. What is important for business to understand, he argues, is that the hostility is growing, and that "what the blacks and minority groups are saying strikes a resonance in a larger audience."

"We are not dealing here," he says, "with just a few nuts who have stirred up the docile natives. If the establishment, including the American corporation, can't provide a constructive voice, I think we are in for some parlous times. The 700 (level) on the Dow (stock index) could look like 'those golden days.'"

[From the Washington Post, May 17, 1970]

#### MARKET DROP REFLECTS CRISIS OF CONFIDENCE (By Hobart Rowen)

When the stock market drops sharply over a long period of time—as it has done since December, 1968—everyone is involved in what's going on, whether or not he or she is an investor.

For the fact is, despite some simplistic explanations to the contrary, that the stock market *does* have a relationship that is real to the economic and political health of the country.

The loss of 300 points in the best known index of market prices is basically due to a crisis of confidence—confidence, that is, in the leadership of President Nixon in foreign affairs. This came to a head when, less than two weeks after giving details about withdrawal of troops from Vietnam, he confronted a startled citizenry with an invasion of Cambodia.

This has brought the nation to a state of political instability; young people are in revolt, racial tensions abound and social problems such as inadequate housing and pollution of the atmosphere are no closer to solution.

Moreover, it has become painfully clear that the Presidential performance in respect to the economy has been weak: production is down, unemployment is sharply higher—and interest rates and prices fail to retreat. Yet, Treasury Secretary David Kennedy and Economic Council Chairman Paul W. McCracken say with a straight face that things are "on schedule."

A high Nixon Administration official says privately and sarcastically: "Sure, we're on

schedule: we're ahead of schedule in getting to high unemployment, and we're behind schedule in reducing excessive inflation. Just average those two things out, and you can see we're on schedule."

Meanwhile, the steady, painful drop in the market has both a real and psychological impact on the economy: people tend to spend less money, especially on luxury items and vacations, even if they have only "paper" losses to their stock portfolios. Fashion designers, furriers, jewelers—even country clubs and restaurants feel the pinch.

Even the automobile and TV-radio industries can tell the difference, especially at a time when declining payrolls and reduced overtime has hit sales hard.

Those who have money hang onto it, so much so that the Cambodian invasion nearly produced a failure of a \$3.5 billion Treasury borrowing. When news of the escalation hit the markets, large investors decided that interest rates would be forced higher—and they kept their hands in their pockets, which necessitated a Federal Reserve rescue operation.

The most recently published figures contain the shocking news that the Gross National Product "deflator"—an over-all price index for the economy—was 6 per cent in the first quarter, instead of 5 per cent as first announced. Real output was down 3 per cent, or \$5.5 billion in the first quarter. That's not nickel and dime stuff.

Despite soothing words from official sources in Washington, we are in the midst of a recession which (although mild in comparison with some others) has already cut deeper than anticipated. Moreover, there is a division of opinion among Administration economists, which does not surface in the formal speeches, over the prospects for an upturn later this year. We are beginning to hear that 1971 is not going to be a very good year, either.

Harvard Professor Otto Eckstein talks of the three-year period 1969 through 1971 as a "stretched recession," with unemployment hovering at or over 5 per cent for much of 1970 and 1971.

At 4.8 per cent, the unemployment level is already uncomfortably high. Those who dig behind the "global" number are concerned because layoffs are now hitting harder at blacks; because involuntary part-time employment is also up sharply; and because the recession is now broad enough to be spreading the increases in unemployment rather widely in non-durable as well as durable goods industries.

To those who have been brought up on some ancient text-book of economics, which suggested that war was good for business, the market's pessimistic response to Cambodia may have been confusing.

But businessmen and stock salesmen have long since learned over-all health of the economy is not based on war although, to be sure, there are some companies that thrive on munitions and war-connected business.

Former Treasury Under Secretary Robert V. Roosa, now a partner in Brown Bros., Harriman & Co., said in New York last week: "American business does not want this tragic war. Do not reach for that shibboleth. Any stock analyst here in the street will tell you that defense contracts hurt, and do not help, the earnings potential of the vast majority of firms. It is civilian business that brings through to earnings the yield that makes the difference between success or failure."

What war does is to create excessive strains in the economy, accompanied by inflation, high interest rates, and higher taxes. Nor are businessmen unaffected by the huge loss in life and the dissension at home that is a concomitant of a war-based economy.

Lewis B. Cullman, a New York money market man, put it this way in a recent round-

table discussion published by the Wall Street Transcript: "... if the American public or the American investing public is given some assurance that ... we are going to get out of this Southeast Asia mess, that is when you are going to see some optimism and some change of attitude."

Neither the economy nor the stock market will do much better so long as uncertainty continues over direction of foreign policy. When one reflects on the scope of the current conflict, including not only Southeast Asia, but violence at home—not only provoked by campus radicals, but by right-wing elements like the construction union hardhatters in New York—one can agree with John Gardner that our survival as a society is threatened.

#### A NATIONAL HOUSING BANK: A WAY TO MEET THE HOUSING CRISIS

### HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. PATMAN. Mr. Speaker, the high interest-tight money policies of the administration and the Federal Reserve Board have finally achieved their predictable result: The Nation is now suffering a disastrous housing depression.

Housing starts have dropped to an annual rate of 1.1 million units, only 42 per cent of the total required each year to meet the national housing goals.

Half the Nation's population—those families whose incomes are too high for them to qualify for federally assisted housing programs and too low to afford a \$20,000, 30-year mortgage—have been priced out of the housing market. Only those families with incomes of \$13,000 to \$15,000 a year can afford mortgage payments on home loans that carry interest rates of 8.5 percent, 9 percent, and more.

Unemployment in the construction industry has reached a level of 8.1 percent. The lack of mortgage funds at reasonable rates has brought the home building industry to the brink of collapse.

#### PIECE OF THE ACTION PIRACY

This terrible situation has been made even worse by an intolerable practice which is being adopted by a growing number of lending institutions across the country. These institutions are not content to charge exorbitant interest rates on real estate loans; they demand a part of the income or a part of the ownership of such property as well, thus raising the effective cost of the loan to a level bordering on piracy. This practice must and will be stopped. I intend to hold Banking and Currency Committee hearings just as soon as possible to examine the problem and consider legislative remedies, such as H.R. 16403, introduced by Congressman McFALL.

#### A NATIONAL BANK FOR HOUSING

Mr. Speaker, Congress must act now to meet our worsening housing crisis. To this end, I have introduced H.R. 17495, the Emergency Home Finance Act which is cosponsored by many Democratic Members of the House. The heart of the Emergency Home Finance Act is

title V which would create a National Development Bank to provide low- and moderate-income mortgage loans at interest rates not exceeding 6½ percent for those families who cannot obtain mortgage funds at rates they can afford. The Development Bank would be funded through the required purchase of its obligations by tax-exempt private pension funds and virtually tax exempt privately controlled foundations. These institutions have enormous assets totaling \$156.2 billion. My bill would require them to channel a small portion of their assets, no more than 2.5 percent in any given year, into bank obligations which would have yields comparable to similar Federal agency obligations, be negotiable and fully and unconditionally guaranteed.

Title V of the Emergency Home Finance Act is the only proposal before Congress to provide an additional source of mortgage funds at reasonable rates. As such, it is the only proposal under consideration that effectively moves to meet the national housing crisis for low- and moderate-income families. Almost all the other money sections of the bill provide interest rate subsidies for loans from a pool of private funds which is and will continue to be totally inadequate. In short, title V is recognition of the fact that our low- and moderate-income housing needs cannot be met solely by continued reliance on subsidies which tend to support high interest rates. It is recognition of the fact that what is needed in addition is a new source of funds.

The National Development Bank would have a minimum of \$4 billion a year to finance the construction and ownership of low- and moderate-income housing. It would not require congressional appropriations or Treasury purchases to provide loan funds, although authorization is contained in the bill to allow for such action, should Congress and the administration wish to take it. Loan funds provided through purchase of bank obligations by private pension funds and privately controlled foundations would be completely noninflationary because these funds would be invested elsewhere in the economy.

#### OTHER PROPOSALS

There are two other major money titles in H.R. 17495 as it was introduced. One would authorize an appropriation of \$1.5 billion for interest rate subsidies on federally assisted housing program mortgages. The other would authorize an appropriation of \$250 million to subsidize the interest charged on loans made by the Federal home loan banks to member borrowers, chiefly savings and loan associations, with the provision that the subsidy be used to reduce the interest rate on mortgage loans made to low- and moderate-income families. Loans to such families would be at a rate no more than 1 percent higher than rates paid by the lending institution originating the mortgage.

The restrictions on the use of this subsidy are a vast improvement over the administration's proposal in this area. The administration simply re-

quested that a \$250 million subsidy be provided for loans to savings and loan associations with the benefit ending at that point rather than being passed on to the homebuyer.

The only other major sections of the Emergency Home Finance Act provide for the creation of secondary markets for conventional, FHA and VA mortgages through the Federal National Mortgage Association and the Federal Home Loan Bank Board. Such secondary markets for conventional mortgages are needed and should prove useful in the collective effort being made to meet the national housing goals, but they will not provide to low- and moderate-income families the direct financial benefits extended by the Development Bank and the pass-through interest subsidy on Federal home loan bank loans. Of the two, the Development Bank is far more important because it not only furnishes low- and moderate-income borrowers with mortgage loans at a reasonable interest rate, but creates a substantial addition to the pool of mortgage funds available for this purpose.

Mr. Speaker, I urge every Member of Congress to support this legislation as a practical, effective approach to meeting the Nation's housing crisis. In this connection, I include in the RECORD a telegram addressed to me by Capt. Joseph L. Weiss of Housing Associates of America, a Los Angeles firm:

LOS ANGELES, CALIF.

Congressman WRIGHT PATMAN,  
Chairman, House Banking and Currency  
Committee, House Office Building, Wash-  
ington, D.C.:

We strongly endorse plan to provide mortgage financing at low interest rates for low and medium income families by an urban development bank set up for that purpose. However we urge concurrent steps to restrict immoral equity mortgage lending by banks and insurance companies. You must eliminate this vicious practice concurrent with your practical solution to provide mortgage funds for millions of Americans. We therefore endorse Congressman McFALL's bill H.R. 16403 before your committee. Our economy and society deserve the benefit of both courses of action. We oppose and object to the administrations plan to provide \$250,000,000 subsidy for the \$170,000,000,000 savings and loan industry which benefit a few and provide a barrier against lowering of mortgage rates. Please include this wire in your proceedings.

Capt. JOSEPH L. WEISS.

#### SST WORTH BILLIONS TO OUR BALANCE OF TRADE AND U.S. IN- DUSTRY

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. PELLY. Mr. Speaker, commercial air transportation is one of the outstanding growth industries, and this growth is expected to increase sixfold between now and 1990. To carry this traffic, \$125 billion worth of new commercial aircraft will be required. Of this amount, ap-

proximately \$25 billion will be super-sonic.

Currently, about 850,000 workers are employed in the aircraft industry in America. And, the U.S. SST program is expected to employ about 50,000 workers, including subcontractors in practically every State. An additional 115,000 will be employed in consumer and service industries as a result of the SST program.

Of the total market estimate of 500 U.S. SST's by 1990, 270 are expected to be exported to foreign airlines. This amounts, Mr. Speaker, to \$13 billion of export business in the period of 1975 to 1990. Without a U.S. SST program, U.S. airlines would import about \$5.6 billion. When accounting for all the offsetting effects of subsonic jet and Concorde business, it is estimated that the net difference in the U.S. balance of trade attributable to having a U.S. SST program as opposed to not having one would be \$16.2 billion.

The manufacturing firm chosen to construct the SST is the Boeing Co., and this company has just been cited again by the Department of Commerce for its record of promoting the sale of U.S. products in foreign markets. Boeing Co. received the President's "E" Award in July 1962, and just last week was awarded the "E Star" for continued superior performance in foreign marketing activities.

The point is, Mr. Speaker, that America has a great industry that can produce the best supersonic transport in the world; an SST which economically is of vast importance to the industry, the American labor which will build it, and the U.S. economy that will be strengthened by its existence.

#### SITUATION WORSENING IN NATIONAL DEBT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 18, 1970

Mr. HANNA. Mr. Speaker, this morning the Wall Street Journal carried an article which I think should be of great interest to the Members of this House and which gives us a reading of some very serious situation in terms of financial conditions in this country.

Since 1963 the national debt has been shortening every year dramatically, so that in this year the average length of the national debt is about 3 years and 6 months. This means that the turnover requirements of the debt are very substantial. This year, not counting a deficit which, in my judgment, will be something in the nature of \$3 to \$6 billion, there will be a requirement in the marketplace of the national debt of about \$121.3 billion. If you add to that the \$3 to \$6 billion deficit that must be covered, this shows you the size of the activity of just the Treasury Department on the basis of financing the Federal debt.

In addition to that, there are some 9 to 11 agencies of the United States who



are also going into the marketplace regularly for both short- and long-term money.

Right now the problem is a division of a shortage of money in this country. At the same time the creative wealth of this country goes down.

Unless we realize that we have got to bring in line the productive capabilities where the wealth of this country can be brought to bear, there is no way we can go except to divide the shortages of money.

This problem will always remain with us regardless of what we do in this Congress, high interest rates, and as long as interest rates are more competitive, the price will continue to go up.

Mr. Speaker, our concern should be to increase the wealth of this country so we can increase the money supply.

BUSING OF SCHOOLCHILDREN

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. McDONALD of Michigan. Mr. Speaker, there has been a great deal of controversy in the city of Pontiac over a Federal court's decision requiring the busing of children to achieve racial balance. Since taking office, I have opposed compulsory busing of schoolchildren beyond normal geographic school zones for the sole purpose of achieving racial balance.

The President has also indicated in his statement to Congress on elementary and secondary school desegregation that the neighborhood school is the most appropriate base for our educational system and that transportation of pupils outside school boundaries to achieve racial balance will not be required. I agree that our limited education funds should be used to improve the quality of education rather than to transport young students miles away from their neighborhood.

I would like to take this opportunity to share with my colleagues excerpts of a letter I received from Mr. and Mrs. Albert Weiss. I feel this situation clearly points out the problems that many Pontiac parents will be facing in the fall. I hope their remarks will be of interest:

PONTIAC, MICH.,  
April 6, 1970.

HON. JACK H. McDONALD,  
House Office Building,  
Washington, D.C.

DEAR REPRESENTATIVE McDONALD: We have reviewed the recent busing proposal submitted to U.S. District Judge Damon J. Keith by the Pontiac, Michigan School Board, and we agree that you, our elected official, must see that it is not put into practice.

Under this proposal, our daughter, who will enter kindergarten in the Fall, without our ever having moved, will have attended seven different schools by the time she graduates from the twelfth grade. In her thirteen years of schooling she will attend schools as follows:

- School A (located in our neighborhood, within walking distance)—Kindergarten, 3rd and 4th grades.
- School B—1st and 2nd grades.
- School C—5th and 6th grades.

- School D—7th grade.
  - School E—8th grade.
  - School F—9th grade.
  - School G—10th through 12th grades.
- Look at it again—seven different schools, but she will have changed schools eight times. She will have been bused ten of her thirteen school years—not of necessity, but to achieve a so-called racial balance in the school system.

REVISIONS OF BUDGET ESTIMATES FOR FISCAL YEARS 1970 AND 1971

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. MAHON. Mr. Speaker, the President today issued revised summary estimates of the overall Federal budget picture for the current fiscal year 1970 which ends this June 30, and for the forthcoming fiscal year 1971 which begins on July 1 next. He accompanied the Budget Bureau revisions with an explanatory statement briefly highlighting the basis for the revised figures on estimated budget receipts and outlays—expenditures and net lending.

DEFICITS IN BOTH 1970 AND 1971

On the unified budget basis which encompasses both Federal funds and the various trust funds, the President now projects a budget deficit of \$1.8 billion for fiscal 1970. As compared to the figures for 1970 in the budget last February, fiscal 1970 estimated receipts are down by \$3 billion; estimated outlays are up by the net amount of \$0.3 billion.

For fiscal 1971 on the unified budget basis, the President now projects a budget deficit of \$1.3 billion. As compared to the figures for 1971 in the budget last February, fiscal 1971 estimated receipts—including proposed revenue legislation—are up by the net amount of \$2.2 billion; fiscal 1971 estimated outlays—including various proposed legislation involving both outlay increases and reductions—are projected upward by \$4.8 billion.

Mr. Speaker, for the information of Members and others, and under leave granted, I include the President's explanatory statement and the release prepared by the Bureau of the Budget:

STATEMENT BY THE PRESIDENT, MAY 19, 1970

To slow down the rise in prices, we have been faced with the urgent need to slow down the momentum of rising Federal spending.

We have responded to this need. From fiscal 1965 to 1969, the average annual increase in Federal spending was over 13%; in fiscal 1970, that rise was cut to 7.4%, and in the coming fiscal year, that spending momentum will be further cut in half—to 3.7%.

I am issuing today the latest revisions of the Budget for the fiscal years 1970 and 1971, as prepared for me by the Bureau of the Budget.

For fiscal 1970, the budget last February projected a surplus of \$1.5 billion.

To hold the line on the spending side, we are offsetting increases in uncontrollable outlays such as interest on the public debt, farm price supports, and public assistance grants, as well as a Federal employees pay raise, with reductions in other programs. By holding a tight rein on all others, we will succeed in

meeting our overall spending target of approximately \$198 billion.

However, tax revenues are running about 1½%, or \$3 billion below previous projections. For this reason, rather than because of overruns of expenditures, we now estimate a deficit for 1970 of \$1.8 billion.

For fiscal 1971, our budget revisions show an estimated deficit of \$1.3 billion. This change of \$2½ billion since my February budget message reflects principally:

1. A one billion dollar shortfall in the revenues projected in the budget;
2. A further increase of \$2¼ billion in statutory outlays not subject to executive control; including \$1 billion in increased interest and one-half billion in increased unemployment insurance.
3. An increase of more than one billion dollars to reflect the cost of the recently enacted Federal employee pay and postal wage increases, after deducting proposed postal rate increases;
4. About three-quarters of a billion dollars (net) for other pressing needs already announced, which became necessary after the February budget was prepared (more than one half of it for release of Federal assistance money to aid State and local construction); and
5. Another three-quarters of a billion dollars growing out of completed Congressional actions to date—actions in excess of my requests.

These, in turn, are offset to the extent of over \$3 billion largely by:

6. My earlier proposal to the Congress to accelerate the collection of estate and gift taxes; and

7. A further proposal that I shall be making to the Congress to impose a tax on lead used in the manufacture of gasoline, a proposal closely related to our antipollution efforts as well as to our revenue needs.

The principle of comparability of pay for Federal employees may require an additional expenditure of slightly more than one billion dollars in the latter half of fiscal 1971. Other programs should be reduced to pay for such an increase should it become necessary, without adding to the deficit.

It should be noted that the deficit now projected for fiscal 1971 would have been more than covered by the amount of revenues the Congress chose to eliminate from my recommendations for the Tax Reform Act of 1969.

Despite this premature reduction by the Congress, our tax system would produce sufficient revenue to cover the present, restrained level of government spending if we had normal economic growth without inflation today. Progress is being made toward that goal. However, if government spending, in spite of the strict controls I have placed on it, were to exceed the potential yield of the tax system, I would not hesitate to ask the Congress for further increases in taxes when I present my new budget next January.

The Congress must cooperate if spending is to be controlled. If the Congress votes higher appropriations than I have requested for some programs, it should match these increases with cuts in other programs or raise the revenues to pay for them. Responsible action permits no other alternative.

As this Administration's actions have proved, we are determined to slow down the rise in prices, which imposes too great a hardship on too many of our people. One vital element in this campaign has been to gain control of Federal spending and in that we must continue to succeed.

I am equally determined to curb inflation. Frankly, my concern about unemployment and my desire to bring about price stability without economic dislocation is why the campaign to control inflation cannot be accomplished quickly.

As I anticipated, price increases are beginning to slow down; as I forewarned, this has been accompanied by "slowing pains."

We expect that economic activity will shortly resume a more rapid yet steady and more sustainable rate of increase that will not fuel a new inflation.

None of us can claim perfect vision of our economic outlook. I am confident, however, that by persevering in our policies as we have done in the past year, we shall achieve our goal of price stability in a climate of sound and sustainable economic growth.

#### REVISION OF THE FISCAL YEARS 1970 AND 1971 BUDGET ESTIMATES, MAY 19, 1970

On February 2, the President transmitted to the Congress his budget for the fiscal year 1971, along with revised estimates for fiscal year 1970. For 1970, receipts were estimated at \$199.4 billion, and outlays at \$197.9 billion, yielding a surplus of \$1.5 billion. For 1971, receipts were estimated at \$202.1 billion, outlays at \$200.8 billion, and the surplus at \$1.3 billion.

In his budget message, the President described the objectives of his first budget:

To provide the resources required to meet both our international responsibilities and such urgent domestic needs as crime control and improvement of the environment;

To help restore economic stability;

To begin the necessary process of reordering our national priorities;

To foster basic reforms in Government programs and processes; and

To begin to place greater reliance on private initiative.

This perspective called for the tight budget that was proposed by the President. Neither the perspective nor the need for fiscal restraint has changed since February. Conditions affecting the budget have changed adversely, however.

#### FISCAL YEAR 1970

Fiscal year 1970 budget estimates have been revised to reflect three factors:

The Federal employee pay raise retroactive to late December;

The effect of altered economic and other conditions on outlays that are uncontrollable under present law; and

Congressional actions on controllable programs.

The effect of these factors on the budget totals is summarized in the following table. The principal changes in outlays are listed in Table 1 (attached).

[In billions of dollars]

Fiscal year 1970	Budget estimate	Change	Revised estimate
Receipts.....	199.4	-3.0	196.4
Outlays.....	197.9	+3	198.2
Surplus or deficit (-).	1.5	-3.3	-1.8

The shift from surplus to deficit results almost entirely from a shortfall in estimated receipts from the corporate income tax, rather than from an overrun on spending. Both final payments on calendar year 1969 liabilities and initial payments on calendar year 1970 liabilities fell below expectations. Other changes in estimated tax receipts in fiscal year 1970 are approximately offsetting; excise taxes are now estimated to decline by \$0.2 billion, while customs duties are expected to increase by an equal amount. Table 2 (attached) lists estimated receipts by major source and the changes in each.

Despite strong pressures for higher spending, total outlays in 1970 are expected to be close to the \$198 billion estimate of the February budget. The pressures for higher outlays have, in fact, resulted in increases of \$3 billion, but 90% of this amount is being offset by decreases.

The increases include:

\$1.2 billion for the Federal pay adjustment;

\$1.2 billion as a result of uncontrollable in-

creases in interest, public assistance grants, farm price support payments, and unemployment benefits; and

\$0.6 billion as the result of congressional action to increase education and veterans programs and congressional delay in enacting postal rate increases.

The principal reductions resulted from a decrease in estimated Export-Import Bank and Farmers Home Administration net lending, and lower than expected outlays for Medicare, space activities, Model Cities, and other programs.

#### FISCAL YEAR 1971

The factors that are pressing upward on 1970 outlays pose even greater threats to the 1971 budget. On the basis of the tax rates recommended in February, receipts will fall short of the earlier estimate. However, that shortfall will be more than offset by the President's earlier proposed acceleration of estate and gift tax collections and his new proposal for a tax on lead used in the manufacture of gasoline. Revised totals for fiscal year 1971 are shown below; greater detail is shown in Tables 2 and 3 (attached).

[In billions of dollars]

Fiscal year 1971	Budget estimate	Change	Revised estimate
Receipts.....	202.1	+2.2	204.3
Outlays.....	200.8	+4.8	205.6
Surplus or deficit (-).	1.3	-2.6	-1.3

Economic assumptions underlying the fiscal year 1971 revenue estimates have not been changed significantly from the levels used in the February estimate. However, revenue from individual and corporation income taxes has been reduced by \$0.5 billion and \$1 billion, respectively, from the February estimates because of a re-evaluation of tax revenue expectations based on fiscal year 1970 receipts experience. On the other hand, higher receipts are expected from unemployment insurance taxes (\$0.2 billion) as a result of legislation expected to be enacted soon, customs duties (\$0.2 billion), and miscellaneous receipts (\$0.2 billion). In addition, favorable congressional response to the President's requests for tax legislation will produce an additional \$1.5 billion as a result of accelerated estate and gift tax collections and \$1.6 billion from a tax on lead used in the manufacture of gasoline.

None of the \$4.8 billion increase in the outlay estimates is attributable to our military operations, either in Cambodia or elsewhere. Almost half—\$2.3 billion—of the increase is in uncontrollable programs, including:

Interest on the public debt (\$1 billion),  
Unemployment benefit payments (\$0.5 billion),

Cash assistance grants, Medicaid and Medicare (\$0.2 billion), and  
Farm price supports (\$3 billion).

About \$2.5 billion of the increase is associated with a number of actions that have been taken since the budget was transmitted.

The largest single increase—\$1.4 billion—will result from the action taken in April to move the effective date of the Federal pay adjustment forward a full year from the January 1, 1971 date assumed in the February budget. Simultaneously with the announcement of this action, the President proposed that the collection of estate and gift taxes be accelerated—and thereby increase 1971 revenues by \$1.5 billion. In addition, a further increase in postal rates was requested to offset about \$0.4 billion of the higher postal costs attributable to the pay raise.

The remaining increases are expected to add \$1.5 billion (net) to 1971 outlays. The principal ones are:

Withdrawal of the voluntary deferral of federally-assisted construction,

Veterans education and training.

The school lunch program,

Education programs,

Improving the quality of the environment,  
Aids to housing and other construction incentives,

Farmers Home Administration net lending, and

The 1971 effect of higher appropriations for the Departments of Labor and Health, Education, and Welfare.

These increases are partially offset by a number of reductions, including:

Lower outlays for the Family Assistance Program, because of a later than expected effective date for the program,

Slower than expected spending for the Model Cities program and for highways, and  
A net reduction in the outlays associated with other programs.

The revised 1971 budget, even with a \$1.3 billion deficit, remains a tight budget and is fiscally responsible in the expected economic environment of fiscal year 1971. The deficit is less than the increased outlays for uncontrollable programs—a third of it due to higher unemployment compensation. The deficit is substantially less than the increase in receipts that would be produced were the economy operating at its normal capacity.

These revised estimates are, of course, just that—estimates. They are based upon expectations concerning economic conditions and congressional action on proposed legislation. In particular, they assume that the Congress will:

Approve the requested postal rate increases;

Enact the tax legislation proposed by the President in the February budget and later;

Pass the Economy Act of 1970 and thereby endorse the program reductions, restructuring, and terminations proposed in the February budget; and

Not add to the total of controllable 1971 spending proposed by the President in appropriations and other legislation.

If we are to hold to these fiscally-responsible estimates, continued outlay restraint is essential. The Administration is committed to such a course now and will stay on it. Congressional commitment is equally necessary. If the Congress votes higher appropriations, or does not approve the taxes proposed by the President, it should match these with specific cuts in other spending programs or increases in other taxes.

Continued fiscal restraint is essential to further progress toward the objectives stated in the President's budget message. Relaxation of that restraint now would risk the danger of permitting the economy to climb too fast as it begins to pick up in the months ahead. Too rapid an advance could nullify the progress made to date toward bringing inflation under control and undermine the Administration's progress toward achieving basic reforms in Government programs and processes.

TABLE 1.—Changes in 1970 budget outlays  
[In billions]

February budget estimate.....	\$197.9
Major increases:	
Federal comparability pay raises (enacted Apr. 15, 1970).....	+1.2
Interest on the public debt.....	+0.55
Labor-HEW appropriation as enacted.....	+0.3
Public assistance grants (including Medicaid).....	+0.3
Farm price supports.....	+0.25
Postal rate increase—no action by Congress to date.....	+0.15
Veterans education and medical care.....	+0.1
Unemployment insurance benefits.....	+0.1
Subtotal, major increases.....	+3.0



Other changes:		Department of Transportation	-0.1
Export-Import Bank	-\$0.4	Department of Labor, excluding unemployment insurance	-\$0.1
Medicare	-0.3	Civil service retirement, net	-0.15
Other HEW programs	-0.3	Allowance for contingencies	-0.2
Farmers Home Administration, net lending	-0.3	All other changes, net	-0.5
Model cities	-0.2	Subtotal, other changes	-2.7
National Aeronautics and Space Administration	-0.15	Current estimates, 1970 outlays	198.2

TABLE 2.—BUDGET RECEIPTS, FISCAL YEARS 1970 AND 1971

[In billions of dollars]

Source	Fiscal year 1970			Fiscal year 1971		
	Budget estimate	Current estimate	Change	Budget estimate	Current estimate	Change
Individual income taxes	92.2	92.2		91.0	90.5	-0.5
Corporation income taxes	37.0	34.0	-3.0	35.0	34.0	-1.0
Social insurance taxes and contributions	44.8	44.8		49.1	49.3	+2
Excise taxes	15.9	15.7	-2	17.5	19.1	+1.6
Estate and gift taxes	3.5	3.5		3.6	5.1	+1.5
Customs duties	2.3	2.5	+2	2.3	2.5	+2
Miscellaneous receipts	3.7	3.7		3.6	3.8	+2
Total	199.4	196.4	-3.0	202.1	204.3	+2.2

TABLE 3.—Changes in 1971 budget outlays [In billions]

February budget estimates	\$200.8
Changes in uncontrollable programs:	
Interest on the public debt	+1.0
Unemployment insurance benefits	+0.5
Cash assistance grants, medicare and medicare	+0.2
Farm price supports	+0.3
Veterans compensation and pensions	+0.2
Disaster relief	+0.1
Subtotal, changes in uncontrollable programs	+2.3
Other changes:	
Federal comparability (enacted April 15, 1970) and postal pay raises	+1.4
New postal rate proposals	-0.4
Increased postage for Federal mail	+0.1
Withdrawal of voluntary State-local construction deferral	+0.5
Housing and construction incentives	+0.15
Environmental quality—revision in proposal and reestimate of budget program	+0.2
Labor-HEW appropriation bill for 1970 as enacted—effect on 1971 outlays	+0.2
Education appropriations—to maintain consistency with 1970 bill as enacted	+0.2
School desegregation	+0.15
Veterans education—GI bill	+0.2
School lunch and child nutrition, as enacted	+0.2
Coal mine health and safety bill, as enacted	+0.1
Federal employee health benefits	+0.1
Farmers Home Administration, net lending	+0.3
Model cities—slower pace of outlays (no change in program level)	-0.15
Highway trust fund	-0.05
Delay in initiation of family assistance program	-0.4
All other changes, net	-0.3
Subtotal, other changes	+2.5
Current estimate, 1971 outlays	205.6

SUPPORT FOR CAMPAIGN TO MAKE GENERAL MOTORS RESPONSIBLE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. BROWN of California. Mr. Speaker, this Friday marks the apex of a significant confrontation within the American business community. At the annual shareholders meeting of General Motors Corp. in Detroit, stockholders will vote on a series of historic public interest proposals aiming to increase GM's corporate responsibilities.

The following statement represents the views of 16 Members of the House—some of them shareholders in General Motors—who endorse the goals and policies sought by "Campaign GM":

CAMPAIGN GM

The campaign to make General Motors responsible stands as an unprecedented effort to insure that American corporations, beginning with GM, become more responsive to society's needs. Decisions of giant corporations such as GM affect virtually everyone. Yet, those decisions are reached behind closed doors by a small fraternity of powerful men, insulated from the social pressures that shape the decisions of other policymakers in this nation.

Campaign GM is attempting to open up the corporate decisionmaking process, to expose those decisions to public scrutiny, to make decisionmakers accountable.

Regardless of the outcome at GM's annual meeting this Friday in Detroit when shareholders vote on public interest proposals supported by Campaign GM, we think the Campaign has been enormously successful. GM policies have been thrust into the limelight; there is growing scrutiny of its decisions; and, a great debate has opened on the roles of the corporation, its management and the place of the investor.

Campaign GM has caused banks, universities, foundations, mutual funds, insurance companies and individual investors to consider obligations to people as well as to profits. It has brought about new appraisals concerning how institutions should use their power as shareholders.

Even institutions that voted against the Campaign's proposals, such as the Rockefeller Foundation, admitted that Campaign GM has made them "realize that we must examine our overall investment philosophy. The responsibility of the Foundation as a stockholder requires us to consider the needs and problems of management. But the responsibilities of the Foundation, committed in its Charter to the missions of serving the well-being of mankind, requires us to recognize that more is at stake than our role as a stockholder."

We deplore the fact, however, that so few institutions actually supported the Campaign's proposals. We would have preferred more hard votes and fewer sanctimonious statements.

We particularly impugn those institutions—and especially the many universities—which have revealed themselves through this Campaign to be as unresponsive to their constituencies as are the purely private sector establishments which prompted Campaign GM by their unremitting drives for private gains at all costs. At many universities, students and faculty urged support of the Campaign only to be voted down in closed meetings by trustees. Over the last few months, university officials have paid much lip service to the need for orderly, nonviolent channels for student sentiment. In fact, Columbia University even set up a committee of trustees, students and professors to advise the University Board of Trustees on policy matters. Yet, when that committee rendered its advice to support Campaign GM, it was ignored. What is the lesson we ask?

As representatives of the people we are dedicated to forwarding the rights of all citizens. We believe our support and efforts cannot be limited to affairs of government only. We desire, and we will work towards achieving a system in which the welfare of all citizens must be regarded in the decision-making process of the large corporations that dominate our economy and our society.

We support the goals and objectives of Campaign GM, and we believe that Congress, as guardian of the public welfare, should actively emphasize the need for responsive and equitable enterprise.

GEORGE E. BROWN, JR., RICHARD L. OTTINGER, PHILLIP BURTON, JONATHAN B. BINGHAM, SHIRLEY CHISHOLM, WILLIAM CLAY, JOHN CONYERS, JR., DON EDWARDS, LEONARD FARBSTEIN, DONALD M. FRASER, AUGUSTUS F. HAWKINS, KEN HECHLER, EDWARD I. KOCH, THOMAS M. REES, BENJAMIN S. ROSENTHAL, WILLIAM F. RYAN.

TRIBUTE TO MRS. LOUISE GOFF REECE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 18, 1970

Mr. EVINS of Tennessee. Mr. Speaker, I take this means of joining other members of the Tennessee delegation in paying a brief but sincere tribute to the memory of Mrs. Louise Goff Reece, our former colleague, who passed away recently.

It was my high privilege to serve with Mrs. Reece and with her distinguished husband, B. Carroll Reece, in the House.

When her husband died while a Member, Mrs. Reece succeeded him and car-

ried on his work magnificently and with great dedication. She bore the mantle of public service of a distinguished family—the Reece family and her own family. Her father was a U.S. Senator from West Virginia.

She was a great lady, charming and gracious—and she was an able, talented Congresswoman who represented her district, State, and Nation with effectiveness and zeal.

She will be greatly missed and I want to take this means of extending to members of the Reece family this expression of my deepest and most sincere sympathy in their loss and bereavement.

#### RATIONAL STUDENT DISSENT

### HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 18, 1970

Mr. QUIE. Mr. Speaker, if one thing became clear during the recent antiwar demonstrations here, it was that violence and the ranting of the radicals has disenchanted more than a few of the Nation's students. Some of my colleagues were surprised to find that among their student visitors were many who were quiet, respectful, and eager for a dignified discussion of the many things which are upsetting them and their colleagues.

This was no surprise to those of us who have been closely associated with students over the years. It is noteworthy that they are willing to work through the polls which is the legitimate way to bring about policy change.

In this connection, I include in the RECORD the following article from the May 18 issue of the Republican Congressional Committee Newsletter:

#### COLLEGE DEMONSTRATORS' TURN TOWARD REASON IS NOTED BY GOP LEADERS

Something new seems to be developing among student demonstrators.

Despite occasional violence, the tear gas and the "hate America" speeches by the radicals, the demonstrations in Washington last week were relatively peaceful. What was new, a number of Republican House leaders agreed, was the very real effort by students to communicate rather than demonstrate.

They streamed through the House and Senate office buildings seeking interviews with members, asking to be heard and willing to listen.

Rep. Albert H. Quie of Minnesota, a ranking Republican on the House Education and Labor Committee who has spent many years on the problems of students, expressed what seemed to be the general view.

"Some who talked to me," he said, "told me that they deliberately avoided the Ellipse near the White House in order to avoid violence. Most of them were not radicals. What they want now is to communicate with their Congressmen, to become part of the political process, rather than to try to tear up that process. They have never felt that way before."

House Republican Conference Chairman John B. Anderson, of Illinois, said the scenes on the Ellipse reminded him of "the admonition of Paul to his young coworker Timothy in the Bible: 'Don't let people look down on you because you are young, see

that they look up to you because you are an example to them in your speech and your behavior—in your love, and faith and sincerity'."

Anderson said he believed that "the vast majority of the young people who met in Washington . . . did succeed in assuring the people of our country that rather than looking down on them, we will look up to them with new hope for the future of our land."

House Republican Leader Gerald R. Ford of Michigan said:

"By far the most part of the young people who came to Washington over the weekend to demonstrate for peace were orderly, well-mannered and a credit to their schools. I think those of us who talked to them learned a great deal. We learned, for example, that they are very much concerned that our political system be made to function as a democratic system; that they want to be heard. And they learned, I sincerely believe, that members of Congress and the Administration want to hear them. Let us hope this dialogue will continue. All of us will profit."

#### TRAGEDY AT KENT STATE

### HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. RAILSBACK. Mr. Speaker, recently an editorial was published in the Kewanee Star-Courier concerning the tragedy at Kent State. I would like to bring the editorial comment to the attention of my colleagues:

[From the Kewanee (Ill.) Star-Courier, May 7, 1970]

#### REAPING A BLOODY HARVEST

We are appalled as everyone else at the needless, tragic loss of young lives on the campus of Kent University in Kent, Ohio.

But how much of the dissent by the militants has to be tolerated even in a free society?

How many of you parents know what kind of a message had been given to the students?

We have received a letter from Evelyn M. Young, 123 N. Vine St., saying, "As a newcomer to your City of Kewanee, I am wondering what the reaction will be by the parents in this community if you should print this article from the Review of the News.

"As the Communists have said we will bury you! But it seems to me they have asked for help from Hitlerism."

The latest edition of the Review of the News, Vol. 6, No. 18, has a report on Kent State. This was written before the deaths of the four students, but is dated May 6.

Here is what the article reports:

"Revolutionary leader Jerry Rubin, convicted member of the Chicago 7, told more than 1,500 students at Kent State University in Kent, Ohio, on Friday that . . . until you people are prepared to kill your parents you aren't ready for the revolution."

"Calling parents the first oppressors, Rubin continued, 'Quit being students. Become criminals . . . We have to disrupt every institution and break every law.'

"As Rubin spoke, several students circulated through the audience, collecting money for the legal expenses of the Chicago 7 and for four KSU students convicted of riot charges stemming from 'incidents last fall.'"

In the name of God, just what are we tolerating in our educational institutions? We permit rabble rousers of the vilest sort to touch the flame and then scream when someone gets burned.

Is the National Guard to blame because Guardsmen probably fired in panic when they were being hemmed in by students who already had beaten campus cops? Or should the blame be placed on the likes of Jerry Rubin?

#### ABORTION—LIVE FETUSES FOR SALE

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. RARICK. Mr. Speaker, the London report that live fetuses, artificially and prematurely aborted infants, are being sold for research is shocking. If true, we now face the tragic thought that infant human beings may replace guinea pigs, rats, mice, rabbits, and monkeys in the laboratory. This report of the sale of live fetuses should be even more electrifying to us here in the District where Federal Judge Gerhard A. Gessel has now all but abolished abortion laws and where the same judge threatens by injunction and contempt local hospitals for not performing welfare abortions on indigent females.

This latest development in the abortion movement should hit home to those who have permitted pity, tolerance and apathy to cloud the moral and religious issues involved.

What society needs desperately is the development of an environment of morality, restraint, and discipline. Education is the answer but it must be education in wholesomeness, love, and understanding with strict parental respect and guidance. Society suffers from too much rhetoric on abortion, pornography, sex education, and permissiveness.

Mr. Speaker, I insert the news clipping and several related news articles:

[From the Washington Post, May 19, 1970]

#### ALLEGED SALE OF LIVE FETUSES SET OFF UPROAR IN BRITAIN

LONDON, May 18.—A furious controversy has broken out over one of the most emotion-laden issues it is possible to imagine: the alleged sale of live fetuses, acquired through abortions, for medical research purposes.

Since the allegation was made on Friday, investigation has disclosed that there has, in fact, been medical research on fetuses, kept alive for a few hours by researchers using a heart-lung machine. What is in fierce dispute, however, is whether "abortion clinics," functioning under Britain's recent and controversial liberalized abortion law, have actually sold embryos to research institutions.

The assertion was made public by Norman St. John-Stevan, a Conservative member of Parliament who, as an intensely dedicated Roman Catholic layman, was a leading opponent of the 1968 abortion legislation.

He described the alleged trade as "the most horrible that has ever taken place in Britain."

St. John-Stevan said he had notified Richard Crossman, secretary for social services, that he had received a letter about an alleged plan for an abortion clinic to sell live fetuses to a physiologist. The informant said the physiologist intended to keep them in a state of suspended animation on a heart-lung machine until they reached "term,"



about 40 weeks, and then "slaughter them," in the words of the physiologist.

Crossman at once investigated, St. John-Stevan said, and verified that live fetuses had been bought by a doctor, whereupon he put an immediate halt to the practice. An intense investigation, under St. John-Stevan's prodding, is now going on.

In the immediately ensuing storm, senior London medical specialists uniformly cast doubt on the possibility of keeping any aborted fetus alive for more than a matter of minutes or perhaps hours, and said that the technique of preserving them as living entities for days or weeks was far in the future.

But, most of the doctors insisted, it was essential to conduct research on human fetuses, either alive or dead, and on fetal tissue and to work intensively on developing an artificial placenta environment for saving the life of prematurely born infants in the future.

Dr. Lawrence Lawn, a member of the research staff of the Department of Investigative Medicine at Cambridge University, said yesterday that he had kept fetuses alive for up to five hours. He said he had no knowledge of any sale of fetuses.

Dr. Lawn said all were aborted before 28 weeks' gestation, the division line in law and medicine when the embryo has a life of its own.

[From the Oakland (Calif.) Blu-Print, May 12, 1970]

#### THE EXECUTION OF A DEFENSELESS INFANT

A shocking piece of evidence for the total depravity of man is the willingness to allow the guilty murderer in the first degree to live by abolishing capital punishment and to put to death the innocent babe through the brutal act of abortion. There is just one question for a Christian and that is this: Is there even the faintest possibility that the fetus is a human being? If so, he must have the right to live. Listen to Detroit News staff writer, Tom Paulick, who is quoting Dr. Richard V. Jaynes, an obstetrician-gynecologist: "From about two weeks after conception onward, the fetus is in almost constant motion . . . By eight weeks it has all its organs—legs, arms, feet, hands, ears and looks like a human being. It often sucks its thumb at this stage. There is a definite heart beat. It waves its arms and legs and, if removed from the uterus, often struggles to take a breath into its lungs. It answers all the ordinary criteria for life. Frequently a three-month-old fetus removed from the uterus will struggle for life as long as two or three hours . . . At about five months, or shortly thereafter, the child is capable of making feeble cries. They make them when they are destroyed sometimes. These, obviously, are the only defense mechanisms an infant has, visibility and audibility." Dr. Jaynes said he performed just two abortions in 19 years of practice. Both were accidents, errors in diagnosis, which he admits. "In one of them, I had no idea there was a fetus inside the patient's uterus until I drew out a detached arm, still moving at the elbow. Personally, it was one of the most sickening experiences I've had in practicing medicine." In standard abortion procedure, however, this is normal, when an infant in the womb is murdered.

#### MEDICAL INSTRUCTIONS TO BUTCHER A FETUS

Instructions by Dr. H. P. Dunn, Royal College, London, are given as follows: "First, dilate the entrance to the womb, then insert a large forcep and drag out the baby and the afterbirth. This is not as easy as it sounds. The surgeon must work by touch alone; he gives a tug; a tiny arm gives way; then other fragments of the body. The head is always difficult; the skull gets crushed; the eyeballs protrude. All the time the bleeding is profuse . . . When the abortion is completed, the problem of the disposal of the remains has

to be faced by the nursing staff . . . incineration is the favored method . . ." Quoted in "Off-The-Cuff" for April 9, 1970.

[From the Washington Post, May 16, 1970]

#### CITY ACTION SOUGHT: COURT SETS HEARING ON ABORTION ORDER

(By Peter Osnos)

The U.S. Court of Appeals yesterday directed that a hearing be held to determine whether D.C. General Hospital is obeying the court's order designed to make it easier for poor women to get abortions there.

The appellate panel had been asked by three lawyers to hold city officials in contempt for refusing on April 23 to process the abortion application of a pregnant 14-year-old girl.

This was more than one month after the Court of Appeals had spelled out the procedure D.C. General should follow to allow a greater number of indigent women to obtain therapeutic abortions on mental health grounds.

While sidestepping the contempt question, yesterday's strongly worded 15-page finding rebukes city officials and directs they be called before the U.S. District Court to account for their actions.

"Our primary concern," wrote Chief Judge David Bazelon, "is not the good faith of the city and hospital officials, but the deprivation of medical care suffered by indigent patients . . ."

"If every poor person must bring a lawsuit each time her rights are infringed by the insensitivity or ignorance of city and hospital officials, all will be effectively deprived of those rights," Bazelon wrote.

Officials at D.C. General admitted when the contempt motion was filed that the hospital had "not yet set up our policy to go through with the court order."

Dr. John Nasou, medical director of D.C. General, conceded that in the month following the appellate panel's guidelines the hospital had performed only seven therapeutic abortions, about two more than in previous months.

Yesterday, Dr. Nasou sounded a different note. "We're working to meet the court order now," he said. "We've reexamined all the documents and found that the court was very flat about what it wanted."

Nasou said, however, that even with the new positive approach of the hospital, limited facilities would prevent it from doing more than four or five abortions a week. Other hospital officials have said in the past that two to three therapeutic abortions a day could be performed.

According to Nasou, the hospital's reluctance to comply with the court order until now was based on the mistaken belief of some doctors that to perform abortions might, somehow, violate local law.

The corporation counsel representing the hospital said, however, that the rejection of the 14-year-old girl was based on the fact that she did not appear at the hospital in person.

Bazelon noted yesterday that: "Government counsel would discharge its duty best not by shielding official misconduct from judicial scrutiny but rather by advising the public agency of the extent of its legal obligations."

The District Court hearing, Bazelon observed, should consider what measures the hospital has taken to implement the court order; to what extent the hospital is hampered by a lack of facilities and what harm has befallen Washington's poor from their continued inability to get free therapeutic abortions.

On the critical question of facilities, the court commented that increasing the number of abortions would likely decrease the number of women coming to the hospital for childbirth.

This, Nasou said yesterday, is a factor that cannot be predicted.

Bazelon was joined in his opinion by Judge Harold McGowan, Judge George MacKinnon concurred in sending the case to the District Court, but said he saw "no merit to the claim of contempt." No date has been set for the hearing.

[From the Washington Post, May 16, 1970]

#### UNWED MOTHER IN SCHOOL WINS CASE—DISTRICT OF COLUMBIA TO GRANT HER WELFARE UNTIL GRADUATION

(By Carol Honsa)

An unwed mother cut off from welfare and told to get a job six months before her high school graduation has won an appeal for relief benefits until she finishes school.

City Welfare Director Winifred G. Thompson upheld a hearing examiner's recommendation that the girl and her infant daughter receive public assistance while the girl finishes her senior year at Spingarn High School.

Washington's welfare department acted to cut off the girl's \$85-a-month grant in January because her mother was baby-sitting with the infant while the girl attended school. It said she was "employable," and should get a job because she had someone to look after her child.

The girl appealed the cutoff at a welfare department "hearing," a procedure that entitled her to stay on aid until the issue was decided. Miss Thompson sustained hearing examiner James T. Horton's decision last week.

The decision sets a binding precedent for similar cases in the future, a department spokesman said. The case is expected to increase young mothers' demands for welfare benefits while they finish school. Fewer than 25 unwed mothers now receive relief while attending high school here.

#### MOTHER OF 3 REJECTED

In a related case, Horton ruled last week that the department erred in rejecting a relief application from an unwed mother of three who attends the 11th grade at Eastern High School.

The girl, who sought aid for herself and two of her children, was rejected on the grounds she was "employable" because her mother looked after the twin infants during school hours.

Horton's decision was pending before Miss Thompson yesterday. The hearing examination's recommendations are not final until the welfare director approves them.

Meanwhile, it was learned yesterday that the U.S. Department of Health, Education and Welfare is considering a regulation, specifically aimed at the District welfare agency, banning the so-called "employable mother" policy.

In general, the policy denies aid to able-bodied mothers if they have someone available to look after their children on the theory that this makes them free to hold jobs. The District is one of the few cities in the country with such a rule.

#### REFERRED TO CITY COUNCIL

HEW has never approved the District's policy, which was set in 1957. It has notified the city welfare department several times that the policy is not acceptable, although it has never brought the issue to a formal non-compliance hearing.

The welfare department itself has asked the D.C. City Council to delete the controversial policy. Welfare officials feel sure the City Council will drop it, but maintain that the rule stays in effect until the Council acts.

The estimated 25 high school girls on relief here were not considered "employable" because they did not have "adequate" child care plans freeing them for work, Deputy Director Albert P. Russo explained.

In the case of the Spingarn student whose

mother was baby-sitting for her infant, the girl was found not "employable" after all, Russo said.

He said the hearing established that the girl paid her mother \$25 a month to baby-sit, which made the arrangement an "inadequate" child care plan in the eyes of the welfare department. If the mother were baby-sitting for free, the girl would have an "adequate" child care plan and be ineligible for relief, he said.

[From the Washington Evening Star, Mar. 21, 1970]

#### COURT DETAILS RULES IN INDIGENT ABORTION (By Donald Hirzel)

The U.S. Court of Appeals in a 2-1 decision ordered D.C. General Hospital last night to perform therapeutic abortions on indigent women, spelling out rules for the hospital to follow in determining if they qualify on mental health grounds.

The rules are to remain in effect until a case testing the hospital's abortion policies has been finally resolved by the court.

The hospital was told that "any woman requesting a therapeutic abortion on mental health grounds should be received and her application processed with due regard for the urgency of the matter . . ."

The court previously had ordered the hospital to process the case of a 21-year-old woman who had sued the hospital with the backing of the American Civil Liberties Union to obtain an abortion.

In that case, the hospital required two psychiatrists to examine the woman after the court had said one psychiatrist was sufficient. The woman received the abortion last week-end in a private hospital.

#### CONTEMPT RULING DENIED

Her attorneys, Michael Nussbaum, Gilbert C. Miller and Caroline Nickerson, then asked the court to hold the hospital in contempt, claiming it had not obeyed the previous court order. The court denied that request in its opinion last night.

The rules issued last night call for the hospital to determine if a woman meets District residency requirements and is indigent. The hospital is to determine her previous medical history and follow with other procedures it requires.

The court said the patient then should be directed to a gynecologist who is willing to perform a therapeutic abortion.

That doctor may perform any preliminary medical examination and incidental tests necessary to verify pregnancy, to determine the stage of development and to identify any possible medical problems in the abortion.

The court said the patient may establish the necessary psychiatric grounds that the unwanted pregnancy may affect her mental health by presenting letters of recommendation from two area mental clinic psychiatrists.

If at the time of her initial examination she has not seen a psychiatrist, the gynecologists should refer her to an area mental health clinic for an examination.

The gynecologist, if he chooses, may permit her to consult with a private psychiatrist. The gynecologist will determine whether one or two psychiatric evaluations will be required.

#### COURT STATEMENT

The court concluded its order to the hospital with the statement:

"If the patient satisfies criteria . . . the abortion should be scheduled and performed without delay. No further criteria may be added."

The woman's attorneys had claimed that after the previous court order, the hospital had put stumbling blocks in the way of their effort to get the abortion. The court said it was issuing the rules so there would be no further misunderstanding.

The majority opinion was issued by Chief

Judge David L. Bazelon and Judge Carl McGowan.

Judge George MacKinnon approved the denial of the contempt citation, but took strong issue with his colleagues on the right of the court to dictate rules to the hospital. He said this was properly a legislative function.

[From the Washington Evening Star, May 14, 1970]

#### ABORTION CLINIC IS PLANNED FOR CITY HOSPITAL

(By Timothy Hutchens)

The District is planning an abortion clinic for D.C. General Hospital.

The proposal is linked to plans, now being studied, to liberalize the municipal hospital's abortion bylaws, which have been criticized as being conservative and discriminatory against indigent women seeking to end pregnancies but unable to afford private hospital care.

When the clinic might open is uncertain because of recruitment problems, according to Dr. John P. Nasou, medical director of D.C. General.

"Those qualified can make a fortune elsewhere," he said.

The plans call for a full-time municipal staff to run the clinic.

#### SEPARATE STAFF

At present, the four to seven abortions monthly at D.C. General are performed in the obstetrics ward, where the medical schools of Georgetown and Howard universities maintain a training program for all 14 of the unit's residents. But the universities want a separate staff to run an abortion clinic because of strong feelings against such operations.

Georgetown, a Roman Catholic institution, does not perform abortions at its university hospital except in special cases because of the church's opposition to abortion. At Freedmens Hospital, which Howard University runs, there have been feelings, shared in black communities, that abortion represents genocide through population control.

Nevertheless, Howard's medical school has endorsed a liberalized policy on abortion for D.C. General and other medical facilities in Washington based on recommendations from a university-sponsored "Community Workshop Conference on Abortion in the Inner City" in March.

The workshop recommended that any woman, no matter how indigent, should be able to have an abortion if she and her physician decide on it, and that all hospitals, private as well as public, should allow the abortions upon request.

Since then, Freedmens has dropped a requirement of a review committee before abortions and is performing more now, according to Dr. John Clark, head of obstetrics and gynecology at Howard. He declined to specify how many abortions there are at the hospital.

At D.C. General, an abortion program might be established in the obstetrics ward two or three days a week, or elsewhere in the hospital, Nasou said. The 110-bed obstetrics ward, he said, usually is about 60 percent occupied and has room for the program.

#### 20 APPLICATIONS

Nasou said he did not know what the demand for abortions would be under such a program, but said that there are usually about 20 applications on file for the procedure.

The demand is expected to increase. The U.S. Court of Appeals has ruled that the hospital can no longer require of abortion applicants a previous history of mental illness. Psychiatric reasons are the most common ground for therapeutic abortions.

The U.S. Supreme Court is to review the

D.C. abortion law that Federal Judge Gerhard A. Gessell has ruled unconstitutional, leaving open the question of a legal prohibition against abortion in the city.

[From the Washington Evening Star, May 19, 1970]

#### ABORTION COUNSEL

(By Joy Billington)

A pregnancy counseling service relating to abortion in the District of Columbia may be set up shortly, with the Planned Parenthood Association of Metropolitan Washington helping to establish it.

"We are being flooded with calls from all over the country, asking where and how they can arrange therapeutic abortions," Mrs. Fred Schumacher, executive director of the organization told the annual luncheon meeting yesterday at the YWCA.

As a result of such calls to doctors' offices, private agencies and hospitals in the District, "we are going to help start a referral system to counsel and to answer questions for callers."

"A lot of people don't understand that the law is no good if the hospitals are not willing to take responsibility. We have that problem here, although I think that D.C. General will be taking more responsibility in the future," she said.

The situation at present, she went on, is that therapeutic abortion is available "for people who can pay for it" but less available to people who cannot.

On the matter of planned parenthood education, Mrs. Schumacher explained that many different agencies are now tackling birth control—the Health Dept., D.C. General and private clinics all have birth control counseling programs.

The free clinics in the Georgetown and Anacostia areas find that 50 percent of their patients require pregnancy, abortion or birth control information. Comprehensive health care services in Shaw, Cardozo and an intensive family planning unit at Howard University are being developed.

In order to ensure coordination, she said, the Interagency Committee on Birth Control will be enlarged to include new family planning units, with a possibility of OEO financing.

William H. Greer, who was re-elected president of the Planned Parenthood organization for another year, spoke of the need for members "to evangelize" on the population crisis.

Dr. Charles Townsend, medical director of the Association, described how "pill" patients are being carefully watched, following controversy about the pill.

"We are concerned about safety of the pill's side effects. But it is 14 times safer to take the pill than have a therapeutic abortion." Young people wrongly assume that in the future, abortion will be the major birth control method, he added.

[From the Washington Evening Star, May 19, 1970]

#### MARYLAND ACTS TO HELP NEEDY GET ABORTIONS

(By Martha Angle)

ANNAPOLIS.—Maryland's secretary of health has announced steps to make therapeutic abortions more readily available to women of "limited economic circumstances."

Dr. Neil Solomon outlined the new program in a letter to Gov. Marvin Mandel, who still is trying to decide whether to sign or veto a controversial bill repealing Maryland's present abortion law.

The program unveiled by Solomon will become effective July 1, regardless of whether the existing law is repealed.

Actually, the action by the secretary of health appears to give Mandel extra incentive to veto the touchy repeal measure since it removes one significant argument in favor of eliminating the present law.



Many doctors who testified before the General Assembly in support of striking all laws on abortion off the books said such a repeal would make abortion equally available to rich and poor women.

Under existing law, an abortion may be performed to protect the physical or mental health of the mother. Most women of means who want an abortion can find—and pay for—a psychiatrist who will certify that the operation should be performed.

But for low-income women, abortions are much more difficult to obtain under the existing law. It is this inequity which Solomon is seeking to overcome.

The secretary of health said he asked staff members to study Maryland's present abortion procedures to determine "whether this type of medical service is available to all of our citizens regardless of their financial circumstances."

The study indicated "a need for improved services to those women of limited economic circumstances who have a significant reason for an abortion," Solomon reported to Mandel.

Therefore, Solomon said, the health department's maternity service will offer counseling to all women in the early stages of pregnancy who seek abortions because of "grave emotional reasons."

In addition to the counseling, women seeking abortions for mental health reasons will be provided psychiatric examinations. When the psychiatrist recommends that the pregnancy be terminated, the maternity hygiene staff will make the necessary arrangements.

Solomon said funds for the new service will be available from medicaid, federal family planning funds, special funds amounting to \$50,000 for "high risk" maternity patients and transfers from other health categories if necessary.

Mandel is expected to act within a week or so on the abortion legislation, which he has put aside in order to deal with disturbances at the University of Maryland.

[From the Washington Evening Star, May 2, 1970]

#### THE RIGHT OF ABORTION

At the point of its hearings next fall on the constitutionality of the District's contested abortion law, the Supreme Court will have the best opportunity presented thus far to dispel the vast fog of confusion surrounding this emotionally explosive subject and to advance the concept of abortion as a basic human right. We hope that opportunity is seized.

Whether it will be is by no means certain. The Gesell ruling of last November nullified the District of Columbia statute as being unconstitutionally vague in a single instance. In agreeing to hear arguments on appeal, the Supreme Court first will first decide whether this case is properly within its jurisdiction at this point. Only if that procedural hurdle is affirmatively crossed will the court proceed to the merits of the question. And in that event its findings may be applied narrowly, or broadly enough to have a major impact on state laws throughout the nation.

It is our belief that the public interest argues persuasively for the latter course. We have previously expressed the view that abortion should not essentially be considered a legal issue, but a moral question which properly should be left to the discretion of individuals in the hands of competent licensed physicians. We continue to believe so. And in that regard, the results of a recent membership poll conducted by the D.C. Medical Society deserve more weight and public understanding than they have received.

In brief, the doctors were asked whether

they favor the society's present policies on abortions—also endorsed by the American Medical Association. Rather surprisingly, more than 75 percent of those responding favored a greatly liberalized alternative which would condone "therapeutic" abortions performed (1) by a licensed physician (2) in an accredited hospital (3) with the concurrence of one other qualified physician who has examined the patient. Abortions could be performed for purely "psychiatric indications" only during the first 20 weeks of pregnancy. But beyond that, under this proposal, the question of an abortion would be "left entirely to the discretion of the physician involved. The same physician-patient relationship should exist as in any other medical problem."

The type of safeguards endorsed by a majority of Washington's doctors would not resolve, as of course no procedures could, the difficult moral and religious elements of the abortion controversy. But neither do they presume any element of coercion against any individual—patient or doctor—who objects to abortion on those grounds. They would merely grant, and properly so, the same right of moral choice to those persons who do not have such objections.

[From the Washington Sunday Star, Apr. 26, 1970]

#### MARSHALL TIGHTENS POLICY ON AID TO UNWED MOTHERS (By Thomas Love)

Unless mothers of illegitimate children attend birth control clinics, their applications for welfare aid to dependent children will no longer receive necessary processing by the Prince Georges County state's attorney.

The new policy was announced by State's Atty. Arthur A. Marshall in a letter to the director of the county Department of Social Services. Whether the new policy would actually prevent the mothers from obtaining assistance was not clear however.

"I am sure you will understand the position of my office in not wanting to continue in these welfare handouts without knowing that some effort is being taken on a most limited scale to remedy what has become a most serious community problem," he said.

#### SAME THREAT IN 1967

Marshall made the same threat in 1967, but said Friday that he revoked the policy after birth control information was made available to the mothers.

His new stand, however, is that the women must attend the clinics—not just that they be informed of the availability of birth control information.

In discussing his new policy, Marshall said that present welfare policies of providing support to mothers and illegitimate children "encourages illegitimacy."

"This is a real social problem," he continued. "It is a never-ending cycle" of the children in turn mothering more illegitimate children.

"Anyone with money can get birth control pills," he said. "They give them out to coeds at the University of Maryland." Welfare mothers should be able to get them too, he added.

"With seven children of my own, I'm tired of supporting other peoples' through welfare," Marshall said.

Marshall decided to change his office's policy when the mother of eight illegitimate children appeared with her 16-year-old unmarried daughter who was pregnant with her second child.

The state's attorney is involved in the welfare application because mothers must provide information for any appropriate legal action to force the fathers to support their children.

#### FUNDS ARE RETURNED

"During the past year," he wrote, "our office instituted legal proceedings on behalf of applicants for assistance which resulted in our being able to return to the State of Maryland \$1,113,417.91 of which \$136,802.17 was a result of paternity proceedings alone."

Under the new procedure, he said, suits will still be filed, but members of his office will not sign a form attesting to the action.

Virgil R. Hampton, director of the Department of Social Services, said Friday that he didn't know what results the new policy would have.

The only purpose of the signature, he explained, is to prove that the mother went to the state's attorney as provided by law to attempt to get the father to pay support.

#### MEETING PROPOSED

Some other method might be devised to prove this, he suggested.

However, Hampton said, he would have to discuss the matter with Marshall prior to proposing an alternative. It would be at least a week before the discussion could be arranged, he said.

It was his opinion, however, that Marshall could not legally require a mother to attend a birth control clinic.

#### TRIBUTE TO WALTER REUTHER

#### HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1970

Mr. MURPHY of Illinois, Mr. Speaker, it is with great sadness that I join with my colleagues in paying respect and tribute to the memory of Walter Reuther, president of the United Auto Workers, one of the outstanding leaders in the history of the labor movement and a great American.

It was my pleasure to know and work with Mr. Reuther in the early 1940's during a strike against the International Harvester's farm implement plant in Chicago by its employees, who were supported in their efforts by the United Auto Workers Union. Mr. Reuther was vice president of the Auto Workers and I, chairman of the Committee on Labor-Management of the Chicago City Council, was requested to intervene and mediate the dispute.

Throughout the years of my friendship with him I found him to be a bold, imaginative leader, a skilled practitioner of the art of collective bargaining and a man profoundly committed to improving the lot of the workingman. Throughout his career, his ideals, integrity, and ability earned the respect of all including those who disagreed with his views.

His tragic and unfortunate death deprived organized labor of one of its most effective and articulate spokesmen. Not only has the United Auto Workers suffered the grievous loss of its president, but the entire Nation is poorer by the passing of this dynamic and courageous leader. Mrs. Murphy joins with me in extending our deepest sympathy to his daughters, Linda and Lisa, to his brother, Victor and to the membership of the United Auto Workers on their loss.

## MEMORIAL DAY

## HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. BRAY. Mr. Speaker, the historian Will Durant has pointed out that, of almost 3,300 years of written, recorded history, less than 300 have been totally free of war and conflict. No one can reflect on this grim and tragic statistic with a feeling other than that of sadness. So has it been, always: in Matthew 24: 6, it is written "Ye shall hear of war and rumors of wars," and Plato wrote in the fourth century B.C. that "Only the dead have seen the end of war." Men pray for the end of war, but it often seems that the prayers must be eternally offered at the graves of those who have fallen.

This truth was told by Herodotus, in the fifth century, B.C. "In peace, sons bury their fathers; in war, fathers bury their sons." Probably nowhere else in the English language is this so movingly described than in the last scene of Shakespeare's *Macbeth*:

Your son, my lord, has paid a soldier's debt: He only liv'd but 'til he was a man; The which no sooner had his prowess confirm'd

In the unshrinking station where he fought, But like a man he died.

Then he is dead?

Ay, and brought off the field: your cause of sorrow

Must not be measur'd by his worth, for then It hath no end.

Had he his hurts before?

Ay, on the front.

Why, then, God's soldier be he!

Had I as many sons as I have hairs, I would not wish them to a fairer death:

And, so his knell is knoll'd. . . . They say he parted well, and paid his score: And so, God be with him! . . .

It is only natural for man to cry out against what seems senseless tragedy; against a terrible thing, this one of the dread Four Horsemen of the Apocalypse, the ghostly, fearful rider who wheels and curves across the pages of history. But we cry out; this is what separates us from beasts; this is what makes us men; this is what gives us hope. Yes, we cry out, as did the dying King Arthur in Tennyson's *Idylls of the King*; from "The Passing of Arthur":

Oh me! for why is all around us here As if some lesser god had shaped the world But had not force to shape it as he would, 'Til the high God behold it from beyond And enter it, and make it beautiful? Or else as if the world were wholly fair, But that these eyes of men are dense and dim And have not power to see it as it is; Perchance, because we see not to the close.

And let us never, in our agony or our grief over the trials and tribulations of our existence, which is admittedly much less than perfect in spite of all our centuries of striving to make it otherwise, let us never forget those who have fallen in this strife.

For memory serves a high and noble function, not only to those whom we recall, not only to the deeds they performed, not only to the cause for which they died, but also for us, the living. In

the first century, A.D., Plutarch wrote that:

Memory is for us the hearing of deeds to which we are deaf and the seeing of things to which we are blind.

At another point, he said:

Memory: what wonders it performs in preserving and guarding the past!

What a fitting injunction this is for us today, for Memorial Day, and for every other day of the year. Hear the deeds to which we are deaf; see the things to which we are blind, and preserve and guard our past. All the more so, today, as there are forces who would stop our ears, as they have stopped their own; who would blind our eyes, as they have willfully closed theirs; who would defame and destroy our past and cause us to lose faith in ourselves.

We cannot afford to either lose or keep faith. For those we honor today, it is written in the Apocrypha, *Ecclesiasticus* 44: 8-14, that:

There be of them that have left a name behind them. And some there be which have no memorial . . . Their bodies are buried in peace; but their name liveth forevermore.

"Their name liveth forevermore." The phrase has rung out through all of recorded history. Almost as if it were an integral, basic facet of the soul of any soldier's debt to their mother country have still lived on. One of the earliest distinctions given to the fallen of which we have record was after the Battle of Marathon, in 490 B.C. It was the custom of Athens, as a rule, to bury the bones of those killed in battle in a public sepulchre in the suburb of Athens called *Cerameicus*. But after Marathon, as a special distinction, the funeral honours were rendered right on the spot, and a monument was erected that endured for almost seven hundred years afterward.

A curious historical footnote, here: at the battle, the Athenians were joined by a small force of about 1,000 men, from the small state of Plataea, which Athens had once assisted when it was threatened by Thebes. They suffered heavily, for their numbers; they, too, were buried at Marathon, in a separate mound, and although the grave of the Athenian dead has not yet been located, that of the Plateaans was discovered by archaeologists a few short weeks ago.

And, probably the most famous funeral oration ever delivered over fallen warriors was that of Pericles, of Athens, a few short years after Marathon, in honor of the Athenian dead of the first year of the Peloponnesian War. Part of it is worth repeating here:

The sacrifice which they collectively made was individually repaid to them; for they received again each one for himself a praise which grows not old, and the noblest of all sepulchres—I speak not of that in which their remains are laid, but of that in which their glory survives, and is proclaimed always and on every fitting occasion both in word and deed. For the whole earth is the sepulchre of famous men; not only are they commemorated by columns and inscriptions in their own country, but in foreign lands there dwells also an unwritten memorial of them, graven not on stone but in the hearts of men.

There survive, today, in Memorial Day ceremonies, two rituals so ancient that their roots probably go back to the dim-

mest, early mists of time. Firing three volleys over the graves; and the playing of "Taps"—familiar to us all, yet we do not realize how these parts of the ceremony link us with our ancestors of uncounted centuries ago.

"Taps"—that most haunting, incredibly sad and melancholy of all bugle calls, probably has its origin with the same form of martial bugle or trumpet sound going back to, and beyond, the trumpets of Joshua before the walls of Jericho. But let us turn, for the historical, semimythological background to these parts of the ceremony, to an explanation written by Pvt. Stephen Graham, a member of the British Guards' Regiment, who wrote on their significance in the years before the American Revolution. The "Last Post" mentioned is the British Army's equivalent of "Taps."

The three volleys fired into the air are fired at imaginary devils which might get into men's hearts at such a moment as the burial of a comrade-in-arms. An old superstition has it that the doors of men's hearts stand ajar at such times and devils might easily get in.

The Last Post is the *Nunc Dimittis* (contraction for the phrase "Lord, now lettest thy servant depart in peace") of the dead soldier. It is the last bugle call . . . but it gives promise of reveille . . . of the greatest reveille which ultimately the Archangel Gabriel will blow.

But, as we give our dead these honors, let us remember that Abraham Lincoln cautioned us, at Gettysburg, that we cannot hope to add to the honor they have already won for themselves:

But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract.

Rather, he called upon his fellow Americans then, and let his words reach out across a century to us, today, that:

It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth.

"The last full measure of devotion;" that wonderfully expressive phrase that contains within it, more than volumes ever could, the spirit that moved them. Perhaps they knew—at least, some of them did—what the British poet Allen Seeger so movingly put into verse during World War I:

I have a rendezvous with Death, at some disputed barricade,  
When Spring comes back with rustling shade, and apple blossoms fill the air.

but they went on and beside them stood, at their shoulder, the figure of Horatius, at the Tiber Bridge, guarding the passage to Rome:

And out spake brave Horatius, the Captain of the Gate:

"To every man upon this earth, death cometh, soon or late.

Then how can man die better, than facing fearful odds,

For the ashes of his fathers, or the temples of his gods?"



Or the spirit contained in what must surely be the most dramatic, thrilling, yet simple exhortation to battle I have ever read in my life:

This is a good day to die! Follow me!

The leader? Low Dog, war chief of the Oglala Sioux. The date and place? Little Bighorn River, Mont., June 25, 1876. Custer and the 7th Cavalry were less than 90 minutes from the end of their existence.

These things are cited and quoted not to glorify war, as there is no glorification to what all rational, sane men know is essentially a vicious, brutal, bloody, heartless, and cruel pursuit. But we have wars with us—and, wrenchingly tragic though the thought may be, we probably shall for the foreseeable future to come, as long as the thought of aggression and conquest and enslavement exist in the breast of one man, and, in counterpoint, as long as the thoughts of peace, liberty, freedom and security exist in the breast of another.

They are mentioned, rather, to remind all of us that Memorial Day is not only to pay homage to the men who died, but to take anew a look at what they died for, and what their deaths achieved. Oh, to be sure, it is easy to look at the world about us, and to cry despairingly "They died in vain."

Did they? Did the Greeks who died on the Plains of Marathon realize, in the last moment of life before they went down beneath Persian spears or swords, that their death, and the Athenian victory, in the words of Sir Edward Creasy, would mean:

It secured for mankind the intellectual treasures of Athens, the growth of free institutions, the liberal enlightenment of the western world and the gradual ascendancy for many ages of the great principles of European civilization.

When Charles Martel, the Hammering Frank, led his heavy cavalry thundering into the Saracen lines at Tours, in 732 A.D., could he or his men foresee, again in Creasy's words, that it would be:

A decisive check to the career of Arab conquest in western Europe, rescued Christendom from Islam, preserved the relics of ancient and the germs of modern civilization . . . Christendom, though disunited, was safe. The progress of civilization, and the development of the nationalities and governments of modern Europe, from that time forth, went forward in not interrupted, but ultimately, certain career.

And what is said today about the American victory over British General Burgoyne, at Saratoga, in 1777? Again, Creasy:

Nor can any military event be said to have exercised more important influence on the future fortunes of mankind than the complete defeat of Burgoyne's expedition; a defeat which rescued the revolted colonists from certain subjection and which, inducing the course of France and Spain to attack England in their behalf, ensured the independence of the United States and the formation of that trans-Atlantic power which, not only America, but both Europe and Asia, now see and feel.

If Meade had lost at Gettysburg? England was ready to recognize the Confederacy; a Union defeat would very prob-

ably have meant just that, with a forever-fragmented American continent. And can anyone doubt the necessity of paying the high price in lives for the defeat of Germany and Japan in World War II?

A soldier's death is vain only if, and when, that for which he died is betrayed by those, the living, for whom he died. For the time came to the man to choose; he made the choice and by so doing he gave us an option to retain that for which he fell, or to pay false to the sacrifice he made:

Here dead lie we because we did not choose To live and shame the land from which we sprung;

Life, to be sure, is nothing much to lose; But young men think it is, and we were young.

For them, the time had come, as Robert Ingersoll said in 1882:

When the will defies fear, when duty throws the gauntlet down to fate, when honor scorns to compromise with death—this is heroism.

And now these waiting dreams are satisfied; From twilight to the halls of dawn he went; His lance is broken, but he lies content With that high hour, in which he lived and died.

And falling thus, he wants no recompense, Who found his battle in the last resort; Nor needs he any hearse to bear him hence, Who goes to join the men of Agincourt.

As they died with courage, as they lived—and died—with honor, so, then, let us, who live in the blessing of liberty that their sacrifice made possible, vow here again today to rededicate ourselves to that same courage, that same honor, that they bore so nobly and well. And let us always remember that, for each and every one:

They say he parted well, and paid his score: And so, God be with him!

With them all, with us, now and for all time, so that we may never forget.

#### OUTSTANDING CITIZEN

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. EDWARDS of California. Mr. Speaker, it is my pleasure to note here that John J. Espinoza of Morgan Hill has been chosen to receive the Outstanding Citizen of the Year Award for his long and devoted work with the young people of his community. A native of San Francisco, Mr. Espinoza joined the Marine Corps in 1947 at the age of 17 and was discharged in 1951 with the rate of sergeant after serving in China and the South Pacific. A father of six children, he has devoted more than a decade of volunteer work to the youth of the community, primarily through the Boy Scouts. He has been scoutmaster of troop 799 in Morgan Hill since 1965. He was cub leader and scoutmaster of troop 299 before that. He is also a member of the South Santa Clara County Association for the Retarded and a member of the committee to select an advisory board

for the county's mental health program. It is people like Mr. Espinoza, giving quietly and selflessly of their time and energy in such worthwhile pursuits, that make up the backbone of community in America. I congratulate him on this greatly deserved recognition.

#### STUDENT SURVEY FINDS TV UNFAIR TO STUDENTS

### HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. MORTON. Mr. Speaker, a group of students at Washington College in Chestertown, Md., decided to take it upon themselves to discover exactly how much and what kind of violence was occurring on 21 of Maryland's college campuses following the Cambodia move and tragedy at Kent State. The results indicated that there was little violence. The complaint of the Washington College students was that the television coverage of campus activities centered on that little violence and disregarded the legitimate and constructive student activities.

I call your attention to the results of the survey which was released by the Student Government Association of Washington College. I have also inserted the questions which were used in conducting the survey. Gentlemen, I think the results are worthy of your attention:

#### SURVEY RESULTS

A committee appointed by the President of the Student Government Association at Washington College has conducted a survey to determine if recent T.V. coverage of campus activities in Maryland has been unfair to students by overstressing violence. Officials of twenty-three of Maryland's four-year colleges and universities were polled yesterday by telephone.

According to Washington College student Louis Reedt, chairman of the survey committee, "Information obtained from college administrators around the state clearly shows that the press is creating a distorted picture of what has happened on Maryland campuses since we learned about U.S. forces moving into Cambodia and the deaths at Kent State University."

It was found that some type of group action has occurred on 21 of these campuses. Only one of these colleges reported destruction of buildings and injuries to people while one other reported a possible attempt to do damage to a building. All told less than one-tenth of the institutions had any known violence or threats of violence and less than one-twentieth of the over 68,000 students in these colleges were involved in any form of violence. On the other hand, all 21 of the campuses had concerned and non-violent activities and most reported a goodly number of such actions. For instance, 13 seminars or lectures were reported, 8 colleges had letter writing campaigns and several had such things as memorial services and visits to congressmen.

The following colleges and universities in Maryland were polled: University of Maryland, College Park campus, Johns Hopkins University, Hood College, Mount St. Mary's College, Western Maryland College, Washington College, Anne Arundel Community College, St. Mary's College of Maryland, St. Joseph's College, Peabody Conserva-

tory, Loyola College, Mount St. Agnes College, Essex Community College, Coppin State College, Salisbury State College, Frostburg State College, Baltimore University, Prince Georges Community College, Towson State College, Goucher College, St. John's College, Bowie State College and Maryland State College.

But what has the T.V. coverage been like? A major official at one institution at which trouble occurred stated that the violence received constant T.V. coverage. The T.V. media also reviewed the incident at another college at which they thought that individuals (unknown) might attempt to damage a building. On the other hand, only one third of the 21 colleges that had nonviolent activities concerning the war had received coverage of these activities.

"We believe that these facts speak for themselves," Reedt said. "T.V. news broadcasts are listened to by large audiences and these audiences are getting a distorted view of college students. We believe that the vast majority of students are concerned citizens who are currently engaged in peaceful efforts to make their views known." He added, "Why must the press emphasize violence on our campuses. Don't they know that this engenders dislike and hatred of decent students? Why must they provide such a distorted and unfair view?"

"We plan to go to each major T.V. station in Baltimore and try to arrange an appointment with the Presidents of the stations in order to discuss our findings and our grievances."

#### NEWS COVERAGE QUESTIONNAIRE

I'm calling from Washington College in Chestertown, Maryland on behalf of a committee appointed by the President of the Student Government Association and endorsed by Dr. Daniel Z. Gibson, President of the College. We are concerned with fair press representation of campus activities regarding the war in Indochina and the deaths at Kent State University.

We feel that the press has overemphasized violence on campuses and underemphasized constructive nonviolent action either for or against the conflict in Indochina. We feel that this coverage gives the average college student an unjustified image, so we are conducting a survey to obtain factual information on the nature of recent campus activities.

I have some questions to ask you.

#### GROUP ACTION

1. Has there been any group action by people in your college community since Thursday, April 30th, related to either the Indochina conflict or the deaths at Kent State University? Would you please answer this with a yes or no.

2. If NO to No. 1 above. By no do you mean that there have not been any formal or informal group activities by administrators, faculty, or students regarding either the conflict in Indochina or the deaths at Kent State University since last Thursday?

#### VIOLENCE

If Yes to No. 1 above. We would like to ask you some questions on the nature of these activities. First I want to focus on whether any violence has occurred.

1. Has there been any violence on your campus since April 30th that could be attributed to feelings about the war or the deaths at Kent State University? Would you answer this question by yes or no please?

2. If Yes. Can you tell me approximately how many college community people were involved in the violence, and can you also tell me how many of these people were physically injured?

People involved \_\_\_\_\_  
People injured \_\_\_\_\_

#### NONVIOLENT ACTIVITIES

Now I want to focus on any nonviolent activities which may have occurred.

1. Have there been any organized nonviolent activities since April 30th by groups from the college community? Answer yes or no please.

2. If YES. Can you describe in a sentence or so each of the nonviolent group activities that have occurred since last Thursday?

For instance, have there been any forums speakers, letter writing campaigns or visits to government officials?

(Write nature of comments and inquire as to an estimate of the number or people involved in each.)

#### PRESS COVERAGE

Finally we want to inquire about the press coverage on these activities on your campus since April 30th.

1. Have you had any T.V. coverage of activities? Answer yes or no please.

2. Has the T.V. coverage reviewed at all the constructive activities that have occurred? Answer yes or no please. How many times?

3. Has the T.V. coverage reviewed at all the destructive activities that have occurred? Answer yes or no please. How many times?

4. Have you had any newspaper coverage of activities? Answer yes or no.

5. Has the newspaper coverage reviewed any of the constructive activities that have occurred? Answer yes or no. How many times?

6. Has the newspaper coverage reviewed any of the destructive activities that have occurred. Answer yes or no. How many times?

#### THE VOICE I HEAR FROM VIETNAM

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. RARICK. Mr. Speaker, I include a poem by the Reverend Cornelius Vanderbreggen, Jr., a Christian missionary in Holland and former U.S. Marine Corps officer, as follows:

#### THE VOICE I HEAR FROM VIET NAM

You said you sent me here to fight. That is a lie!

I answered duty's call and came. I soon may die

Because of your absurd decree, "You may not win!"

You call it "building bridges" or "restraint." I call it sin!

You spend our country's sons in vain. I see them fall.

Each day by scores they're killed or maimed. That is not all.

At home their dads and mothers stunned, bow low in grief.

From all this senseless, needless loss comes no relief;

No orders from headquarters, "Rise and fight!"

How this has caused me many a tortured day And sleepless night!

But now the explanation's clear, solved is my plight!

While held your slave on Asian soil I've seen the light!

No longer need I seek the answer. Now I know,

As shackled here I wait for death. You are my foe!

You who pretend to lead the brave and free, But won't resist our godless enemy!

You who possess the suave and pious gall To mourn the foes of freedom when they fall!

You who stand idly by while anarchy Burns down the land God gave to you and me!

You are my foe! In heav'n I have a Friend: I pray to him to make a speedy end To all your treason dark. He has the pow'r To sweep away both it and you in one brief hour!

But, ah, I know He rather would forgive Your folly and your guilt and let you live, He will, if you will turn to Him, the true, The one, the living God Who died for you, Who on a cross bore all your sin and blame, Whose blood can wash away your awful shame.

And I! My heart knows perfect peace! I soon may die.

If so, I'll be with Jesus Christ up there on high.

Rejoicing in the grace and love that He doth show

His own, and knowing there that when I lived on earth below

Not I my land's blest heritage did e'er betray, Not I for Anti-Christ's vile rule did pave the way,

But like our noblest patriots I gladly died For freedom's persecuted cause, which you've denied.

CORNELIUS VANDERBREGGEN, JR.

#### ARBITRARY DETENTION AND ITS IMPLICATIONS

### HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. REID of New York. Mr. Speaker, recently in South Africa there has been a renewed outcry against the Terrorism Act of 1967 which permits indefinite detention of political prisoners, without trial, without recourse to the courts, and without access to anyone but Government officials.

Legislation such as the Terrorism Act offends the basic principles of Western justice and due process and seeks to make police officers higher authorities than courts of law. It represents in clearest form the erosion of the rule of law in South Africa.

Joel Carlson is a South African attorney who has been one of the outspoken opponents of repression and injustice in his country, often at great personal risk and inconvenience. He has defended many Africans detained under the law and his own passport was revoked for his actions and speeches. On April 20, he addressed a gathering at the University of Witwatersrand in Johannesburg on "Arbitrary Detention and its Implications." I believe that this penetrating and incisive analysis of the detention provisions of the Terrorism Act will be of interest to Members, and I am inserting Mr. Carlson's speech in the RECORD at this point.

#### ARBITRARY DETENTION AND ITS IMPLICATIONS

(An address by Joel Carlson, Esq.)

Mr. Chairman, Ladies and Gentlemen, Fellow students and informers—the paid professionals, the part-timers and those who act in a fit of pique and run to the police with these stories.

Firstly, let me say how honoured I am to be asked by the Students' Representative Council of this University to speak to you today. So in this small way, I am associated with the many great thinkers, leaders and fighters this University has produced. I mention only a few: Hofmeyer, Schreiner, Mandela, Sobukwe and Macrone. I am proud to be part of this great University which itself



has struggled against great odds to fight for and keep what little freedom remains. The people of this University have remained alert, alive and active especially since 11 years ago the right of academic freedom was lost. The University never failed to protest against the actions taken against it. Its courage and persistence and its voice of protest, heard clearly and loudly in the University and far beyond, gives hope to all the people in South Africa that the struggle for a freer society is not yet lost: a society where people will be free to learn what they want to learn in pursuit of the truth, free to move about without restriction, and be free of fear of arbitrary police action, and even free one day to enjoy all the fundamental freedoms outlined in the Declaration of Human Rights.

When I was a student here, about a quarter of a century ago, I was taught that a fundamental understanding of South African affairs could only be gained by studying Black/White relations. This, of course, was true and is still true today.

But as a student I spent most of my time out of classrooms, happily and leisurely mixing with all the people who were then allowed to come to this University and we relaxed as friends and talked and thought and acted together as equals.

Then I joined the Government Service and worked in those Courts concerned solely with applying the laws affecting Africans. We worked six days a week and for the first time the reality of Black/White relations shocked me into a realization of the truth. I did not read books and listen to words. I saw people—grandfathers and grandmothers, husbands and wives, young men and women and some children, mothers carrying babies on their backs feeding them and struggling to keep them clean in custody without nappies and with primitive toilet facilities. These were not superfluous appendages, or labour units, whether productive or unproductive but human beings imprisoned, punished and suffering as the laws of the country, the Pass Laws, were enforced.

The Pass Laws are the greatest single cause of disruption of race relations in our society creating more hatred and fear, sowing more suspicion and causing more insecurity than any other single cause of injustice in South Africa. The Pass Laws are a cancerous growth, causing the depersonalisation of human beings, and degrading not only the persons suffering under them, but also those enforcing them.

It is because of these laws that we are able to pass and enforce all the other unjust laws; laws which we would not pass in Parliament or apply in practice if we considered the voteless, voiceless persons to whom they apply as human beings. The laws do not apply "to us", they only apply "to them".

How false is the cry of complaint now heard from those politicians who in Parliament voted to give the Security Police the extraordinary powers they exercise. These people did not complain when these laws were applied to "others." Now that these arbitrary laws are applied to themselves, they squeal in dismay. These are stupid men who do not appreciate that laws conferring arbitrary powers on the executive are arbitrarily applied by those in power. They are ignorant of the age old concepts learnt and stated long ago. Aristotle said: "The Rule of Law is preferable to that of any individual . . . He who bids the law rule may be deemed to bid God and reason alone rule, but he who bids a man rule adds an element of the beast; for desire is as a wild beast and passion perverts the minds of rulers, even when they are the best of men. The law is reason unaffected by desire." (Politics, III, 16)

This year, 1970, marks a hundred years of the application of the Pass Laws. They were first applied in the Transvaal Republic in

1870. How false were the promises made when the laws were introduced. It was said they were "for the protection of the Natives" entitling Natives to the "full protection of the law" and guaranteeing travel freely throughout the Republic, and being no more than an identification certificate. (Article 12—and quotation from the Hon. Justice F.E.T. Krause) In 1918 after 48 years of their application, Dr. D. F. Malan said: "I hope that more Natives become better educated . . . more civilized . . . so that it may be possible to remove the Pass Laws." He also promised to grant more and more exemptions. In 1942 Colonel Reitz, the Minister of Native Affairs, was suddenly appalled when he learnt that the previous year nearly 300,000 Africans had suffered under these laws. He said in Parliament: "I hope the conscience of the White man in South Africa will be awakened because this is an appalling indictment of our handling of the Native problem." He told the Senate he would recommend their abolition. Every Commission sitting from 1905 to 1948, recommended in strongly worded language their abolition but what happened? Some years back, only 750 people were arrested every day seven days a week—then the figure doubled; and a few years back it was only 1,500 people a day. Today, we are not sure of the figure but it is at least 2,500 people arrested every day. A parliamentarian in Parliament last year commented on the number of Africans arrested for pass offences and said that it had reached an appalling level, causing grievous human suffering—a heavy price to pay in pursuit of the unrealistic aim of apartheid. He quoted alleged contraventions of pass laws in 1967/68 as being 1,777,662. (R.D.M. 20/4/69—Mr. M. Mitchell). The average time for a case heard by a Court is 2 minutes and this has been demonstrated time and again.

From Pass Laws to arbitrary arrest and detention without trial, to practising sensory deprivation on persons held indefinitely in solitary confinement is but a stone's throw. The stones were thrown at Sharpeville ten years ago. Instead of a ripple on the water, the reaction was dramatic and violent. In a society practising racial discrimination as a way of life and a philosophy, and enforcing it in its law, the fear that one race might overtake the other controls the actions of the men in power who feel perpetually threatened. After Sharpeville the reaction was to deal with a violence threatened, by enacting even more violent laws.

Learning of the General Law Amendment Act of 1963 the Johannesburg Bar Council protested "at those provisions which in its view have as their consequence the virtual abrogation of the Rule of Law in South Africa". Assault upon assault on the Rule of Law was then made culminating in the Terrorism Act of 1967 and the Boss Act of 1969 (now under investigation).

The Bar of the City of New York, representing professional men in the greatest metropolitan complex in the world, saw fit to pass a Resolution condemning the Terrorism Act and the first trial under it.

"Resolved, that The Association of the Bar of the City of New York hereby records its deep concern and its protest over the actions of the Republic of South Africa in applying its own law and judicial process extra-territorially to inhabitants of South West Africa by prosecuting thirty-seven South West Africans under South Africa's Terrorism Act of 1967, in that:

1. The Terrorism Act of 1967 offends basic concepts of justice, due process, and the rule of law accepted by civilised nations and violates the Universal Declaration of Human Rights . . . ."

It then goes on to itemise specific reasons for its objections to the Act and its application (I've got the Resolution here) and finally resolved to call upon South African

jurists to join the New York Association and all others concerned with the Rule of Law to speak out and protest

Abhorrent features of the laws passed by Parliament and eroding the Rule of Law in South Africa have justified jurists here and everywhere in the world in claiming that in South Africa there has been virtual abrogation of the Rule of Law. The significant parts of our law on which such a claim can be based are these:

1. *Retrospective effect of legislation:* This means that crimes which were not crimes yesterday and acts which were lawful when they were committed and were therefore entitled to be committed are made crimes today and for this crime you may be hanged—The Terrorism Act. Similar provisions exist in the Suppression of Communism Act and General Law Amendment Act (sec. 23, Act 62 of 1966).

2. *The wide definition of offenses:* Certain statutes provide such wide definitions that they virtually enable the executive authority or the security police to act at their discretion and at their convenience. The Lord Chancellor of England, Lord Gardener, said the definition of "Communism": "If you were a Communist 40 years ago, you are a Communist today . . . Whether you are a Communist or not, you are a Communist if the State says so".

The *Criminal Law Amendment Act*, No. 8 of 1953, which provides penalties of three years and whipping for any offence (no matter how minor) "committed by way of protest or in support of any campaign . . . for the repeal or modification of any law".

The *Sabotage Act*, No. 76 of 1962 (sec. 21 (1) and (2)) states it is an offence punishable by hanging in contravention of "any law to enter upon any land or building to further or encourage the achievement of any political aim, including the bringing about of any social or economic change in the Republic".

The *Terrorism Act*, No. 83 of 1967, which provides definitions of terrorism so wide that they go far beyond what the Common Law considers as treason. It punishes by death an act which had or is likely to have had the result of embarrassing "the administration of the affairs of the State" or furthering or encouraging "the achievement of any political aim, including the bringing about of any social or economic change . . . in cooperation with or with the assistance of any foreign or international body or institution". The minimum punishment is five years imprisonment.

3. *Shifting the burden of proof:* The Criminal Law Amendment Act No. 8 of 1953 says simply: "An offence is presumed to have been committed as alleged if an accused acted at the same time and place and in company with two or more persons similarly charged". (Such as a protest) The punishment under this Act is five years and whipping. Numerous Acts such as the Sabotage Act and the Terrorism Act have shifted the burden of proof to make the accused guilty until he is proved innocent.

A renowned South African jurist summarised the position by saying:

"The onus is virtually on the accused to prove his innocence beyond a reasonable doubt". (Arthur Suzman, South Africa and the Rule of Law, S.A.L.J. II, August, 1968.)

4. *Double jeopardy:* After having been acquitted of the charges brought against you, sec. 5(h) of the Terrorism Act provides that you can be re-arrested and charged again. Also sec. 21(4)(g) of the General Law Amendment Act of 1962. Therefore, if an accused is found not guilty and is acquitted, that is not the end of the matter. This, of course, happened more recently when 22 accused held in detention without trial for 5½ months were brought to trial and were acquitted on 16th February, 1970 and immediately rearrested in Court and detained

under the Terrorism Act. Their future is not known and the Attorney-General admits to having no information about the matter. We do not know what will happen to them.

Having the privilege of a trial and being convicted and serving a sentence is not an end of the matter. You can still be arbitrarily further punished without any trial by being banned or banished, or house arrested or held in detention.

5. *Place of trial*: Although it is normal to try accused persons at the place where the crime was committed, a number of our laws provide that you may be tried anywhere, even if it's 2,000 miles away from the place of the crime or the place from which you come where your relatives and friends are and where your possible witnesses may be. (Here, if time permits, quote from speech of Herman Ja Toivo.)

6. *Detention and imprisonment for police interrogation: Proclamation 400 in the Transkei* was imposed in 1960 during the emergency. It has remained a permanent part of the law of the Transkei; it provides for indefinite detention without trial.

The 90-day clause provided for arrest and detention to question a detainee until he gives satisfactory answers to his police questioners. This was followed by the 180-day clause when the 90-day clause was suspended.

The Terrorism Act, sec. 6, provides for indefinite detention without trial. A man or woman may be detained indefinitely, held incommunicado, kept in solitary confinement and given no access to anyone but his interrogators. No Court can question the validity of any action taken, no wife, no lawyer, no Minister of Religion has any access to a detainee, but "if circumstances permit, he may be visited by a Magistrate once a fortnight".

"A person under this Act may thus simply vanish and no one be accorded any information as to his fate or whereabouts". (A. Suzman)

In the inquest proceedings held into the death of the detainee detained on 5th March, 1969 and who died on 10th March, 1969, the lawyers for the widow called the widow to give evidence in Court. This is how the record reads:

"Court: Is she the widow of the deceased?"

Yes.

"Court: Is there anything special in her heart she wants to tell the Court?"

Yes. My husband was arrested. After his arrest I received a message that he was dead. He was arrested on the 5th March—in the middle of the night. We were already asleep. My husband slept with me in the same room on one bed. I heard a knock on the window as well as on the door. I woke my husband.

My husband got up and went to the door of the room to open the door. I grabbed him and held him—I told him he must not open the door before he heard who was knocking on it. I then went to a window and drew the curtain—I saw a White man standing. A short thick set man. I asked "Who is it?" He replied: "It's the police". My husband opened the door and I stood behind him and I heard the voice of a man outside the door—I saw two hands appear and they grabbed my husband and the hands pulled him outside. Then I screamed—"

The widow then described in detail what went on during that short time she and her husband got dressed. Then the Record reads:—

"Court: Did they then take her husband away?"

My husband went to put on his shoes in the bedroom and they went with him.

"Court: Is that all she wants to tell the Court?"

I am not finished yet. I again went to stand by the window and looked outside. I saw three motor vehicles. There were two private cars and a pick-up van. The pick-up van was in the front and the two motor cars

behind it. My husband climbed into the middle car. They closed the door. All the vehicles rode off."

Then the widow told the Court how first some six or seven days later the police came to look for her husband's pass and to ask her for her husband's belt. She went on to say:—

"On Thursday I went to town. When I returned from town the neighbours told me that the police had been and that my husband was dead. As a result of this news, I was shocked and felt faint". (p. 287 onwards—Inquest James Lenkoe)

Time does not permit me to tell you more of this tragic and significant matter.

Prof. Arthur Larson of Duke University, a man who was one of Eisenhower's personal advisers, and who attended as observer at the terrorism trial in Pretoria for the Lutheran World Federation and the World Council of Churches, told the American Bar Association at Philadelphia in 1968:—

"If you pass a statute which gives the police and the executive authorities free rein to do almost anything they please in the way of violation of human rights, and then excuse this by saying that you will of course rely on the discretion of the authorities not to abuse this power, you have for all practical purposes thrown away law and substituted unlimited personal tyranny".

Another famous American jurist and judge of the Supreme Court, Mr. Justice Frankfurter, observed in a famous American case (McNabb v. United States (318 U.S. 332 at 347 1943)):

"The history of liberty has largely been the history of observance of procedural safeguards".

What does our law provide as safeguards of personal liberty? Has law been discarded and have we substituted unlimited personal tyranny? Again, we can examine the record of the inquest proceedings of the first detainee "who hanged himself". The record shows that he was arrested in Cape Town on 20th August, 1968. Evidence was given that he was found hanging in his prison cell in Pretoria on the night of September 4th/5th, 1968. According to the record, he was detained in solitary confinement in a cell 12' by 12' and in the cell there was a coco mat, about 1" thick, on which he slept on the cement floor (pages 94/5-103). There was no stool and no table in the cell. He was given nothing to read and no writing material and he spent 23 or 23½ hours a day alone in his cell doing nothing (Page 171/2). His food was mielje pap and meat (Page 175) (in this respect he was privileged as other prisoners did not receive meat (Page 172)). Another detainee alleged in the same proceedings that he only received bread and water (Pages 180/2).

This detainee "who hanged himself", the police said, was a key figure, a leader. He had been questioned many times but refused to answer questions or give information. The evidence given by his interrogators was that suddenly on the afternoon of the 4th of September he changed his mind and agreed to give a statement. The interrogators said: "Suddenly the man became a coward" (Page 75). The experience of these interrogators was, they said, that there was a sudden change and a brave man would become a coward. (Page 75 of the Record).

What is the effect of this detention and interrogation on people? This question was put to the Major in charge of the detainees being interrogated at Pretoria (at Page 163 of the Record): "Q. Would you agree with this then? . . . all the evidence indicates that a person during his period of solitary confinement should not be considered to be normal". A. I cannot deny it".

A study of the effects of solitary confinement was made, particularly by American psychologists and psychiatrists arising out

of the treatment of American prisoners in Korea.

It was found, and this is still true today, that individuals who spend even a short time in solitary confinement, even a few days, can suffer various bizarre experiences, distortion of motivation and affect a change in intellectual ability, and distorted social relationships.

"Sufficiently prolonged isolation from society or deprivation of sensory stimuli can produce mental abnormalities in the form of hallucinations, anxiety states, depression and paranoid symptoms. Conditions likely to induce these phenomena occur . . . in prisoners kept in solitary confinement . . ." (Ziskind 1958).

Confinement alone without any form of physical assault or torture, is an extremely severe form of treatment. It can be expected to produce dramatic changes. The type of change has been examined carefully and can actually be scheduled.

Initially on arrest, there is fear and uncertainty. After one to three days in detention, there is bewilderment and discouragement followed by over-alertness, expectancy, rejection of food and attempts at fraternization. From between three and ten days there is anxiety, sleeplessness, compliance, increasing loneliness, boredom, fatigue and weight loss. From ten days to three weeks, there is increasing dejection, repetitive acts, intense fatigue, constipation, craving for companionship, humiliation and loss of all self-respect. From three to six weeks, there is despair, inactivity, filth, soiling, mental dulling, loss of discrimination, muttering, weeping, need for companionship and the detainee is highly suggestible and easily grasps at any help. The American authors (Hinkle and Wolf, 1957) maintain that a typical subject would require twelve weeks (nearly 90 days) from time of first incarceration to final "confession". The distinction between truth and fiction cannot be demarcated. They said that skillful interrogators utilise the prisoner's need to talk and craving for human association by discussing with him apparently innocent details of his past life. This cements a bond of companionship between the two that can be one of the most effective tools of the interrogator.

On reading the record of the inquest where the interrogators were questioned on their method of interrogation, it is clear that these skills were effectively used by the interrogators on the detainees. The Chief Interrogation Officer of South Africa, Rhodesia and South West Africa, said during an interview with the Star—1969, "In many ways our methods are the same as the Communists, psychologically speaking, but for a different reason". The detainee is left to suffer the effects of his isolation and then questioned time and again (at Page 149 of the record). At the inquest the following question was put to the chief interrogating officer:

"What do you think he would have been brought up for on so many occasions?"

A. "For questioning".

Q. "To try and get him to talk?"

A. "Well, that's the reason why he was questioned . . .".

Q. "If a detainee, this man or any other, on being interrogated after he has been detained, says 'I am not under any circumstances prepared to give you any information whatsoever' do you leave him alone or do you take further steps?"

A. "Well, he's got to be asked again."

Q. "And again?"

A. "Yes".

Q. "And again?"

A. "Yes".

Q. "And again?"

A. "Yes".

Q. "And again?"

A. "Yes".

Q. "I see. The idea being to wear him down I suppose?"



A. "I make no comment."  
 Q. "Well what is the idea, you give me your comment?"

A. "Well, he is there to give information, that's why he is detained."

Q. "But he's already told you two or three times he won't talk?"

A. "Then he'll eventually let go."

Q. "But the idea is to keep on questioning him to see whether he will change his mind?"

A. "Yes".

And at Page 152 of that record this was said:

"You see, we are concerned in these proceedings with finding out what motivated the deceased in committing suicide, if he did commit suicide, and that is why I'm asking you these questions."

At Page 154/5, the following is said:

"Well then supposing you had a case of a suspect who was detained because you, the Police, genuinely believed that he could give certain information, and if in fact your belief was wrong and this man couldn't give information, would you keep on questioning him over and over again?"

A. "I would question him, yes."

Q. "You would, over and over again?"

A. "Yes".

Q. "That would be a dreadful thing to happen to a man wouldn't it, if in fact you were wrong?"

A. "Yes".

Q. "It would be. And all that that man would be able to see as far as his future is concerned would be an endless vista of imprisonment coupled with repeated questioning?"

A. "Yes".

It was submitted in that case that not only was there sensory deprivation but that there was evidence that the detainees were tortured, that they were stripped, made to do unusual exercises, blindfolded, electrically shocked and otherwise assaulted. It was said that there were 20 such witnesses who could be brought to Court to testify to such tortures. One witness was called and his evidence was recorded. Objection was then taken as to whether such evidence was relevant in investigating the cause of death of the detainee. At Page 291 the learned presiding officer said:

"At the last hearing Counsel intimated that he intended calling a number of witnesses, 90-day detainees, to testify that they were, putting it mildly, ill-treated by the Police; he intends asking the Court to come to the conclusion, as an irresistible inference, from that evidence, that the deceased committed suicide as a result of such treatment. . . ."

He went on to say:

"The question of relevancy of this evidence arises. We are not sitting here as a tribunal, investigating the general circumstances of detention of 90-day detainees—that is common cause."

And concluded:

"In the circumstances the evidence it is intended to call is not considered relevant. Counsel's request cannot be granted."

It was said that the inquest was not a trial but an enquiry under a specific Act for a specific purpose. However, before the evidence was ruled irrelevant, not only did one detainee give evidence under oath about this torture, but Counsel advised the Court and read into the record a summary of the evidence that would have been given had the Court permitted the witnesses to be called. The witnesses were ready and able to give such evidence and endure cross-examination.

That was the position in 1963. Has the position changed? On the 18th December 1969, a State witness was called to give evidence in the Supreme Court in Pretoria. She refused but said this to the Court under oath:

"I have been in solitary confinement for the past six months . . . I have slept on the floor . . . Although we should have half an hour's exercise every day, there were many times when we had no exercise at all . . ."

Q. "Could you tell his Lordship briefly under what circumstances you came to make the statement?"

A. "I was interrogated, I was forced to make certain admissions because I couldn't stand the strain of standing on my feet for hours and hours."

Q. "Can you estimate for His Lordship the approximate period that you were made to stand?"

A. "I lost track of time completely. It is difficult to say. My mind went completely blank at times . . . And as a result . . ."

Q. "Yes?"

A. "Also I was threatened with detention of my whole family."

Q. "Now, as a result of the prolonged period of standing, can you describe the particular events that took place and that affected you, to his Lordship?"

A. "My mind went completely blank and I went to sleep standing and I had a sort of a dream in which I was actually speaking to the officers who were interrogating me, in my sleep, and afterwards when I had sort of regained my senses, I was interrogated on this dream I had which was complete nonsense. It had absolutely nothing to do with any . . ." (Court intervenes)

By the Court:

"I am afraid I am not with you at the moment. You fell asleep standing and you had a dream?"

A. "My mind went blank, I had a sort of a dream."

Q. "You dreamt?"

A. "Yes, and in this dream I was speaking to the officer who was interrogating me."

Q. "Yes, and then?"

A. "And when I regained my senses I was interrogated on this dream."

Q. "Can you tell his Lordship if it is at all possible, by way of estimate or otherwise, how long this interrogation?"

Q. "The interrogation went on for five days without any sleep."

(Page 351 onwards of Record in State v. Ndou).

Where people simply vanish—where there is a virtual abrogation of the Rule of Law—inevitably, there is abuse and tyranny. In circumstances where the laws give such extraordinary powers to the police and the executive authorities and they can do almost anything, then indeed there is grave concern and good reason for alarm, when no less than 14 people have died while being detained without trial.

Seven of these, according to the findings of inquest Courts, were suicidal deaths. One detainee jumped from a 7th floor window of a room where he was being interrogated. Magistrates have on occasion expressed doubts on the cause of death. In some cases, the deaths are recorded as "due to natural causes"—these have included detainees who have died as a result of "falling in the shower", "falling down stairs", "slipping on a piece of soap". The records of all these deaths speak for themselves. Except in one case where the record merely reads:

"An unknown man died on an unknown date of cause unknown."

His death was disclosed without detail in Parliament.

Although solitary confinement is itself a punishment, again and again allegations have been made in Court that detainees have been tortured after their arrest and during their interrogation by the Security Police. Only a few cases are referred to here:

1. In the *State v. Tuhadeleni*, at Pages 599/600, such an allegation was made by Counsel but as it was not strictly relevant

to the issues before the Court, no enquiry was made into the allegation.

2. A 68-year old grandfather, *Gabriel Mbindi*, was detained in May, 1967. In December 1967, it was alleged in Court proceedings by numerous of the detainees who had come from South West Africa, that they had been cruelly and brutally assaulted, suspended from a height and electrically shocked by members of the Security Police and they said that Gabriel had told them that he was assaulted in a similar way. Two months after the proceedings were brought, Gabriel was released and filed an Affidavit concerning the allegations. Shortly before the case was to be heard in Court, the State paid R3,000.00 to avoid further costs of litigation but none of the allegations concerning assault were withdrawn and the State persisted in its denials of these allegations.

3. In 1966 *Stephanie Kemp* sued for alleged assault during interrogation. In an out-of-Court settlement, she was paid R1,000.00 by the State.

One cannot detail here all the information on the subject, but one must ask if procedural safeguards protecting liberty were wanted, why were they not written into the law? Perhaps one can only conclude with the principle of law that a man intends the natural and foreseeable consequences of his actions. Numerous requests to appoint a Commission of Enquiry into these alleged abuses of police power have been rejected although today Commissions of Enquiry have been appointed almost at the drop of a hat.

The lesson of the PASS LAWS was that people become unpeople. Detainees are not looked upon as people, as human beings, but as threats to peace and security and it would seem that there is no great concern for their treatment. But what are these threats to peace? What do the facts disclose?

1. In April 1968, scores of people were arrested in Victoria West. The most serious allegations were made against them. After ten had been convicted by the Magistrate in November, an appeal was lodged. The Judge President in acquitting all these people, severely criticised the Magistrate for accepting State evidence which was anything but convincing and for wrongly rejecting defence evidence (Page 65 R.R. Survey 1969).

2. 24 others accused from the same place charged with sabotage, were acquitted in September 1969, as the State had insufficient evidence. The Judge in condemning a Security Police spy, X54, said: "It made a person shudder to think that someone like X54 could be placed in a position where he had an interest in the arrest of members of the public".

It did not compensate the accused for all the losses and suffering they had sustained for 17 months.

3. Tribesmen from Hebron near Pretoria were arrested and detained in late 1968. Of the 11 arrested, two died (one slipped on soap and a doctor found the other to have "sjambok and other wounds of assault on him"). Three were released and six were charged under the Sabotage Act. The Judge in acquitting all of them commented on the poor material the State had to prove its case.

4. Also at the end of 1968, numerous tribesmen were arrested and when allegations of unlawful assaults were made implicating the police, the charges against them were withdrawn and they were detained under the Terrorism Act. In September 1969, ten were charged under the Terrorism Act but one died on the night before the trial (it was stated that his death was due to natural causes). Of the remaining nine, three were acquitted on all charges and six pleaded guilty to attempted murder, a simple common law crime for which they received an effective one year's imprisonment.

5. The most serious and important case brought under the Terrorism Act was the trial of the 37 South West Africans. They were arrested during 1966 and 1967. Ministers of the government disclosed that they were aware of certain violence planned (Rand Daily Mail 1/11/66)—they could well have been aware of this as a result of the very arrest and interrogation of these South West Africans. Nevertheless, on June 21st 1967, the Terrorism Act was promulgated. On June 22nd the Attorney-General announced that persons would be charged and five days later 37 South West Africans were charged. They were handed a foolscap typed book, 41 pages in length, listing offences going back as far as June, 1962. In view of the fact that they had already been arrested prior to the passing of the Act, one cannot understand why this Act was passed and needed to deal with the accused. Professor Larson pointed out:

"No one has attempted to deny the fact that this Act (the Terrorism Act) was specifically passed in order to prosecute these particular defendants—all of whose alleged offences were committed long before the bill was even introduced—the idea that an Act can be passed specifically in order to hang a man for his past conduct is so intensely repellent to elementary concepts of law, no amount of outside condemnation can add much to the self condemnation of the statute itself".

Could one have a stronger condemnation of a law? Can there have been any justification for such a law? Well, listen to the words of the Judge who presided in that very case. In announcing sentence, he said, and I quote:

"But in my opinion, all the accused, except Nos. 21, 22 and 23, are guilty of common law crimes apart from any earlier legislation that has made such action punishable."

Previously, he had underlined the fact that he regarded their crimes as common law crimes and ignored the terrorism charge. He said:

"I will . . . take into account the Common Law offences which the accused have been proved to have committed in the assessment of the appropriate sentence, although they were not so charged."

Concerning the extent of the threat of the actions of the accused, the Judge said they "were feeble and without the slightest hope of success." Therefore, when parliament considered and enacted the Terrorism Act in 1967, the Minister of Justice must have known he already had ample evidence to convict these defendants of Common Law crimes under laws already in existence. If the Terrorism Act was not required in order to deal with precisely those defendants against whom the Act was passed and whom the Government most widely billed as Terrorists, why was the Act necessary and why was it passed?

May one not, with reason, ask: Is the Act itself not an act of terror?

The rights of White and Black people today are sacrificed to a secret police force enjoying ever widening immunity from judicial restraint and enquiry.

These powers are given to the police and executive authorities not as temporary powers to meet a temporary emergency. These acts are now part of the permanent law in South Africa. They can be enforced and acted upon at the discretion or the whim of the police or the executive authorities.

"Under a system which renders any citizen liable to interrogation on the mere suspicion of a police officer, abuse and tyranny are inevitable."

"Where the jurisdiction of the Courts to enquire into the detention is completely ousted, the danger is extreme that a police officer will become a local tyrant, misusing his powers for political or personal ends, and that the way will be opened to blackmail and the evil of false informers."

(Johannesburg Bar Council, April 29th, 1963).

Detention without trial has been used time and again for persons convicted of common law crimes.

Today those political opponents on the right of the Government, who now fear that these arbitrary powers will be used against them, rightly express their fears. All of us have reason to fear the abrogation of the Rule of Law as this will result inevitably in totalitarianism.

My function hereto today is to assist you as far as I am able to in the search for the truth. I believe that one must work hard to ascertain the facts and to find the truth. If in this talk I have made you aware of some facts, I have achieved my objective. Furthermore, if I also provoke you into investigating further for yourselves, I have achieved more success than I could have hoped for and if you investigate for yourself, I submit to you that you, too, will be very disturbed by what you find.

You must determine what you can do. You can show others the truth and tell them what you have learned. You and all of you can and must take all lawful action of every kind to spread the truth and express your wholehearted condemnation of the evil that exists in South Africa. By your word and your action you must encourage others to join in unity with you to bring about whatever changes you lawfully can.

Should you fail to act or even refuse to act, your inaction and your silence is tantamount to condonation and approval and you make yourself a party to the wrongs perpetrated.

If you disapprove of the wrongs committed, then you must act . . . To vote against the Government takes but 5 minutes. To obtain and publish the truth takes longer. To organise protests, to join others and encourage all lawful protests using all the lawful means left to us, involves you and commits you to a hard and long struggle.

It is a struggle with which you may become impatient and it will require your dedication, a struggle in which you may not see results and you will require faith. Above all, you need courage and determination to go on.

But to know that such evil exists and to do nothing is soul destroying. Change will not come about by people wishing for it, but if we persist, with courage, we shall overcome.

SGT. KENNETH R. JONES, ARBUTUS,  
DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. LONG of Maryland. Mr. Speaker, Sgt. Kenneth R. Jones, a fine young man from Maryland, was recently killed in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

SGT. KENNETH R. JONES, ARBUTUS, DIES IN VIETNAM

First Sgt. Kenneth R. Jones, USMC, son of Mrs. Barbara R. Jones and the late Roland E. Jones, of Sulphur Springs Road, was killed on April 23 in Vietnam.

The Defense Department, in a telegram to Mrs. Jones, said Sgt. Jones sustained multiple shrapnel wounds from a hostile explosive device while on a river boat patrol.

Sgt. Jones whose wife, Ann Partridge Jones, lives in Beaufort, S.C., grew up in Arbutus.

He attended elementary school here and Catonsville Senior High School, leaving the latter school at age 17 to enlist on August 3, 1951 in the Marine Corps.

At the time of his death, he was serving his third tour of duty in Vietnam. He had been wounded during his first tour there.

Funeral services were held on Monday, May 4, in Beaufort. A brother, Lynn Jones Shriver, of Decatur, Ga., formerly of Arbutus, also survives.

HOW ABOUT MOM AND DAD?

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. SKUBITZ. Mr. Speaker, two of the outstanding editorial writers in my district have put into words what, in my humble opinion, is in the hearts and minds of many of the folks in my district. Specifically—is it not about time mom and dad did a little investigating on their own?

The Independence Daily Reporter editorial contains this food for thought:

With some schools shut down and students being given a choice of attending class or talking about the war in others, no wonder there's belief today education is on the downgrade and diplomas mean little. . . . Isn't it time mom and dad got into this act of protesting? Maybe they didn't rear their offspring correctly. But it isn't too late to try a salvage job, even if it means cleaning out the inadequates who have been entrusted with these institutions.

And the El Dorado Times reporting on an antiwar rally incident at the University of Kansas, which caused an estimated \$5,000 worth of damage, candidly states:

Isn't it about time that fathers and mothers of students around the state began asking their darlings in school just what they have to show for the hard-produced education dollars spent in their behalf?

I insert these two editorials in the RECORD and suggest it would be well worth the time of my colleagues to read them:

[From the Independence Daily Reporter, May 14, 1970]

HOW ABOUT MOM AND DAD?

It's an old rule, and a good one. If junior won't behave call in mom or dad, or both. So why don't our college and university administrators admit their failures and for one week bring parents of the students to the campus to see just what is going on?

Would Junior and little Jane, knowing their parents were nearby, stay out in the wee hours of the morning throwing rocks at campus buildings or burn down the student union their folks helped to pay for?

Would the college administrators and young professors mount their soapboxes, stir a crowd of students into frenzied destructiveness and threaten the Establishment if the taxpayers were there looking them in the eye?

Would an ROTC Review, where devoted patriotic students were to be honored for a full year's work, be called off just to satisfy a few if the mothers and fathers of the ROTC honorees were present for the awards ceremony?

Would a college president or chancellor allow the cancellation of a rule sending grades home to parents if he had to account for the action in a face to face meeting with the parents?



It's possible the entire campus, regardless of its size or location, would settle back to normal were parents brought into the picture in person.

Disregarding all titles, tenure or stature, if there's one need in these schools of higher learning today it's to explain once and for all to all those present, professors and students alike, these state schools belong to the taxpayers who built them and are now financing them.

If the governor, the board of regents, the chancellors or presidents can't operate these schools properly for the students who are really seeking an education, it's high time for a house cleaning.

The general public, mothers, fathers and all others—are fed up to here with the general climate in the upper educational field. All of us snickered at panty raids of past springs. But there are no snickers now. Property they helped bring about is being destroyed.

With some schools shut down and students being given a choice of attending class or talking about the war in others, no wonder there's belief today education is on the downgrade and college diplomas mean little.

What's being done about classwork and absenteeism for those who have regressed to their childhood ways of throwing rocks at windows, burning down buildings, going without baths, shying away from barbers, smoking pot and drinking beer?

Isn't it time mom and dad got into this act of protesting? Maybe they didn't rear their offspring correctly. But it isn't too late to try to salvage the job, even if it means cleaning out the inadequates who have been entrusted with these institutions.

[From the El Dorado Times, May 11, 1970]

#### JUST A "MINOR" INCIDENT

One of the "minor" incidents of Rebellion Week occurred last Wednesday evening at Kansas University's Military Science building. After an anti-war rally which attracted an estimated 800 persons, a smaller group of 200-300, evidently feeling the evening deserved another filip moved to the building described.

There they picked up stones wherever they could find them and hurled them through glass windows and doors. When the stores of ammunition grew low, they moved cement blocks from a building project nearby and indulged in the hard labor of breaking these up into sizes suitable for throwing. Cost of this spree was an estimated \$3,500 for the glass and another \$1,500 for the clean-up.

This was just an idle act of vandalism. The young toughs have the feeling they can do as they please on the Hill—and act accordingly. The Lawrence Journal-World reported that campus security men and officials in plain clothes circulated in the crowd. Lawrence police officers were not informed of this disgraceful happening apparently because "campus officials feared uniformed men might drastically escalate the situation."

There were cries of "burn the building" from members of this mob, but strangely enough the torch was not applied.

This ugly incident was added to the numerous others which have characterized the recent disorderliness and violence occurring in Lawrence. It indicates that the "turn the other cheek" policy toward student rioters has not accomplished its ends. The scheduled ROTC review has been called off which Governor Docking deprecates strongly. The final term of the University schedule has been grievously interrupted—if not altogether wiped out.

Isn't it about time that fathers and mothers of students around the state begin asking their darlings in school just what they have to show for the hard-produced education dollars spent in their behalf?

## FREIGHT FORWARDING A PICTURE OUT OF FOCUS

### HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. FRIEDEL. Mr. Speaker, the small businessman and the millions of citizens who depend on him for employment need immediate relief from the cost spiral in freight movements. Larger businesses, insofar as they require small shipment service, are likewise aware of this need.

The remarks of Commissioner John W. Bush, of the Interstate Commerce Commission, before the annual Washington meeting on May 13, of the Freight Forwarders Institute relate to the role of the regulated freight forwarder in contributing to the solution of existing small shipment problems.

I am the sponsor of a bill, H.R. 10293, and am convinced that it goes to the heart of the problem of generating healthy competition. For, like Commissioner Bush, I believe the picture of the freight forwarder today is, indeed, out of focus.

I insert Commissioner Bush's remarks at this point in the RECORD:

#### FREIGHT FORWARDING A PICTURE OUT OF FOCUS

I welcome this opportunity to meet with the members of the Freight Forwarders Institute. Instead of a formal speech I plan simply to make a few comments and observations and perhaps, if time permits, to exchange some points of view with you. I have entitled my remarks today very simply—"Freight Forwarding a Picture Out of Focus." This, I understand, is your annual Washington meeting, designed as much for the purpose of keeping your membership in touch with what is going on in Washington as for the transaction of industry business. It seems an appropriate time for such a meeting. Three days from now, on May 16, your regulatory statute, Part IV of the Interstate Commerce Act, will mark its 28th birth date. Possibly a little reflection on the history of that act and its impact on your industry would be in order.

I believe it is a good thing for the Commission and its key staff members to be acquainted with the people who manage the industries which the Commission regulates. Regulation, after all, is not a mechanical process. No computer has yet been devised to "provide for fair and impartial regulation of all modes of transportation", which is one of the aims of our national transportation policy. Regulation is administered by people and it involves informed judgment as well as expertise in the technicalities and intricacies of laws and rules and regulations. But also, informed judgment requires first-hand, working knowledge of how the many facets of the industry we regulate operate. This simply cannot be learned from reports, studies, records of cases, or other stacks of paper neatly arranged on an office desk.

I do not subscribe to that school of thought which holds that the regulators and the regulated should be isolated from each other. Some people may think it is possible that just and reasonable regulation could be formulated in an ivory tower, but it would be extremely difficult, and impractical, to try to understand and to come to grips with the problems of the transportation industries with nothing more to go on than what can be absorbed in a host of for-

mal proceedings. One picture is worth a thousand words!

It seems to me particularly important for those of us in the regulatory field to become better acquainted with the people who make up the freight forwarder industry; because your industry is, I believe, the least known and understood of the regulated common carrier industries. I do not say that in a disparaging sense nor do I suggest that the people who manage your Institute have been derelict in their duty to inform the public about the business of freight forwarding. But, I must say that yours is not the easiest of the transportation agencies to comprehend. I am sure your attorneys are fully attuned to having the question put to them by persons whom they have every right to expect should know the answer: "Now tell us, what is a freight forwarder?"

The people who sell your freight service to the shipping public probably do not encounter that question because they are dealing with the people who know what a freight forwarder is and what he does. But, when it comes to selling the idea that your industry has problems in other areas which need to be solved the matter is more complex.

Let me refer you to the definition of a freight forwarder as it appears in section 402(a)(5) of the Interstate Commerce Act. I doubt if the most astute of lawyers could read that definition for the first time and then tell anyone all that a freight forwarder is and does. Indeed, as all of you know, legal issues concerning the meaning and application of one or another of the provisions of the definition still arise after 28 years of regulation. The difficulty is that the definition does not conjure up a picture in the mind of the reader. It was not necessary for Congress to write a very detailed definition of a railroad, because the very term raises a picture of a locomotive and cars and tracks. The same is true of a truck or bus or steamship.

Freight forwarding is not so easily described or pictured. Freight forwarding is a service based upon a method of doing things. It is a very important method because it results in a rather pure form of coordination, but it is not self-defining. And although forwarders are almost as old as transportation itself the forwarding method is not yet as well understood as it ought to be. For one thing, it is a rather simple matter to imitate the forwarder method, and the industry does have its imitators. The basic ingredient of common carrier freight forwarding is the assumption of full responsibility to the person for whom goods are being carried in forwarder service.

If a person performing forwarder service claims not to be in the business for profit and disavows responsibility he can do exactly what a regulated forwarder does and yet escape regulation.

In some cases it has been found by the Commission and by the courts that some of these persons were not telling the truth when they said they did not make a profit and undertook to avoid the responsibility which regulation imposes upon common carrier forwarders.

Possibly because, in the language of the statutory definition, freight forwarders "utilize" other types of common carriers in the performance of their own coordinated and comprehensive service, there persists, even to this day, some confusion and misunderstanding about the true status of freight forwarders. I personally have no difficulty whatsoever in understanding that freight forwarders are common carriers in every sense of that term. But, I frequently hear it said that while freight forwarders are common carriers in relation to the public, they are shippers insofar as other carriers are concerned.

I find two things wrong with that statement. First, it is not a practical interpretation, and second, it does not have the significance which most of the people who make the statement attach to it. Let us examine the matter. The record shows that when freight forwarders were brought under regulation in 1942, the forwarding industry and the then young trucking industry had in effect one of the most extensive systems of through service based on contractual or joint arrangements between the two industries that had been developed up to that time. Under the scheme of regulation that Congress then adopted, joint rates between forwarders and motor carriers were authorized, but on a temporary basis pending the establishment of so-called "assembly and distribution rates" by the motor carriers to take the place of joint forwarder-motor rates.

For some reason the original congressional plan did not work and after the joint-rate authority had been extended several times the Act was amended, in 1950, in two respects:

First, the definition of a freight forwarder was amended by adding the words "as a common carrier" to the definition. And, second, section 409 was amended so as to provide for contracts between freight forwarders and motor carriers, which contracts, according to the legislative history, have the same effect as joint rates and divisions. Incidentally, I think there is some misunderstanding about the so-called 450-mile limitation on forwarder-motor carrier contracts. That limitation applies only to truckload lots of freight moving between forwarder terminals. Insofar as less-than-truckload lots are concerned, there is no mileage limitation whatsoever.

So it is quite clear that freight forwarders do not assume a shipper relationship as to the thousands of motor carriers with whom they interchange freight and they have never assumed such a relationship. Therefore as I said, a frequently repeated statement about the shipper status of forwarders in relation to other carriers is not really correct.

And, even if it could be considered that in some respects freight forwarders, under the existing plan of the law, step into the partial role of a shipper as to some of the carriers they utilize, that fact does not have the significance which some people find in it.

There is nothing inherent in the character of freight forwarders which prevents Congress, or, in my opinion, the Commission, from permitting them to make any kind of contractual arrangements with other carriers which seem practical and in the public interest. Witness the fact that Congress has consistently authorized contractual arrangements between forwarders and truck lines. Furthermore, the Commission has authorized truck lines and water carriers to ship their freight shipments by rail and TOFC service and to pay any published rates which are applicable. The Supreme Court has upheld that authorization. And yet no one argues that this makes shippers of the motor carriers and water carriers or that having the right to ship at tariff rates such carriers should be deprived of the right to make joint rates with the railroads.

I know that in times in the past your industry has sought changes in the regulatory pattern designed to put freight forwarders in a more nearly equal competitive posture in the field of transportation. It may well be that the kind of confusion about the status of freight forwarders which I have been discussing has had an important bearing on the outcome of your efforts, which outcome has not been all that you could have desired. There is pending in Congress at this time legislation which would authorize railroads to publish rates available to other common carriers, including freight forwarders. As you know, the Commission has stated its position

on that legislation. In substance, a majority of the Commission opposes the bill in its present format because it thinks the whole matter should be considered in a broader format and resolved only in the light of a rather comprehensive investigation of all of the relevant facts.

Under the circumstances, I think that all it is appropriate for me to say with respect to your pending legislation is that I thoroughly agree with the following statement which appears in Chairman Stafford's testimony before the subcommittee of the House Interstate and Foreign Commerce Committee on that legislation:

"Certainly, the freight forwarders have proved that they fulfill a need that the shippers of this country have urgently required, and in the performance of their services we believe the freight forwarders should be encouraged to operate as efficiently and as economically as possible. Moreover, in competing with motor carriers, as they do, the freight forwarders certainly should not be handicapped by any artificial or possibly obsolete restraints. The time has come, and the Commission recognizes it, when actions must not be continued, and service to the shipper must be paramount, within the bounds of reason and the provisions of the Interstate Commerce Act."

Not only has the time come to abandon fictions which stand in the way of providing for the shippers of the country the best transportation that we are capable of producing—the time has long since passed. I personally believe, and I speak solely for myself and not for the Commission, that the fiction that freight forwarders have a status that is not quite that of full common carriers was intended by Congress to be dispelled 20 years ago, and that the confusion that still exists ought to be swept aside.

When Congress enacted the common carrier amendment to Part IV of the Act in 1950 it did so in the light of a good deal of testimony about the status of forwarders. Let me read you, in conclusion, what the House Committee on Interstate and Foreign Commerce said in its report on that legislation. The following is from House report No. 2489-81st Congress, 2nd session to accompany H.R. 5967 which was enacted December 20, 1950:

"Therefore to describe freight forwarders as common carriers, as the amendment made by the first section of this bill proposes to do, does not change the status which they have always had, but simply recognizes that status by statutory law. This will remove any anomaly and confusion regarding the status of freight forwarders and make clear that they have the status of common carriers."

That is about as clear as the matter could be expressed in the English language. For me it leaves no confusion about the status of freight forwarders as common carriers—simply because I believe I understand what the Congress said—and because I think Congress said what it intended to say—and that it meant what it said.

in response to one such public servant, Arthur Griffin, mayor of Lawndale, Calif.

Arthur Griffin, like so many of California's citizens, was born "back East"—in Georgia—but moved to California as a child. He got his education in the local schools, getting a B.S. in pharmaceutical chemistry. Like so many other men, he took time off from his education to serve his country during World War II. He spent 3½ years in the U.S. Navy serving in the Pacific theater. He was honorably discharged in October of 1945. After graduation he went into business for himself, owning and operating Griffin Pharmacy from 1951 to 1962 and Art's Drugmart from 1963 to the present.

Arthur Griffin has long been devoted to public service. His list of memberships is lengthy. Among them are the Lawndale Chamber of Commerce, South Bay and California Pharmaceutical Associations, Lawndale Masonic Lodge, Will Rogers PTA, Lawndale Rotary Club, Lawndale Good Government League, Inter-City Highway Commission, South Bay Councilman's Association, 67th Assembly District Democratic Council, and the 17th Congressional District Democratic Council. He is now serving his second term as president of the Lawndale Coordinating Council. He has served as president of the chamber of commerce, the Good Government League, and the 17th Assembly District Democratic Council; and was charter treasurer of the Rotary Club. In the area of community service, he has done excellent work in campaigns for the Boy Scouts and community chest and is a member of the advisory council, California State College at Dominguez Hills.

In 1966, he ran for the office of city councilman for Lawndale and was elected with the second highest number of votes. In April of 1969, he became mayor and has served in that capacity ever since. This year he has decided not to seek reelection. This decision will give him more time with his wife, Marilyn, and his four children, Judy, Sandra, Lynn, and Dennis.

I am sure so dedicated a citizen as Arthur Griffin can be counted on to continue the fine work he has been doing in community service. Too often the personal efforts on the local level of our citizens—efforts that improve the quality of life for us all—go unrecognized. I wish to join with the citizens of Lawndale in paying tribute to Arthur Griffin and thank him for the service he has rendered to his community.

#### TRIBUTE TO ARTHUR GRIFFIN

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. ANDERSON of California. Mr. Speaker, all too often the vital and time-consuming effort given by many of our most conscientious citizens to local community service goes unrecognized and unrewarded. I would like to take this opportunity to rectify that situation at least

#### "HATE THE SOUTH" SUBSIDIZED TAX FREE

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. RARICK. Mr. Speaker, the tax-free Ford Foundation has now assumed new leadership in advancing the "hate the South" educational program.

The "Andersonville Trial," a 2-hour-and-22-minute story about a Confeder-



ate prison camp, produced at a cost of \$100,000, has already been shown on channel 26, WETA, Washington, D.C., and is to appear on 149 other so-called public education television stations around our Nation. Many will remember that it was channel 26, heavily subsidized by tax-free Ford Foundation funds which recently fired its \$50,000-a-year newcaster because his wife went to work in Washington for a southerner.

If it was not the desire and intent of the Ford Foundation to continue its vindictive attack against the South and southern people by promoting the "Andersonville Trial," then the Ford Foundation people need only prove their impartiality by producing the "Birth of a Nation," the tragic and suppressed story of Americans who lived in the South during the Reconstruction Era following the Civil War. It is unthinkable and anti-American that any tax-free educational foundation such as the Ford Foundation would consider resurrecting the events of over 100 years ago to revive past hatreds and prejudices. Their unthinkable action can only serve to redivide our country at a time when our country cries desperately for unity of people and preservation of the Union.

If the "Andersonville Trial" is exemplary of the explosive and detrimental caliber of entertainment to be expected from the public tax-supported television networks, ETA, I feel confident that people will demand that I not vote any additional appropriations nor special concessions for this tax-free controlled and subsidized media.

"The Andersonville Trial" is educational and a public service? For whom? I include a story and remarks by an entertainment critic as appeared in the local newspapers to follow:

[From the Washington Post, May 17, 1970]

**DISTINGUISHED DRAMA ON THE TV SCREEN**

(By Lawrence Laurent)

"The Andersonville Trial," a stunning production with a cast of frontline actors running nearly 2½ hours without commercial interruption, will bring distinguished drama to the television screen tonight.

It will be seen from 8:30 to 11 p.m. on Channel 26 and 149 other public TV stations.

"The Andersonville Trial" is the first offering of Lewis Freedman's Hollywood Television Theatre, operating under a grant from the Ford Foundation. Freedman is a veteran producer of television drama, including the fondly remembered "DuPont Show of the Month" and the superior "Play of the Week" series that began with Judith Anderson's memorable "Medea."

"The Andersonville Trial" runs for two hours and 22 minutes and was produced at a cost of \$100,000. If that seems high, just remember that \$100,000 will buy exactly 25 minutes of laughs in just one episode of "Here's Lucy."

The cast was willing to work for minimum scale in "Andersonville." One big reason for accepting the minimum wages was that the actors wanted to work with actor-turned-director George C. Scott. Others wanted to work in this show because it had "good material" and "time to rehearse."

Director Scott, in an interview with Cecil Smith of the Los Angeles Times and Freedman (telecast last Sunday), emphasized that this "is not a TV production. We just took the play as it was. We may have cut a paragraph or two." Nothing was cut from

the final script that Saul Levitt wrote for Broadway in 1959. On Broadway, the role of the Judge Advocate (prosecutor) was played by Scott.

Scott would like to "phase out" his career as an actor and move to directing and producing. He will go to London in May to appear in "Jane Eyre" for director Delbert Mann and expects to direct a movie in New York this summer for David Susskind. He feels that an actor "can make a contribution" to a dramatic production but a director "can make a much greater contribution, can be part of the whole process. The director has much more to give."

In directing "Andersonville," Scott avoids the most common mistake that actors make as directors. He did not try to have William Shatner play the prosecutor as it had been played by George C. Scott. Shatner's portrayal is less sardonic and his doubts, late in the play, come through much broader.

"The Andersonville Trial" is not light drama. Most viewers will be feeling its impact hours after it is over. It is a play without answers. Each viewer will have to decide for himself the guilt of Confederate Capt. Henry Wirz. He commanded a prisoner-of-war stockade at Andersonville, Ga., where 14,000 Union soldiers died.

"I was only carrying out orders," he pleads, just as Adolf Eichmann pleaded in Israel a hundred years later.

During the climactic 28-minute cross examination, Wirz is asked, repeatedly, why he couldn't have the strength to disobey the orders that came from a Confederate general. Wrenched from him, in final pain, is the defense: "I did not have that feeling of strength inside. I could not disobey."

The moral issue remains with us and playwright Levitt refuses to provide an easy answer.

The play closes with an exchange between the defense attorney and the prosecutor. The defense attorney points out that the trial "hasn't anything to do with the real world."

"Men will go on as they are, subject to powers and authorities, and how are we going to change that slavery when it's of man's very nature?" he asks. "We redecorate the beast in all sorts of political coats, hoping that we change him, but is he to be changed?"

The prosecutor answers, softly: "We try. We try."

Scott has built a marvelous kind of tension into this drama of dilemma and he has drawn some superb performances from his cast.

Shatner is excellent, as usual. His Col. Chipman begins as a man of fire and wrath, intent on punishing the man responsible for Andersonville. He parades a tale of inhumanity: the filth, the hunger, the overcrowding, the desperation, the death and even cannibalism.

But in the Henry Wirz brilliantly played by Richard Basehart, the prosecutor has a formidable opponent. For each charge, except for man's moral responsibility to a fellow human being, there is an answer. Basehart's Wirz can only repeat the tortured answer that he had an "overwhelming responsibility."

Director Scott must be given part of the credit for the two most unexpected performances in this drama. The first is from Jack Cassidy as defense counsel and the other is from young Michael Burns as the shell-shocked, 19-year-old Union soldier named Davidson.

Cassidy has been around for years, known mainly for his 1,000-watt smile, his delight in posturing and his marvelous profile. In "The Andersonville Trial," he is a disciplined, professional actor. His playing of Otis Baker is a mixture of controlled anger, cool legal tactics and genuine—if sometimes questioning—compassion.

Burns has been around television since he

landed a role in "It's a Man's World" in 1962. In the intervening years he has aged little and has matured greatly. This is his finest performance, one of those rare moments on television that will be remembered.

Another familiar face, in an unfamiliar role, is that of Cameron Mitchell. Usually, he's the brawling Buck Cannon on "The High Chaparral." Here he is Maj. Gen. Lew Wallace, the judge at this military trial. (Wallace later was to become governor of New Mexico when Billy the Kid was running loose and was to write "Ben Hur.") Cameron Mitchell has found many sides to Lew Wallace, a rather startling contrast to the one dimensional Buck Cannon.

Viewers may be in for another surprise with the appearance of Buddy Ebsen as Dr. John C. Bates, physician at the Andersonville Stockade. Ebsen is usually seen as Jed Clampett in "The Beverly Hillbillies." In "Andersonville," he brings dignity to the role of Dr. Bates.

On and on runs the list of fine performances, for there is neither a weak character nor a bad characterization in this long production. Scott has also managed to avoid the immobility that often goes with a one-set, courtroom drama. The camera direction is fluid, deliberately saving the dramatic close-up for the most intense moments.

"What we do with television," Freedman has explained, "is to take the theater patron where he would like to be. That is, at special moments, we bring him right on the stage and let him look closely at what's going on."

Several notable character actors will be seen sitting around, without a single line to speak. This group includes such fine performers as Philip Bourneuf, Bert Freed, Alan Hale and Charles McGraw.

"They lent their presence," said Freedman. "They dressed up the production."

A final note must be a personal one. Over the past 17 years, I have seen nearly all of the quality drama that television has offered. TV did begin with a theatrical tradition and once there were 12 hourly dramatic productions each week. Now TV has a motion picture orientation and while this may give the medium a broader appeal, it does not give TV the same impact that it once had.

Over those 17 years, perhaps a dozen dramatic productions have been truly memorable becoming a permanent part of one's life. None, however, quite reached the heights that you will find in "The Andersonville Trial."

The cast for the Hollywood Television Theatre's production, "The Andersonville Trial," being telecast tonight 8:30 to 11 p.m. (Channel 26) includes:

Ambrose Spencer.....	John Anderson
Henry Wirz.....	Richard Basehart
Dr. Ford.....	Whit Bisell
Davidson.....	Michael Burns
Otis Baker.....	Jack Cassidy
Dr. John C. Bates.....	Buddy Ebsen
Jasper Culver.....	Lou Frizzel
Major Hosmer.....	Wright King
Gen. Lew Wallace.....	Cameron Mitchell
James W. Gray.....	Albert Salmi
Lt. Col. N. P. Chipman.....	William Shatner
Chandler.....	Harry Townes

**THE NURSING HOME SITUATION**

**HON. DAVID R. OBEY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. OBEY. Mr. Speaker, the Council of the Wisconsin State Medical Society has urged that the nursing home situation be looked at closely, with an em-

phasis on enforcement action against violators of State regulations.

The action followed publication by the Milwaukee Sentinel of a series of articles on nursing homes and examination by officers of the Medical Society of Milwaukee County of a number of nursing home inspection reports.

I should like to commend the medical community for its interest in nursing home conditions, and insert this May 11 Milwaukee Sentinel story reporting the council's action. I think this most recent development in my home State is further evidence of the necessity for Congress to take action to unify administration of laws relating to the care of the elderly in nursing home facilities.

The article follows:

**MEDICAL SOCIETY URGES NURSING HOME PROBE**

(By Gene Cunningham)

The council of the Wisconsin State Medical Society urged Sunday that the nursing home situation in the state be investigated with an emphasis on enforcement action against violators of state regulations.

Dr. Robert E. Callan, Milwaukee, president of the society, praised The Milwaukee Sentinel for its recent series of articles on nursing homes and thanked The Sentinel on behalf of the society for its "great interest" in nursing home conditions.

The Sentinel's eight part series and stories on nursing homes it has published since were reprinted by the medical society and distributed earlier to the more than 30 members of the council for study in advance of their meeting held here Sunday.

In addition to urging an investigation of the nursing home problem, the motion approved by the council included its offer "to participate in committee action with the Department of Health and Social Services and nursing home interests in a joint study of the problem."

The motion was recommended to the council by its executive committee which had approved it at a meeting Saturday night.

At the executive committee meeting, Dr. Robert Pittelkow, president of the Medical Society of Milwaukee County, presented information concerning nursing home operations and conditions.

"We have examined a number of the nursing home (state) inspection reports to verify for ourselves the extent of the violations. We are totally satisfied that there has been no misrepresentation or exaggeration in The Sentinel stories," Pittelkow told the committee.

"In the files that we examined, which dated back to 1965, we repeatedly found that reported and documented infractions and violations had been allowed to continue for years at a time," he said.

"It becomes readily apparent when scanning the files that for some undetermined reason, the flagrant code violations have been allowed to go uncorrected.

"This I feel is not because of any inadequacies of the inspection report, but rather because there has been an inexcusable lack of followup disciplinary action against nursing home violators," Pittelkow said.

He said that his primary concern, and that of the Milwaukee County Medical Society, is that adequate medical services are available and maintained at a quality level in all homes where skilled nursing is required.

"The intolerable conditions which exist in many nursing homes have a direct reflection on the quality of medical care provided," he told the committee.

Pittelkow predicted that various investigations already underway will lead to a re-

view of nursing home licensing laws, inspection procedures and regulations.

"When the full impact of the various probes becomes known, I also think we will probably see a number of criminal indictments being issued and we may even see a general shakeup of personnel," he told the group.

Pittelkow recommended that the state medical society:

In conjunction with the Milwaukee County society and with the support of all county societies, "make a unified probe and evaluation of the nursing home problem."

Undertake a study of random samples of state nursing home inspection reports on a statewide basis.

Offer its support to state and local bodies now conducting investigations of the problem, and appoint a committee to review the state nursing home code and make recommendations concerning it.

Ask that the Department of Health and Social Services undertake new inspections of all nursing homes in the state within a reasonable period of time and document all code violations found.

Recommend that the executive committee and state medical society "use all power at its disposal to insure that immediate disciplinary action be taken against all nursing homes that continue to be in violation of and fail to comply with the regulations."

**ALLEN PARK, MICH., RECEIVES BEAUTIFICATION AWARD**

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. WILLIAM D. FORD. Mr. Speaker, I am pleased and proud to report that the city of Allen Park, in my congressional district, was selected as one of three Michigan cities to receive a special award for its beautification efforts during the past year.

Allen Park city officials were presented with a Community Pride Day plaque on Saturday, May 16, the opening day of the 1970 Michigan Week observance, which is underway this week.

In a day when all citizens are deeply concerned with the problems of pollution, I am especially proud that Allen Park has made such significant progress in the area of environmental control.

Allen Park was chosen for this honor because of a wholesale cleanup program to remove litter, clean up parks, control pollution, and encourage all citizens to become conscious of their environment. Hundreds of trees were planted, trash receptacles were placed throughout the city, old cars, junk, and litter were removed from streets and public areas, and city ordinances were passed to prohibit leaf burning and to require paving of parking areas.

City sidewalks were repaired, and businessmen were encouraged to improve both the interior and exterior of commercial buildings. Children and adults were brought into a cooperative venture to beautify homes and clean up vacant lots.

This outstanding community project was directed by a Beautification Commission which was organized in 1968. Each

of the five members was placed in charge of a specific area of the city. The results indicate what an outstanding job they have done.

Present members of the Beautification Commission are John J. Rourke, chairman, Martha Pearson, secretary, and Phyllis Barry, Monica Spezia, and Louise Wiessman. Former members include Janice Duryea, Ruth Mosley, and Helen Pagnucco.

I would like to express my personal and public congratulations to them for a job well done.

In addition, I would like to compliment the Allen Park City Administration and all Allen Park residents for their part in bringing this honor to Allen Park.

Present city officials include Mayor John Metelski, Clerk Laura Mapes, Treasurer George Moore, Councilmen William Jones, Frank J. Lada, Harold N. Duda, Richard Caulfield, Leslie L. Demeter, Delroy E. Wagoner, and Judges Francis E. Burger and O. W. Johnson.

They have taken the lead in showing that enlightened planning and cooperation on the local level can bring dramatic results in solving community problems.

**STOP HARMFUL IMPORTS**

**HON. PHILIP J. PHILBIN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. PHILBIN. Mr. Speaker, we may all well be concerned by the large, increasing flow of cheap imports of all kinds of manufactured goods and other products pouring into this Nation from abroad, under the provisions of the Trade Expansion Act of 1962 and related laws and regulations.

These commodities constitute definite, widespread, cut-throat competition with American goods and products produced at much higher costs in this country, due to labor and other differentials.

While shoes and textiles are coming into this country from abroad in large quantities, the same is true of the products of the so-called, newer industries—plastics, electronics, and the more sophisticated products of modern American technology and manufacturing expertise.

A large percentage of these imports stem from factories and manufacturing plants originally set up by American business interests abroad, which in a number of instances used U.S. Government funds for the most modern machinery, and were furnished expert counseling services and cheap labor to make these products in volume overseas, and to bring into the United States to compete with our own industries under special, advantageous, tariff rates established by negotiation procedures set up by trade laws.

In this manner, Congress is excluded from playing any real part in checking the large volume of competitive goods and products of many kinds. This incredible pattern constitutes a very serious threat to many American industries and



the American economy. American workmen and their families are in large numbers the victims of this very unfair, discriminatory arrangement which the Trade Laws made possible.

I have addressed myself to these serious problems many times, and it has been abundantly clear to me that there is no purpose on the part of the Executive Department of this Government, or of the Congress, for that matter, to do anything really effective to check these harmful, injurious importations, save to engage in futile, meaningless conferences about quotas that can never seem to be agreed upon, are an entirely inadequate solution, and usually wind up without any worthwhile results.

I am not implying by anything I am saying here that in any sense I am opposed to foreign trade; in fact, the contrary is true. I am very strongly for it, provided it is constructive and beneficial to our country, as well as to other nations which are importing products into this country.

I have said many times that I do not believe that the trade bill, or other policies of this Government, should constitute a one-way street to permit large quantities of cheaply produced, foreign goods that are clearly undermining our economy and displacing our labor to enter this country, while at this same time similar privileges are not accorded to American exporters by the very nations that are flooding American markets with cheap, competitive goods our industries can not match price-wise.

I am pleased that the House Ways and Means Committee, under its very able, distinguished leader, is now conducting hearings on the measures pending before it that would check these most injurious imports, and put our trade relations with other countries on a sound, fair, competitive basis that would be mutually beneficial and constructive and stop cut-throat competition from abroad.

I again urge in behalf of our working people, our industries and the consuming public of this country, the mothers and children in the homes, and families that are having so much difficulty these days trying to procure adequate necessities of life in this inflated economy of super, high prices that these cheap imports be banned. They are taking bread out of the mouths of American families.

I hope that the House will move fast in these matters, because we have already lost a lot of time, gold and money through the years in fruitless, useless discussion and time-serving, since the very time the trade bill went into effect, and with the economy going the way it is at present, we can no longer afford to ignore the unfavorable, harmful impact of foreign imports upon the economy and monetary soundness of this Nation.

If something is not done soon to stop this cut-throat competition from cheap, foreign imports, we will be allowing the continued, and ever-growing release of deflationary factors, and unemployment and depressed conditions in our economy. Let us get on the ball and check these injurious imports.

I urge the House and other bodies to act before it is too late.

PROBLEMS OF OVERSEAS SCHOOLS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mrs. MINK. Mr. Speaker, my good friend and colleague, Congressman WILLIAM D. FORD, has become one of the recognized experts in this Congress on the problems of the overseas schools operated by the Department of Defense or supported through the Office of Overseas Education of the Department of State.

An indication of his expertise in this field came recently when he was invited to be the principal speaker at Lausanne, Switzerland before the European Council of International Schools.

Congressman FORD's remarks at this conference give such a clear insight into the problems of the overseas schools, and of education in general, that I would like to have them reprinted in the RECORD.

REMARKS OF THE HONORABLE WILLIAM D. FORD

At the outset I would like to make the very obvious observation that I am happy to have this opportunity to come to Switzerland.

At this particular time in history, I am sure that you will agree with me that we could not be in a more appropriate place for discussing our efforts to educate children and to prepare them to help achieve a world where peace and harmony among nations will be the norm.

I would like to thank the European Council of International Schools and your President, Mr. John H. Bruce, for inviting me here to speak on American education at home and abroad.

It is my privilege to serve in the House of Representatives on the Education and Labor Committee, and particularly as a member of the General Education Subcommittee of that Committee having primary responsibility for writing federal legislation affecting elementary and secondary education.

I have been asked to speak briefly with you today of the progress in American education both at home and abroad with particular emphasis on what I view from the Washington scene as the Federal government's concern for, and commitment to, this progress.

AMERICAN TYPE EDUCATION ABROAD

I certainly hope that during my brief stay here at your Conference I will have the opportunity to exchange ideas, through direct personal discussions, with those of you attending this Conference as administrators, school board members, sponsors and professional educators directly involved in providing "American-type" education to American dependent school children in the many countries represented here today. I know that such an exchange will add to such experience as I have gained during the past five years as a member of the Education and Labor Committee. We are truly eager to actually learn and know of these overseas schools serving American students in many nations around the world.

Most of you in attendance at this meeting are directly involved in the administration of programs of elementary and secondary education for American children living with their parents in European nations.

Many of you are the people with direct responsibility for operation of what we refer to as "American-sponsored" elementary and secondary schools.

The stated purposes of the Federal assistance program for these schools are: to help

the schools to provide adequate education for United States government dependents and to demonstrate to foreign nations the philosophy and methods of American education.

I need not tell you what a tremendous challenge this is when measured against the unique circumstances under which you operate.

At the present time, the Federal government is involved in the direct and full financing or the partial support of a worldwide education system comprising approximately 438 schools in well over 100 countries. The rough breakdown of the distribution is as follows:

Department of Defense dependents	181,348
Non-Defense, civilian dependents and approved foreign nationals	33,725
Total	215,073

This worldwide school system now employs 12,452 teachers and administrators with 7,839 in the Department of Defense School System and 4,613 in schools supported by the United States government through the State Department.

This year's budget for this educational system is more than \$177 million. This system of schools, if located in any State in the continental United States, would be one of the largest in our country but most American citizens and even some Members of Congress are barely aware of your existence or purpose.

We would like to think that the hearings and investigative trips undertaken by the Special Subcommittee of the Education and Labor Committee headed by Congressman John Dent of Pennsylvania, first authorized by a Special Resolution adopted by the House of Representatives in 1965 and continued ever since, has contributed to a greater understanding within the Congress of the need for support for this great worldwide system of schools and their educational mission.

THE FEDERAL EFFORT IN EDUCATION

It was my privilege in January of 1965 to be assigned to the General Education Subcommittee of the Committee on Education and Labor in the United States House of Representatives at the very beginning of one of the most exciting periods of activity that the Committee has ever experienced.

Our Committee wrote the Elementary and Secondary Education Act of 1965 which was hailed by President Johnson as the greatest breakthrough in Federal support for public education in 100 years. More importantly, however, this signaled a new awareness in the Congress of its responsibility to American education.

I need not recount to you the great difficulty encountered by the friends of education over the past 50 years in attempting, without success, to bring the Federal government into partnership with the States and local school districts for the support of elementary and secondary schools and for assistance to our institutions of higher education as well.

The first real awakening of the Federal establishment to its responsibility for the support of education in our country really came toward the end of the Eisenhower administration and in the beginning of the Kennedy administration. Perhaps you have heard the now famous statement of former Commissioner of Education, Francis Keppel, who said he thought perhaps the greatest breakthrough for Federal aid to education in the United States came from Sputnik. You will remember that when the Russians successfully orbited the earth with Sputnik, the American public suddenly came face to face with the realization that we were not keeping up with other major countries in the world in the support of the institutions necessary to provide the trained persons needed by a country such as ours in a very complex and rapidly changing and shrinking world.

Although somewhat sudden, this increase in American commitment to education was, I believe, best characterized by President John F. Kennedy when he said:

"Education is both the foundation and the unifying force of our Democratic way of life—it is the mainstream of our economic and social progress—it is the highest expression of achievement in our society, ennobling and enriching human life. In short, it is at the same time the most profitable investment society can make and the richest reward it can offer."

I would not like you to think from what I have just said that we are any place close to the goal of a full commitment of the magnitude which many of us believe to be absolutely necessary at the Federal level. The Congress has recently passed more pieces of legislation affecting education in our country and providing greater support from the Federal level than ever before in the history of our country. However, we have not yet had a forthright and unqualified commitment by Congress to the proposition that the level of education of Americans is a national resource entitled to the massive commitment of national resources to its development and support in the same measure as any other essential national resource.

With all of the legislation we have passed, including the Elementary and Secondary Education Act of 1965 and the many additional programs that have followed it, we find our Federal contribution to elementary and secondary schools within the United States at the present time to be something less than 8% of the annual expenditure for education at this level from all sources. In my own state of Michigan, for example, the current rate of Federal expenditure from all programs is less than 5% of the total expenditures for elementary and secondary education in the state. It seems clear, therefore, that the Federal government's present commitment to education in our country, though significant, still falls far short of the commitment of national resources necessary to reflect our willingness to have the Federal government become a full contributing partner in the effort to provide quality education in all parts of our nation.

Recent events in Washington have, however, been most encouraging, and I see the American education community as well as the American public awakening to the realization that the Federal government will have to make a much greater financial contribution to the assistance of our state and local school systems if we hope to keep pace with the ever-increasing demand being made on those systems by a growing, energetic, mobile and ever-urbanizing American population. It is clear that the events of the past few years have brought home to Americans, more than ever before, a realization that our position as a leading country in the world depends upon our ability as a people to educate ourselves to compete successfully not only in technology but in every other way if we are to remain a leading nation of the world.

Last year we were dismayed when the outgoing President recommended an education budget that would have spent more money than we have spent before but which would not even keep pace with the increased costs being absorbed by ongoing programs. We viewed with even greater dismay, however, the fiscal 1970 and 1971 budgets of President Nixon who cut back the recommended appropriations for education on almost every front and recommended no money at all for some of our most successful ongoing programs. During the campaign of 1968, Mr. Nixon stated, on many occasions, his strong support for the commitment of the Federal government to support of education at all levels. Just some of his quotes—

"When we talk about cutting the expenses

of government—either Federal, State or Local—the one area we can't short-change is education."

"Education is the area in which we must keep doing everything that is necessary to help achieve the American dream."

In his 1970 budget, Mr. Nixon proposed only 39% of the authorized amounts for Title I of the elementary and secondary education programs—the program for deprived children and youth: 20% of the authorization for vitally-needed supplemental education centers and services: 37% of the authorized money for strengthening state education departments: only 15% of the money earmarked for educating the handicapped: 25% of the authorization for bilingual education: and just 30% of the funding necessary for school operating expenses in areas with high concentrations of Federally-connected children—the "Impacted Areas" program which has been almost fully funded since its inception in 1950.

When Congress authorized \$1.2 billion more than the President had requested, he responded by vetoing the bill.

Shortly thereafter, he submitted his 1971 budget which was even more shocking than his 1970 budget. He proposed only 31% of the authorized amounts for Title I of the Elementary and Secondary Education Act: 21% of the authorization for supplemental education centers and services: 27% of the authorized money for strengthening state education departments: 26% of the money for educating the handicapped: only 12% of the authorization for bi-lingual education: and 42% of the funding necessary for the Impacted Areas program.

These austere budget proposals have led to the longest sustained struggle between Congress and the President in this administration.

Having said this, why am I encouraged by recent happenings in Washington? The education community of America responded to the challenge to education funds presented by both a Democratic and a Republican administration. Those of us who have been advocating a greater financial effort found support coming to us from across the country in our efforts to broaden the Federal commitment and participation.

#### THE REASONS FOR OPTIMISM

In a totally unprecedented move, the House of Representatives last year overthrew the recommendations of the powerful House Appropriations Committee by the adoption of a package of amendments now known throughout the country as the "Joelson Amendment," which added \$1 billion one hundred and twenty million dollars to the appropriations recommended by the President in his budget. This billion dollar-plus increase was passed in the House of Representatives by an overwhelming majority.

The Senate subsequently supported our efforts and in fact indicated its willingness to go even further than the House had gone in increasing the Federal commitment to education.

This \$1 billion increase for education was part of the \$20 billion-plus Health, Education and Welfare appropriation for the year. In a dramatic appearance before the cameras of national television, the President vetoed the entire appropriation on the ground that the education increase would be inflationary. This framed the issue for a show down struggle on the relative priority of education spending. Without going into the details of what followed, I can tell you that we finally passed an appropriation bill with \$700 million more than the President asked for and he did sign it.

This year we were successful in enacting a three year extension of the Elementary and Secondary Education Act which authorized a grand total of \$25 billion for the three fiscal years of 1971, 1972 and 1973. And just

last week the House passed an appropriation bill for education in fiscal year 1971 which is \$744 million over the President's budget request and \$313 million over the education appropriation for last year.

This didn't just happen. It didn't happen because of brilliant speeches or brilliantly-executed parliamentary maneuvers on the part of the friends of education who are Members of Congress.

More realistically, it happened because the American education community brought itself together in a concerted effort to impress the Congress with the urgency of their needs in the America of the 1970's.

A tremendous effort was put forth by organized groups of people interested in education ranging from the American School Boards Association, through the American Association of Libraries, the National Education Association, the Great Cities Schools Association, the AFL-CIO and many others who have been friends of education. This resulted in a coalition of over sixty organizations which early last year began a massive action program to impress their representatives in Congress with the need for immediate and meaningful action in the more adequate funding of the many educational programs we had previously authorized.

One member of the House, who was obviously piqued at the success of our efforts to overturn the Appropriations Committee and add this money to education, characterized these people from the education community as the new "Educational-Industrial Complex," and in a speech on the House Floor warned ominously that they might be a greater threat than the much-talked about "Military-Industrial Complex."

These efforts and the results produced, in my view, signal an era when education and educators are coming into their own as a political force to be reckoned with. This may indeed be the great breakthrough that will make it possible for us to set a goal for education like landing on the moon; then to set out to do whatever is found to be necessary to accomplish that goal.

In short, I would like to say that from my vantage point on the Education and Labor Committee, where we have the unique opportunity to hear and to learn from people in all phases of education from throughout all parts of the country, it appears that although education is facing the greatest challenge it has ever before faced in America, it is now moving more rapidly than ever before to meet that challenge. I believe that we are in one of the most exciting periods of change and growth ever experienced by institutionalized education in our country.

#### THE INVESTMENT PAYS OFF

Although when measured in Federal dollars against dollars of annual expenditures for education by other units of government, the percent of Federal dollars is not outstanding, the effect of these Federal programs and expenditure of these funds from the Federal level has been very dramatic.

Through categorical aid, the Federal government has placed at the disposal of experienced and imaginative educators at the state and local level funds which cannot be swallowed up by the building pressures and increasing costs that go on each year outside of the effective control of school administrators. In other words, an administrator attempting to develop programs for the special needs of educationally-deprived children in a big-city ghetto or in the hills of Appalachia has been able to develop these programs with Federal aid without having to fight to take the funds from his general school budget.

Local school administrators have done an outstanding job of using their funds for innovative programs. In many instances, they are proving to be so successful that local



pressure has developed to appropriate funds from local and state sources to extend these programs to the many students not reached by the Federal categorical aids.

In spite of all of the publicity given to the alleged taxpayer revolt in our country, people are voting to increase taxes for the purpose of financing education at the local and state level in greater amounts than ever before. The American citizen is communicating his concern for quality education for American children to his local school board, his county and state officials and now to his representative in the Congress and in the Executive Branch.

A reasonable goal for American education was offered by Thomas Wolfe who said in "You Can't Go Home Again," 1940:

"To every man his chance, to every man his shining golden opportunity—to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him—this—, is the promise of America."

The school teacher, the school administrator and the school board member have all discovered that they can and must organize themselves as a special interest group with what we sometimes refer to as "political clout." The "special interest" is of course quality education available to every young American without regard to where or under what circumstances he attends school—what greater and more worthy special interest might one serve?

#### AMERICAN SPONSORED SCHOOLS OVERSEAS

Now what about the American student, at the elementary and secondary grade level, who by virtue of the temporary residence of his parents in a foreign country while in the service of the American government or American private enterprise does not have access to the American public school system of which I have been speaking?

The number of these pupils in our overseas schools and the importance to our nation of their parents being in the countries where they are found dictate the urgent need for serious concern for the quality of education available to them.

Lacking a clearly defined national policy with regard to the responsibility of the United States Government for the educational opportunities afforded these children, the Congress has nevertheless recognized its responsibility for the education of the dependents of military and civilian employees of the United States Government through development of school systems such as the D.O.D. school system or the payment of educational allowances to offset the unavailability of American Government provided facilities. A responsibility for supporting the presence of private citizens employed by American private enterprise has also been recognized by our government.

In 1965 when the Select Committee of the Education and Labor Committee made its trip to foreign countries inspecting the schools attended by defense dependents, we more or less stumbled across the American-sponsored schools because of the number of D.O.D. dependents attending them on a tuition-basis. Since that time the Committee has had an increased interest in and growing concern for the American student attending such schools.

During the past years we have gathered a substantial amount of material through closer contact with Mr. Ernest Manino, Director of the Office of Overseas Schools in the U.S. Department of State; Mr. Gordon Parsons, and former teachers and administrators in such schools who appeared before our Committee from time to time. The Dent Committee has made on-the-spot inspections of facilities and held discussions with faculty, administration and students as well as parents in a substantial number of countries where the schools are located.

The Committee has visited American-sponsored overseas schools in Europe, Africa, Central America, South America, the Near East and South Asia, and East Asia.

Because the American-sponsored overseas schools are not Government owned or controlled (I know of no one on our Committee who advocates that they be Government owned or controlled) we have been somewhat reticent in our recommendations for administrative modifications of the programs we saw. People here from the Department of Defense schools will recognize that some of the greatest progress made since the Committee began working with these schools has been made by the administrative changes evolving from criticisms and suggestions emanating from the Committee.

The basis for our recommendation that the Federal government do more to support the overseas schools was stated in the first report that the Dent Committee made to the Congress and has been repeated many times by the Committee and its members in many places.

All Committee members recognized almost immediately the salutary effect the activities of the State Department's Department of Overseas Schools has had on the "American-sponsored" schools and the need to increase this activity at every level. The Dent Committee said in its report to the 90th Congress and will repeat in its report to this Congress, not yet released:

"It is apparent that resources of the United States Government available for the improvement of educational opportunities for American children should also be made available to American-citizen children living overseas. Their parents are serving the interests of the United States abroad: They are in danger of becoming educationally-disadvantaged youth if resources which would be available to them at home are denied them while their parents serve abroad."

Bear in mind that the Committee report went on to say to our colleagues in the Congress that we were generally favorably impressed with the quality of education offered, the curriculums, and most definitely, the facilities of the various schools visited. We nevertheless developed some areas of concern and directed our attention toward them in subsequent years.

We are convinced that there is much more that we need to know about your schools and your problems but that there is much to be done on the basis of what we have encountered. The Committee has already made some general and some specific recommendations to the Congress and to the Federal agencies which might implement them by Executive action, and we do have some specific legislation pending.

In the area of legislation the Committee has recommended some things which might be done:

(1) Review all existing Federal aid to education legislation with a view to providing extension of the benefits of such legislation to students, teachers and school systems overseas. For example:

(a) Tailoring the provisions of the International Education Act of 1966 to provide funds for training programs for staff employed in these schools to be held within or outside the United States and not limited to United States citizens;

(b) Amending the National Defense Education Act to include the Overseas Schools under the loan provisions of Title III for equipment and remodeling and under the teacher institute provisions of Title XI to provide for institutes to be held outside the United States again not limited to United States citizens;

(c) Amending the Higher Education Facilities Act or other appropriate construction legislation to permit overseas schools to borrow under long-term, low-interest rates for

academic construction and remodeling with such loans contingent upon the recommendation of the Office of Overseas Schools; and other appropriate agencies such as the U.S. Office of Education.

(d) Extend coverage under Title II, III and IV of the Elementary and Secondary Education Act of 1965 to children enrolled in overseas schools.

I should say here that some of these recommendations have already been implemented with regard to the D.O.D. school system and some legislative attention has been focused on attempting to do the same for "American-sponsored" schools. You might be interested in my bill, H.R. 12385 cosponsored by other members of the Education and Labor Committee to extend the Loan Forgiveness features of the National Defense Education Act of 1958 to teachers "in American schools abroad supported by the United States." Although action has not yet been taken on this bill there is considerable sympathy for its purpose among the members of the Education and Labor Committee.

Another bill which you should be interested in even though it does not at the present time include you within its terms is H.R. 10308 introduced by Mrs. Mink of Hawaii and cosponsored by me and other members of the Education and Labor Committee. This bill would establish a "National Overseas Education Board" which would not be an operating agency for overseas schools but would be the one central coordinating agency for all overseas education; that might be calculated to guarantee some semblance of equal treatment for American children overseas through formation and implementation of some identifiable national policy with regard to our responsibility toward them.

Other specific recommendations that have been made include amending foreign aid legislation to permit the lending of P.L. 480 funds for long-term-low-interest construction loans and attempts to loosen up the restriction on the use of counterpart funds for teachers' salaries, textbooks and teaching materials.

We might also review the deductibility of corporate gifts to overseas schools with the purpose of encouraging this practice by American corporations doing business in foreign countries.

In closing, I should like to make some brief observations on some matters of particular concern to me and at least some of the other members of the Committee at the present time. If I may use what may be a non sequitur—the one thing we found that the American-sponsored elementary and secondary schools overseas have in common with each other is that each one of them is unique.

In expressing some general concerns, I do not intend to imply that they are found in all or even a majority of the schools which you represent here but they have been found by the Committee frequently enough to make them worthy of consideration:

1. The private schools meet an educational need and there is great freedom in the development of the curriculum; however, many of these schools can only provide a very minimal educational program.

2. In some cases, the private schools are established to meet a need of the private companies and the children of United States Government employees are third or last in priority for admission.

3. Sometimes requirements of the Ministry of Education of the host country limits or controls the educational program: For example, in Buenos Aires, the American curriculum is taught in English in the mornings, but the Argentine Government requires that the Argentine curriculum be taught in Spanish in the afternoon.

4. The private schools, generally, have a greater mixture of children and teachers than the Department of Defense schools. In Rome,

Italy, the faculty came from 15 different countries. This can have a very fine and stimulating educational effect, but might not be good for the student returning to a state-side school after a short time.

5. Most of the private schools have financial problems. The schools, generally, must or desire to accept children from host-nation countries. The tuition charged will not provide moneys for teachers' salaries and instructional supplies comparable to the state-side or Department of Defense educational programs. Teachers' salaries are generally low and, as a result, many teachers are employed who lack formal education and qualifications and have some other principal reason for being in the country.

6. In many cases, APO facilities are not available to the private schools; thus, costs of getting books and supplies into a country are increased.

7. In many cases, influential people on the Board of Governors exercise too much control over the educational program. Sometimes this board is dominated by "old-timers" and semi-permanent members of the business community.

8. There is no uniformity in curriculum offerings or in instructional materials and textbooks being used.

9. In general, the facilities of private schools seem quite adequate. We have some concern about the Federal government providing grants for some facilities and then the children of Federal employees being required to pay the same tuition as others, when their sponsors did not contribute substantially to building costs. It seems that Uncle Sam is paying twice.

As I said, these are generalized concerns and are not offered as a criticism of the "American-sponsored" schools, but merely as an outline of the specific areas in which the Federal government might assist in guaranteeing equal and quality education abroad, as indeed we should at home.

#### THE NEW STUDENT INVOLVEMENT IN THE PROBLEMS OF THEIR WORLD

Finally, I would like to make a few observations on how our concern with education, as teachers, parents, administrator, is relevant to the new student involvement in the problems of our world. This subject is the focus of your conference, and I hope to leave you with some thoughts which you can expand upon from your own experiences, observations, and further discussions.

Today, April 22, is a most appropriate day to be discussing the implications of the new student activism both at home and in the overseas schools—because today has been declared "National Earth Day." On this day, in every part of the United States, young people are joining with their parents, their teachers, and their leaders to express a dedication to preserving and improving our environment. The growing concern at home over stopping pollution and preserving our natural resources has been generated mostly by the sincere conviction of our young people that they have a stake in the future condition of this world of ours.

We are hard put to think of a more constructive, and hopeful effort which has been initiated within this century; and it is the youth of our country who initiated and will carry forth this cause.

I believe that it is most important to stress this positive aspect of student activism because there has been far too much emphasis on the destructive action of a very small minority. As a result it has become all too easy for those who would resist change of any kind to label all efforts directed at achieving change as radical and destructive.

I would ask that as educators you never forget that the very aim of education is change—change from childhood to maturity—change from ignorance to knowledge.

You must have asked yourselves many times what the activity you read about in the papers will mean to your students and your children.

There are many areas where this activism has direct relevance to the Overseas school system. The questions which students are asking of the educational system in the United States should also be asked of our overseas schools. I pose a few questions for your further consideration.

(1) *Is curriculum relevant to the adult world we are preparing students to enter?* This raises the whole problem of whether we are providing the proper basis for future jobs and careers. The lack of adequate vocational training, the lack of innovative work-study programs, and the paucity of adequate math and science courses in many schools is but part of the problem.

(2) *Are we providing students with enough personalized instruction in a world which is becoming increasingly depersonalized?* The complaints of students at "multiversities" who are lucky to even get 10 minutes of personal conversation with the graduate student who is teaching their class are equally relevant to elementary and secondary students in large schools.

(3) *Are we providing for adequate student participation in the decision-making process?* While I do not advocate total student control of educational institutions, I find that all too often we forget that the best source of information as to what kind of job a school is doing is from the student himself.

(4) *Are schools providing courses which have a reasonable relationship to the total community and culture in which the students live?* At home students raise this question out of a growing desire to improve the living conditions of all Americans of all races. You in the overseas school system have a unique opportunity to be acquainting your students with the foreign culture in which they are living. Are your students being allowed to take advantage of that opportunity?

#### THE REAL ALTERNATIVE

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. ASHBROOK. Mr. Speaker, in contrast to recent campus disorders, an encouraging experience of one institution of learning, Kenyon College in Gambier, Ohio, was reported by the Evans-Novak column in the Washington Post of May 15. While antiwar protests and demonstrations were breaking out on other campuses, the administration, faculty, and students of Kenyon coolly and calmly worked together to continue their mutual commitment to educational progress. As the column points out, this recent Kenyon success story is no guarantee of continued peace on that campus, but at least for the time being, an attempt to separate the students from their educational goals and their faith in school officials and faculty has been thwarted. As I have pointed out before, students must ask themselves to what extent their education will suffer if suggested proposals by innovators and even militants are supported and adopted by individual students.

Following is the Evans-Novak column cited above:

#### NOTABLE VICTORY SCORED AT KENYON FOR CAUSE OF ACADEMIC FREEDOM

(By Rowland Evans and Robert Novak)

GAMBIER, OHIO.—Tense and dramatic days last week on the normally pastoral campus of Kenyon College here revealed the extent of the crisis for liberal education in America under even the best of conditions.

What happened at Kenyon was a signal triumph by administration, faculty, and students against politicizing the campus despite the volatile atmosphere. While some 450 colleges were shutting down, Kenyon not only remained open but displayed some unfashionable virtues: Civility, an appreciation of academic freedom, and mutual respect between faculty and student body.

Yet, even at Kenyon with less than 1,000 students and physically isolated in rural Ohio, worried professors and student leaders warily approach the future—fearing the barbarians are at the gates. They wonder how long sanity can survive here while student fury, often abetted by faculty, engulfs Harvard, Michigan, and Berkeley. "How long can we stay quiet when all hell is breaking loose around us?" asks one Kenyon professor.

Every campus has its own peculiarity, and Kenyon's conspicuous success is no prescription for restoring liberal education nationwide or even a surefire formula for saving it here. What the Kenyon story underlines is that a firm stand by the faculty in the interest of intellectual civility is the one essential for survival of the American university.

Following the pattern of every campus today, students and faculty at Kenyon are emotionally opposed to the Vietnam war. Nor were they immune from the campus frenzy over the Cambodian operation and the killing of four Kent State University students. When Kenyon's students watched fellow students elsewhere man the barricades via the evening television news, they started planning their own student strike.

Where Kenyon differed from most other campuses was the reaction of administration and faculty. Instead of submitting to student demands, Kenyon's professors persuasively argued with the students that closing down the campus would accomplish nothing and that a planned student march on the State Capitol might only lead to more tragedy.

The appeal to reason succeeded. After a long meeting last Thursday night, the students voted not to participate in the Columbus march and to recommend that the college stay open. But they also recommended cancelling final examinations. Instead, they wanted "symposiums, open forums, and teach-ins" on the Indochina war, on violence and dissent, and on the use of force on the campus.

At most campuses, the administration would have eagerly gobbled up this seeming panacea. Indeed, a proposal for teach-ins, passe to student radicals, departs from the present collegiate principle that important matters should be settled by conscience instead of intellect.

Remarkably, however, the Kenyon faculty did not accept that easy way out. Realizing that cancellation of final examinations would open the door to disruption of education whenever external political developments intrude, the faculty voted to hold examinations as scheduled but to arrange three days of "convocations and seminars" on transcendent political events.

Even more remarkably, the students overwhelmingly endorsed that decision at a meeting Saturday night. There was no hissing or booing. When a student actually referred to the faculty as "honest men and good men," there was sustained standing applause. This was possible only because the Kenyon faculty has consistently opposed politicization of the campus and had implanted that principle with a significant number of students.



Moreover, when a few students at Saturday night's meeting proposed a student voice in determining curriculum and faculty selection, they were politely but firmly rebuffed. President William Caples, a non-academician who retired as a vice president of Inland Steel to run his alma mater, will not permit any such trampling on academic freedom. The fact that speakers will actually be permitted to defend the Cambodian operation during the Kenyon seminars proves that devotion to academic freedom is no mere slogan here.

Yet, there is no reason for blind optimism about the future of this small, select liberal arts college. A minority of faculty members has been haranguing students, charging they were bullied by the administration and sold out too easily.

The tenuous nature of academic freedom was apparent at Saturday night's meeting. When some students started probing for loopholes in the faculty's decision, Provost Bruce Haywood urged them not to pressure individual professors to cancel examinations. As Haywood put it: "Academic freedom is a very delicate flower."

Other Ohio campuses, because of differing circumstances, did not fare as well as Kenyon. Ohio State, the State's largest institution of higher learning with a student population of 45,000, closed on May 6 after 6 days of campus rioting. It was due to start reopening last Friday.

On the same Friday, at Athens, Ohio, students were leaving for home following the closing of Ohio University, after the second night of skirmishes between police and brick-throwing students. On the previous Wednesday Ohio University President Claude W. Sowle had tried to talk to unruly students on the steps of the administration building and for his efforts was shouted down with obscenities. The mob then moved into the downtown Athens area breaking windows and setting small fires.

Miami University and the University of Cincinnati were scheduled to reopen this week, having closed due to disorders on campus.

Ashland College reopened yesterday after a week's closing, a precautionary measure taken after outsiders began converging on Ashland for an appearance at the college by Bob Hope and Governor Rhodes on Sunday, May 10. The influx of transients increased to such an extent that police facilities would have proved inadequate had disruptions taken place. With no assurance that the National Guard would have been available for any outbreak, the school officials had no choice but to close down temporarily. Several sources have claimed that the increase of out-of-towners could be explained by the fact that on other Ohio campuses the word was out that if one could not go to the antiwar demonstrations in Washington, D.C., one should descend on Ashland for the Hope affair.

It is not my purpose here to offer panaceas for the solution of campus disruptions. The situation at Kenyon College certainly differed from conditions at Ashland College, Ohio State, or Ohio University. Like the officials and students at Kenyon, President Sowle sought to keep Ohio University open and he was supported by a majority of Ohio University students. His explanation of his failure to do so should be memorized by every student who sincerely seeks an education:

We've proven free universities are so fragile

that a relatively small group of 100 or 200 can, if they are willing to go to extremes, close a university where thousands of students want to keep it open.

Students must realize that they are the targets of those abroad in our academic communities who would use any cause or legitimate goal for their own extremist ends. There are some whose methods are clever and coolly calculated as the following excerpt from an SDS publication, "An Organizer's Manual for the Spring Offensive," clearly proves:

Escalating actions—During the course of the struggle it will probably be necessary and helpful to carry out a series of escalating "mini" actions to help build consciousness and dramatize the issue. Beginning with guerrilla theater actions in dorms we can escalate to disrupting classes, street marches, quick assaults on buildings, etc., before moving to the major confrontation of the struggle.

This manual was distributed at Kent State in 1969 at which time four disturbances—two violent—resulted from SDS activities.

If one has any doubts as to the motivation behind these actions, the manual in a final note spells it out in nihilistic and anarchistic fashion:

All over America, capitalism is creating the objective conditions that cut people loose from their normal way of life. The meaninglessness of school, the hypocrisy of the war, excessive taxes, brutal cops, the oppression of blacks have made many people alienated from their institutions and their society.

The manual continues:

Our task is to speak to that alienation, to give it *political content*, and to provide *real alternatives to people's lives through struggle*. That means that our politics must be precise, coherent and revolutionary; and that we must be ready to move, to desanctify, to confront, to escalate, and ultimately to defeat the system we live under.

The task is before us.

From the beginning of this Nation, the role of education, provided in well ordered institutions, has claimed a top priority—and rightly so. The indebtedness of our country's progress to formal education is beyond measure. The ills and deficiencies which distress the individual student will best be remedied by them as our future leaders through well functioning schools of learning. This is the real alternative we have, in contrast to the goal of the SDS and other radicals: "ultimately to defeat the system we live under."

THE SENIOR CITIZEN SERVICE  
CORPS OF THE BRONX RIVER  
NEIGHBORHOOD CENTERS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. GILBERT. Mr. Speaker, as we observe this month of May as "Senior Citizens Month," I take this opportunity to congratulate the many senior citizens organizations and groups throughout the country, but, especially, in my 22d Congressional District. An outstanding such group in my district in the Bronx, N.Y.,

is the Senior Citizen Service Corps of the Bronx River Neighborhood Centers. There are many outstanding and dedicated officers of this organization. One of them is Mrs. Mae Laufer, of my congressional district, who is chairman of the Social Action Committee of the Senior Citizen Service Corps.

Mr. Speaker, I wish to call to the attention of my colleagues in the House a statement which Mrs. Laufer recently made in behalf of her organization before the New York Governor's Conference on Aging. Again, I commend Mrs. Laufer and her group for the excellent programs in behalf of senior citizens of our community. It is my understanding that Mrs. Marcelle Levy, director of the New York State Office of the Aging, has worked with this and other senior citizen groups in the Bronx and has been extremely cooperative and helpful.

STATEMENT BY MRS. MAE LAUFER

I am pleased to come before you today to talk about the social action and education programs of the Senior Citizen Service Corps at the Bronx River Neighborhood Centers.

I have been a widow for 16 years with both of my children living very far from the Bronx. I have felt the pangs of loneliness by living alone. I am very grateful to the Senior Citizen Service Corps for having given me the opportunity to help other senior citizens—and there are thousands and thousands of us who are in the same predicament.

I would like to tell you about some of the things we are doing for our senior citizens because of the new Senior Citizen Service Corps project.

Before this project began, our senior citizens had to walk four blocks to mail a letter and four blocks back home—rain or shine, winter or summer. One of our first efforts in the project was to correct this situation, and with the help of the Postmaster General of the Bronx, we were able to have a mail box put right near the housing project so that not only the senior citizens, but all of the other families living in the area, were able to benefit from this new service.

For 18 years, Bronx River was virtually cut off from any convenient form of transportation. Only one bus ran on the highway and in order to get to it, it was necessary to cross four service roads, two cloverleaves, two islands, and an underpass. We felt that this was such an important problem for older people that we immediately gave it our attention and I am pleased to say that we now have a bus running in front of the Bronx River Neighborhood Houses.

Another serious situation confronting our senior citizens had to do with their fear of going out in the evening. Once again, we contacted the local housing authority police as well as the captain of our precinct and we are hopeful that, very shortly, we will obtain special attention from both of these agencies so that our senior citizens can come out at night and enjoy the programs at the center.

It was quite obvious to us that we had to work with our local, state, and national elective officials in order to get many of our programs implemented. We have had our borough president come to speak at the Center. We have also chartered buses to go down to present our views to the Board of Estimate. We, along with many other groups in New York City, presented our views on the reduced fare program and I am pleased to say that it appears that we will have a reduced fare program for senior citizens by this June. I might also add that it was seven above zero the day we went down to the Board of Estimate.

Another important program which we developed for our senior citizens was a food

buying club where older persons would be able to purchase their food at reduced prices. This program helps not only the senior citizens, but the general community as well.

Still another important program which we developed was our Sunday Program at the Center. Many of our senior citizens live in small apartments and when their children would come to visit them, they did not have room to accommodate them. Also, many of our senior citizens have children, like myself, who live a great distance away and are not able to visit them. Sundays can be very lonesome for older people, and so, we decided that we would establish the Sunday Program so that older people would have someplace to go. We found also the older people who are visited by their children and relatives like to bring them to the Center to show them what they do during the rest of the week and give them an opportunity to meet their other friends.

During the month of May—which is Senior Citizens' Month—we conduct special programs to honor our senior citizens. On the 24th of May, we are going to give awards to the senior citizens who volunteer in our programs.

I don't want you to think that we do nothing but work on projects. We have fun also. We recently had a party for 200 senior citizens—it was a combined St. Patrick's Day and Purim party—sort of a double play. We also have bus trips once a week during the summer, and once a month during the winter. We also charter buses to go down to City Hall so that our senior citizens can come out and fight for what they want—no matter how hot or how cold it is. Last year, we chartered two buses and took a trip to Lakewood, New Jersey for an all-day outing. It was a beautiful trip, and for many of our senior citizens, it was the first time in a long time that they had been able to get away from the City.

In addition, we also have a daily lunch program. Our senior citizens are able to work on various programs in the morning, then have their lunch, and return to their projects.

We also have the traditional programs of many of the senior centers: sewing classes, arts and ceramics, jewelry making, and study groups. I might also say that we have a bingo game, because without a bingo game, there is no center.

We are very pleased that we are going to begin a new program which will be an escort service for senior citizens who are afraid to come down to the Center. We are going to have other senior citizens visit their neighbors and take them not only to the Center, but out on various trips which we will make.

One of the special trips which we took recently was to Carnegie Hall where we saw Leopold Stokowski. We were able to get three tiers of box seats for our senior citizens. One of our seniors, a lady of 84, told me that she felt like a queen for a day. She told me that her children would never believe that she was able to go down and see a performance at Carnegie Hall.

All of these things may seem like little things to many people, but to isolated and lonely older people, they are very important and provide a great deal of happiness. And for this reason, we are very grateful to the New York State Office for the Aging for giving us this opportunity to be able to serve our senior citizens the way we do.

GEN. WLADYSLAV ANDERS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. DULSKI. Mr. Speaker, peoples of Polish descent throughout the world, as

well as many other persons, were saddened to learn of the passing last week of one of Poland's all-time great military leaders and statesmen.

Gen. Wladyslaw Anders, commander of Poland's armed forces in World War II, died in England where he had lived in exile since the war.

Polish history already gives important and well-deserved prominence to the achievements and dedication of General Anders on behalf of his native land. His heroic leadership of his Polish troops in World War II represent one of the great chapters of this struggle for peace.

General Anders particularly is recalled for his great leadership during the bloody and significant battle at Monte Cassino in 1944 during the Allied offensive in Italy.

The 2d Corps, headed by General Anders, was assigned the task of capturing the German stronghold and launched his attack on May 11, 1944. A week later, General Anders led his men in storming the final location where the Polish flag and the Union Jack were hoisted side by side.

Since the war, General Anders had carried on the struggle in exile to free the Polish people from Communist domination, a chore that the rest of us of Polish extraction now must carry on without his inspiring leadership.

At the time of the Katyn Forest Massacre at the outset of World War II, General Anders was placed in solitary confinement for a period of 20 months before he was freed to take command of the Polish forces. During the 1952 congressional investigation of the Katyn Forest Massacre, General Anders was one of the most helpful and knowledgeable witnesses.

General Anders has gone from our midst, but his heroism, his dedication, his patriotism remain as inspirations for all good men of good will.

TRIBUTE TO STUDENTS OF  
FLETCHER JUNIOR HIGH

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. CHAPPELL. Mr. Speaker, at a time when trampling feet and loud voices are making the headlines, a group of young people of junior high age have spoken more loudly and more clearly to me in a very quite way—a way I hear and respond to much more readily than marching and shouting.

This week, I received a petition signed by about 750 students at Fletcher Junior High School in Jacksonville Beach, Fla. Their request is simple. It reads:

We, the students of Fletcher Junior High School, Jacksonville Beach, Florida, request your initiation and support of all legislative bills concerned with improving and protecting our environment.

We are aware of the crisis affecting the delicate balance of life, not only in the United States, but in the world. We are aware that the results of this threat will be even more critical by the time we are old enough to vote; therefore, we ask you to

represent our interests so that we too may enjoy a long and healthy life on this earth.

Mr. Speaker, I intend to represent the interests of these young people and I want to urge every Member of the U.S. Congress to hear their plea. Their request is a poignant call for our help. We must all hear and act.

ASTRONAUT NEIL ARMSTRONG  
JOINS NASA

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to compliment NASA and Astronaut Neil Armstrong on the fine appointment of Neil Armstrong to the responsible position of Deputy Associate Administrator for Aeronautics.

We longtime friends and admirers of Neil Armstrong have followed his outstanding career and successes from his early days as pilot of the remarkable X15 research plane at Edwards Air Force Base in California. Neil Armstrong has been at the forefront of research and exploration of both aeronautics and astronautics so that his appointment by NASA fills a vital research executive position with a man of remarkable competence, dedication, and ability.

It is a pleasure to insert in the RECORD the article from the Washington Evening Star of Tuesday May 19, 1970:

ASTRONAUT NEIL ARMSTRONG JOINS NASA

HOUSTON.—The first man on the moon, astronaut Neil Armstrong, has closed the door to his chances for another moon flight. He announced yesterday he will take a desk job in Washington.

The 39-year-old spaceman who commanded the Apollo 11 moon landing mission will become head of the National Aeronautics and Space Administration's aeronautics program in Washington on July 1.

The move takes him out of the astronaut corps, but Armstrong said yesterday he plans to keep his flying skills sharp by flying helicopters, jets and sail planes.

BUDGET IS \$87 MILLION

As head of the aeronautics program, Armstrong will oversee NASA research into all types of aircraft. The program is scheduled to receive \$87 million for fiscal year 1971.

He will succeed Charles W. Harper, who is being reassigned to assist Dr. Werner von Braun in planning future manned space flights.

Armstrong was at the controls when the Apollo 11 lunar module landed on the moon's Sea of Tranquility last July. During the early morning hours of July 20, he walked down a ladder and became the first man to step on the lunar surface.

He and astronaut Edwin E. Aldrin Jr. walked on the moon for almost three hours while the third Apollo 11 crewman, Michael Collins, orbited overhead in the command module.

Armstrong's exit leaves only Aldrin of the Apollo 11 crew still in the astronaut corps. Collins left last year to become assistant secretary for public affairs in Washington.

Armstrong said he had "a lot of reservations" about leaving the space program, but "I don't think that it will be a permanent parting. I foresee that space and aeronautics will not always be so far apart."



He said the space shuttle, planned as a reasonable spacecraft which can fly into space and then land on earth like an airplane, "will require the best of both space and aeronautics."

Armstrong is scheduled to travel to the Soviet Union on Saturday to speak at a meeting of the Committee on Space Research, an international organization meeting in Leningrad.

#### A VIABLE SOCIAL SECURITY PROGRAM

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. BIAGGI. Mr. Speaker, for many families with low incomes, and for large families with modest incomes, social security benefits during retirement years have come to mean an important and, in many cases, the only source of income to the elderly.

The old age retirement benefits originally conceived in the Social Security Act of 1935 were first designed to provide a basic floor of protection on which individuals could build through their own efforts. I am happy that the Congress, through the years, has expanded this concept to provide even greater benefits for those who, during their working years, pay into the social security fund. Special categories and additional benefits have been added to cover many categories of recipients who it was felt deserved special consideration under the act.

This week the House will be considering legislation which the Ways and Means Committee has reported out, amending the old-age, survivors', and disability insurance system, the medicare program and the medicaid program under the Social Security Act. I am strongly in favor of these provisions and amendments because they reflect congressional awareness of present needs and past inequities in the Social Security Act as it is currently written.

However, I have been extremely concerned with the role of the retired citizen over the past 2 years. Squeezed by a spiraling economy, neglected and shoved aside after retirement, the older American is bearing the brunt of the psychological and economic costs of old age in America. More than any other segment of our society, the older American who lives on social security is the one hardest hit by inflation.

Revisions in our present social security laws could help make the burdens of living on a fixed income more tolerable. A change in our thinking about the social security program as it relates to retired persons could help channel the talents of older Americans to useful programs that need and want the skill and expertise that only time and training can offer.

One way to encourage the participation of the retired citizen in the economy after retirement is to eliminate the outside earnings limitation presently placed

on social security recipients. Not only would this enable those who want to work full or part time to supplement their modest incomes and enjoy their golden years in more comfort and dignity, but it would encourage older persons to lend their talents and leadership to national programs which are desperately in need of experienced personnel.

Although I am pleased that the Ways and Means Committee has reported out a bill which makes the retirement income test more bearable, nevertheless, I view this modest amendment as insufficient to the demands and realities of Twentieth century living. The extension of the outside earnings limitation from its present \$1,680 to \$2,000 and the institution of a formula to reduce benefits on each \$2 of earnings up to \$3,200 by \$1 does not reflect the high cost of living in 1970, nor does it encourage retired social security recipients to work after retirement.

For this reason, Mr. Speaker, I am introducing a bill today which, among other things, would remove the outside earnings test entirely. We should encourage, not discourage social security recipients to work if they so choose. They should not be penalized money that they have contributed to the social security fund over many years because they choose to continue to contribute to the American economy after regular retirement.

Relating to the "pocket-book pinch" of inflation, I am especially pleased that the committee bill calls for another 5-percent increase in social security benefits beginning with payments for January 1971. Combined with the 15-percent increase passed by the Congress last session, the projected 20-percent increase in social security benefits is exactly the amount called for in my social security benefit bill H.R. 14431, which I introduced in October of 1969. I heartily endorse the passage of this extra 5 percent, especially in view of the fact that the Administration's original request was only for a 10-percent across-the-board increase, an amount which I am pleased to say the Congress felt entirely too low for approval.

The most recent social security amendments relating to the social security cash program also call for the passage of some provisions that I had outlined in my H.R. 14431 social security bill of last October. One of these provisions is the elimination of the discriminatory aspects of social security laws as they relate to men and women and their families. The committee has endorsed a 100 percent widow's and widower's benefit increase at age 65. Under present law a full widow's benefit applied for at age 62 or later is equal to only 82½ percent of the primary insurance amount of the wage earner.

My bill, and the committee amendment entitle a widow or widower to a benefit equal to 100 percent of the primary insurance amount if first applied for at age 65 or later. Benefits applied for between age 62 and 65 would be proportionately increased over the present

82½ percent according to the age of the applicant at the time of application.

In conformity with the intent of the Civil Rights Act of 1964 as it relates to discrimination because of sex, I am introducing as part of my social security bill today a provision which further amends the act to provide for the determination of insured status and average monthly wage on the same basis for men as well as for women. The onus of sex must be eliminated from the provisions of the Social Security Act.

In addition, this bill would provide benefits for dependent parents of individuals who are entitled to old-age or disability benefits. I feel this is a necessary addition to the act which will be beneficial and helpful to many recipients who now are faced with the almost impossible burden of a dependent family member or parent.

Mr. Speaker, turning to the medicare provisions in the social security amendments reported out by the House Ways and Means Committee, I would like to express my regret at the fact that the committee did not see fit to cover disabled children or chiropractors under the provisions of medicare. I have introduced legislation to accomplish this aim in the firm belief that both these areas should justifiably be covered under medicare. I shall continue to support the inclusion of both these provisions in the medicare program and I am encouraged that the committee did provide for the establishment of a commission to study the value of including chiropractors under medicare.

In further reference to what I consider significant omissions from the medicare revisions, I would like to express my dismay at the committee's lack of action on the question of drugs under medicare. The cost of the program is initially large, but I believe its need has long been proved. If the committee would act to institute some reforms in the administration of the medicare and medicaid programs as I suggested in separate legislation designed to eliminate fraud and waste in medicare and medicaid, the cost of drugs could easily be included in the program.

Mr. Speaker, the burdens of our older Americans are many. In keeping with the traditionally keen interest of the Congress of providing for the needs of those whose past membership in the labor force has entitled them to a share of the strength of the economy, I would like to endorse the social security measures that will be considered by the House this week. Although I personally envision even more equitable social security laws than we now have and more liberal provisions than the House Ways and Means Committee has seen fit to adopt, the committee bill is a step in the right direction. Social security laws should enable and encourage, not restrict and penalize. They should allow and even attempt to enlist the participation of older Americans in the American economy.

I hope that the bill I am introducing today will help accomplish this aim. A cohesive and equitable security act is needed, and needed now.

## REPORT ON RABBIS' CONFERENCE

## HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. LONG of Maryland. Mr. Speaker, Rabbi Martin M. Weitz, director of the Center for Inter-Faith Studies at Lincoln University and the Rabbi of Temple Adas Shalom at Havre de Grace, Md., in my district, participated in the 1970 Convention of the Central Conference of American Rabbis in Israel. He has told me about the rewarding 10 days that he spent in the company of more than 300 other Rabbis and their families from many nations. At this point I would like to share his account of this experience with my colleagues:

REPORT ON RABBIS' CONFERENCE IN ISRAEL—  
MARCH, 1970

(By Dr. Martin M. Weitz)

First in its history was the 1970 convention of the Central Conference of American Rabbis, so that even now it remains an exalting memory. The delight in sharing ten days in company with three hundred or more Rabbis and their families was enhanced by representation on the part of many from different sections of the country and different countries of the world. All were Reform Rabbis who came to know and appreciate one another by living and traveling together and by learning the living landscape. Mount Scopus was an appropriate opening site for the convention itself. All present sat on the stone benches hewed out of the very limestone hills which graced the setting and which made it an amphitheater so that one could see the distant hills of Moab and know he was in the land of the Bible. The events of the Conference were packed daily with experiences that were deeply moving and richly significant. The first few days before the Conference itself, in the City of Jerusalem, were assigned to a variety of activities and with a system of bus transportation. Upon our arrival, March 3rd, Tuesday, we explored the Negev and visited Ashdod, Beersheba, Lachish as well as Kiryat Gat, all of which are not merely Biblical sites but modern sights. We were able to see much of the tremendous industrial progress and the cultural emancipation and the political rights for which modern Israel is so justly proud.

On March 4th, we continued our itinerary so that it became a pilgrimage with stopovers at Nahariyah, Caesarea, Haifa and with a fine afternoon spent at the dedication ceremonies of the Leo Baeck School and then with a visit to and through Nazareth.

March the 5th was continued in Haifa, Afula, Bet Shaan and we visited a special kibbutz dedicated to collective experience in the organization in economy as well as in forms of life with a socialist base and yet with a universal cultural pattern. We also visited En Gev.

Friday, March the 6th, we spent several hours at Megido (Armageddon) and continued then to Nablus, where we were able to have a moment with the High Priest of the Samaritans, who invited us into his little sanctuary for as much time as he and we could share and spare. We then had a breathless view of the City of Jerusalem from the north as we came via Nablus and saw the magnificent and Golden City from afar and then from anear, with its glistening walls

clear around the old section and its pulsations of spiritual significance for all in our entourage. Many broke out into tears at the sight of the old Sacred City, sacred to three great world religions and literally we knew that this was the climax of the tour to date.

On March 7th many of us took long, lingering and lyrical walks through the Old City and beheld the magnificence of the Dome of the Rock as well as the moving and stirring setting of the Western Wall (mistakenly called the Wailing Wall) and spent evening in the Israel Museum where the Mayor of the city, Teddie Kollak, welcomed us with good humor, fine refreshments and generous hospitality.

The next day several of us took our own little tour to the Dead Sea, Dimona and Beersheba where we beheld the miracle of reconstruction and the setting of rehabilitation for the vast area of what goes by the name of Negev. That very evening it was a pleasant reunion to visit with Marc Winderman, who is enjoying his sojourn in Israel and has learned Hebrew quite well for communication and for the spirit of the land and its people. Later we were all guests of the Keneset (Parliament) where the featured speaker of the evening, after a very suitable dinner, was Abba Eban, Foreign Minister of Israel, who explained the point of view prevalent in the land and indicated his general commentary of life and labor in Israel. His elegant banquet in Chagall Hall was more than an evening unforgettable with fine oratorical outbursts.

Some of the memorable phrases were: "You cannot understand our policies unless you understand our memories . . ." "Israel offers no apologies for her eccentric refusal to perish . . ." "The victor sued for peace; the vanquished demanded unconditional surrender . . ." These and many other gems of diction and forms of expression glittered in his verbal firmament.

On March 9th, in company with several Rabbis, we took off for Jericho where we beheld the twenty-two or more levels of civilization on this oldest inhabited city on the face of the planet, and followed this with a visit along-side Jericho paralleling the Dead Sea and beheld a rim of the Sea and on to Qum Run, the setting of the Sectarians who helped create the Dead Sea Scrolls and deposited them in the nearby caves, 227 in all discovered first in 1947.

The following day was invested in another trip to, and ascent up, Masada, which is an inspirational stronghold made into a fortress-palace by Herod the Great and which today is one of the most significant archeological discoveries in the history of our time. That evening we were privileged to "hearken to the voice" of Golda Meir herself and her fearless charm, magnificent conversational style of speaking and convincing manner of presentation, representing the beleaguered status of Israel today, graced with charisma, great courage, dignity and personality.

On March 11th, about 10:00 A.M., we left Lod outside of Tel Aviv, in order to make our way back via El Al to New York City with a stopover, for one hour, in London for purposes of refueling and for checking the plane against possible bomb threats.

The above is but a skeletal format of the total schedule for ten days but we now flesh-in some of the significant observations and impressions. First of all, why was the setting of Scopus so significant. Because it carried the theme of from 70 of the Common Era, or A.D., to 1970. This is the first time of a reunited and restored Jerusalem. It linked us with the days of the Second Temple, the hills nearby served as a Beacon Chain announcing the new moons from hilltop to hilltop. This

setting also was where Titus of Rome mounted his final assault which ended in the destruction of the Temple and Jerusalem in the year 70 C.E. Here too, a remnant of Judea lived through many dark centuries, survived the bloody Crusades and on through medieval times in order to make their identity with Jerusalem and the land of Israel, not merely a poetic overtone but a realistic pattern for life. Here was the setting where Rabbi Judah Magnes, an American Rabbi, helped create the Hebrew University so that it was one of the great lights in the world and not merely in the Near East. . . .

Israel, at the western window of Asia, covered approximately seven thousand, eight hundred and twenty-two square miles before June, 1967.

It has a varied topography of mountains and hills, valleys and plains, lakes and deserts, rivers and seas, all in a matter of miles or minutes depending on one's direction. Its storied and gloried rivers are the Jordan, the Yarkon and Kishon, while its lakes are the Huleh (now evaporated mostly), the Sea of Galilee and the Dead Sea. Its highest point is Mount Jermak, almost 4,000 feet above sea level while its lowest depression is the Dead Sea, 1,290 feet below sea level. A Mediterranean climate pervades throughout Israel, even the winter has many summer days. The population at the end of 1967 was 3,767,000, of which 2,500,000 were Jews or Israelis, while 191,818 were non-Jews. The Arabs, largely Moslems, made up 131,500 of the non-Jews, with 42,800 Christians and 17,500 Druzes. In 1967 about 1,050,000 were Arabs in occupied areas.

Primary among the "moments" that were thrilling was an exposure to the Western Wall. The gigantic, Herodian stones were not alone from present street level up. Recent digs under the direction of Dr. Mazur and others, at the Southwest corner of the Wall, had discovered that this supports the ancient enlargement of the Temple Mount. Debris of centuries is now being cleared, seventy or more feet to the very walks placed by Herod two thousand years ago. Spectacular Roman-styled, cut stones go beyond forty feet in length at the present and they go deeper when completely uncovered. Another season of bull-dozer will lay bare titanic dimensions on this very wall and add another cubit or two to the claims to Israel's rootage in history here.

Another magnificent "moment" was with the Dome of the Rock and its nearby mosque of Omar, a magic gem in architecture, a beautiful edifice in design. This creation is breathtaking within and without. We had a conducted tour through the brilliance of the new Knesset also, its carpet in mosaic, its walls of artistry as executed by Chagall and others, and its meaningful format for cabinet rooms, offices and chambers. All was a rendition of modern Israel with creative continuity with ancient Israel in beauty, history and utility. Here we had most of our meetings, especially when we were able to meet with Abba Eban and others who bespoke the voice of Israel today.

Still another "moment" in history was our clumb up Masada, overlooking the Dead Sea, a blunt, blank, brutal rock with nothing to commend it except its size and stature. This was Herod's rock-fortress, the last refuge of the Jewish Zealots, after Rome's Titus had destroyed the Temple of Jerusalem in 70 C.E. It was here that a thousand Jewish men, women and children honored a mass suicide pact rather than fall to the hands of the Roman garrison, which had been besieging them for three years. The story is graphically recorded in Josephus Flavius' history and today the stirring account has been proven true in every heroic detail, as archeologists under the leadership of Yagael Yadin have laid



bare the mountain's secrets. Thousands of volunteers, from all over the world, joined in the recent digs and helped in its restoration.

Masada today is a symbol of heroism to Israelis, a solemn pilgrimage for the country's youth and the visitors who follow the route to the summit, whereby they make their own tribute to freedom. Visitors like ourselves, toured the Roman camps, appraised ingenious siegeworks which held off the conquering army for so long and wander around the same palaces which Herod built as well as delight in the mosaics and wonder at the chambers which provisioned the defenders and also gave into eternity as well as history while we silently shared a "moment" in the oldest extant synagogue discovered on the face of the earth, right on top of Masada.

We also learned to know the Negev from Biblical historic and contemporary sources and resources. The Negev is four thousand square miles of Israel, South, as a limitless sea of sandstone and scrub. It is a golden ocean navigated by Bedouins and camels islanded by Jewel-green settlements, bounded by barrier reefs of rising peaks. It is a landscape of rainbow-hued craters and craggy gorges seared by fiery sun-heat. Today, with water pumped from the far North, in Galilee, this totality of aridity is reclaimed by many *Kibutzim* and farm villages so that they are alive and aware in the total impact of modern times.

Travel throughout any part of modern Israel shows us the outcroppings of history as well as parts of the King's Highway which was the royal road of Sargon the First, five thousand years ago.

But the real miracle of Israel is the Ingathering of men, women and children to the four corners of Israel from the four corners of the earth. In a matter of a year or two a medieval fragment of being is transmuted into a human being with adequate housing, freedom from illness and sense of stability. The Ingathering of the Exiles truly is the miracle of the Twentieth Century where broken people are made whole and lives bereft of speech gifted again with song in the lyric of reconstruction. One of the inspiring "moments" was an exposure to the personality of Golda Meir, for she is studded into Israel over several generations, who came quite young from eastern Europe and grew up in Milwaukee, Wisconsin, and Denver, Colorado. Her whole biography is a study of personality in the period. The saga of Israel centered about this great lady for she played a vital part in every phase from pioneering struggle to the creation and continuity of the State, in her roles as a first Premier (when Ben Gurion and Sharrett were "detained" outside Palestine), as Bedouin-garbed woman of mystery who visited Abdulla of Jordan to plead with him to stay out of the Arab-Israeli struggle in 1948, as first ambassador to Russia, as Minister of Labor in Israel's first cabinet, as Foreign Minister until a brief year ago and in other notable assignments. In her discussion with us she told in simplicity and beauty and in brevity of expression why she feels the way she does and she explained that she recalled (one) hunger in her home and (two), flight from a Russian "Pogrom."

These became her passions for life, justice for all who suffer hunger, peace for all people including her own people and both of these were established in the old, new commonwealth of Israel as a new kind of covenant. She has resolved these two currents in her stream of life, an American Jewess who became a pioneer, a woman who resolved dramatic conflict between a public role as a national leader and a private role as a wife and mother.

We also learned to appreciate the cities of Israel we visited. All of them together are like parts of a family and this made a most memorable and vivid impression, for each is

as a member of a large family. Each as its own personality even though the Israeli household occupies so little area. As they have different sizes they also have different tempers and temperaments.

Tel Aviv is like a lady with a large brood. It is a home of small and fairly large businesses and much activities. Its personality has variety as well as energy, it is a theater center, the Times Square and the playground of the country. It has more dailies than New York City, five full-time companies for the theater.

Jerusalem is the Patriarch, the man with the long beard, so to speak, but it is strong, erect and unbent. It is quiet, meditative, reflective in its mood, with the long-range look to all its efforts.

Here is Kiryah, capital of government, the Hebrew University, center for learning, very little part in business in contrast to Tel Aviv, the world famous hospital Hadassah and many academies for learning and other cultural-religious storehouses as well as the glamour and the gilt of the Old City.

Haifa is a young, dedicated man with an upward look and boundless energy. If Tel Aviv is the city of the present and Jerusalem is the city of the past, Haifa is the city of the future. It is a port city with a third of its people living off the literal "litteral," as it were. It is anchorage for Jewish boats and many others and is crowned by the new Technion in which oils and chemicals of future ingredients are basic for its first "alchemy" in this world old and new.

Beersheba is a growing lively maiden still with her mother, as a Biblical Ruth rather than her teenage counterpart in America. She has a number of suitors and not all of them are as Boaz. Her's is an old story, with growth arrested during many years of neglect but with a sudden, almost startling, adolescence since a decade ago in new Israel's saga of life. A new road to the Negev, the Dead Sea and its minerals is a new lifeline for Israel itself. The dams and irrigation pipes and reservoirs are reflected glories of Abraham and the ancient wells he uncovered at Beersheba.

Ascalon and Ashdod are twins in braids or curls depending on their mood and what day it is. These settings recall the deeds of Samson and suggests "scallion," an English word that comes from Ascalon when it implied a source for green vegetables, notably onions. A few years ago this was all a memory; now it is a reality, a marketplace of factories, for cement pipes—largest in the world. Both cities are youthful girls looking to the sea and looking to the desert.

Elath is still an infant in the family of cities of Israel. It was not exactly left on its doorstep which cradled its commerce, culture and conscience. It is the infant-step of the story of the Red Sea and beyond it, world destiny. It is permanence of railroad-to-be, oil pipeline in the making, possible alternate to the Suez Canal, road already reality as well as memory of Solomon's Port in Etzyon Geber. It is also the testing ground of innocent passage for ships and because of the climate, has become a winter resort. It is an Israeli Riviera. All cities as members of the family are found coddling this lusty infant so that it takes its rightful place among them all and is to be defended in peace or war.

It is not adequate merely to report on the impressions and observations of the ten-day stay and the exposures and experiences that were thrilling, personal, social and communicative, in all values.

It is equally significant, as results of the many conferences with leaders, the sessions in the Conference itself and also from reports from different sources to evaluate the total prospects of peace in the Middle East and to be able to discern the "myths" and the facts for 1970. Here are some impressions

and observations that are garnered as the result of the gleanings in exposure to a number of outstanding personalities during our ten-day stay as well as some of the major charges and perhaps answers that may help clarify the salient, factual positions in this total confusing landscape in the possibilities of today and tomorrow for peace or war.

It is wise to indicate, however, that efforts to discredit Israel, to undermine her supporters, and to win uncommitted nations as well as to isolate her when the rollcall is called in the U.N., are all part of the targets currently so that it be resultful for the opposition. These are some of the specific targets and aims according to what we've learned in the recent visit:

1. To neutralize western powers; 2. To win over neutrals in the Third World; 3. To secure economic and military largesse more than ever on the Soviet Bloc and from Chinese Reds; 4. To corral an anti-Israel majority in the U.N., as much as possible; 5. To weaken the support of Congress for Israel as well as to do so in the Department of State; 6. To win cooperation from a variety of missionaries and other religious representatives in order to divide Christian from Jew in the United States and elsewhere;

7. To indoctrinate college students of today who may be tomorrow's diplomats, educators and politicians as well as statesmen; 8. To foster Anti-Semitism among American blacks in order to make this a current significance; 9. To blackmail oil and other powerful conservative business interests so that it is one-sided in all dealings;

10. To align the New Left against Israel regardless of consequences. In this way common cause is secured with a variety of groups, all of whom might be in "unity" and diverse in their interest and at the same time arranging "facts" and other expressions to make the widest appeal to the current audience of the moment, right and left, fringe and center.

## MAY DAY

## HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. WHITEHURST. Mr. Speaker, on May 1 a large group of wives and friends of the men who are prisoners of war or missing in action in North Vietnam met in Washington. At that time, Mrs. Louise Mulligan of Virginia Beach, whose husband, Comdr. James A. Mulligan, Jr., is a POW in North Vietnam, gave the following message when the group assembled at Constitution Hall.

She speaks for the wives and families of the POW-MIA's, Mr. Speaker, and I wish to pass her message along so that these men may not be forgotten:

## MAY DAY

May Day has many connotations as many military men know and the one that comes to mind is the international call of distress—May Day—May Day—Help! Help!

People have estimated that the normal lifetime for the world's great nations has been about two hundred years. The pattern of these civilizations or nations runs something like this: From bondage to spiritual faith, from such faith to courage, from courage to liberty, from liberty to abundance, from abundance to selfishness, from selfishness to complacency, from complacency to apathy, from apathy to dependency, and from dependency back again into bondage.

This sequence may seem pessimistic, but there seems to be enough truth in the fact that nations do rise and fall, and that prosperity seems to carry within it the seeds of selfishness, that we should ask ourselves: What of America? What can be done by us to turn the tide is a question, but to see the problems is itself half the battle. We must not let complacency and apathy reign and ruin our nation.

We beg of you hear our call—May Day, May Day! Do not turn your back on the hundreds of mothers who want their sons returned! Do not ignore the children who cry out for the love and guidance of their fathers and the hundreds of wives who have grieved for years, some for husbands who will never return! Hear our call of distress and the cry from within the walls of the prison camps—May Day—May Day—Help. Please Help!

### REVOLUTIONARY TACTICS

**HON. W. C. (DAN) DANIEL**  
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1970

Mr. DANIEL of Virginia. Mr. Speaker, an editorial by Leon Smith, vice president of radio station WBTM, in Danville, addresses itself to a condition which exists on many college and university campuses today. It also suggests how these problems might properly be handled. It is apparent that a small group of revolutionaries on our campuses will not be swayed by reason, and the force which they are generating must by necessity be met by stronger force.

Dr. T. Marshall Hahn, Jr., president of Virginia Polytechnic Institute, was faced with this problem last week. His firm action is calculated to maintain a climate in which the university can fulfill its contract with those who desire to obtain an education. Dr. Hahn has my unqualified support.

The following is Mr. Smith's editorial:  
WBTM RADIO EDITORIAL, MAY 13, 1970

The adults of this world who make up what the youth of today call "The Establishment" are truly, as the New Generation charges, unable to comprehend the direction being taken on college campuses and in the streets of the nation.

The demands of youth are almost daily outdoing those of yesterday, and becoming in the process even more incomprehensible to those of us who are charged with having built an impossible world for the young to inherit. The latest round of violence on college and university campuses against the occupation of border areas of Cambodia has taken a turn which no parent will be able to understand or accept. Students are demanding the right to strike their own institutions and close them for the rest of the academic year. The senselessness of the move in view of the generally accepted intelligence of today's college student defies understanding. A college education at today's prices starts at a sacrificial cost to a parent of some \$3,000 a year and up, the value received in the classroom supposedly worth it to give a son or daughter the necessary preparation for the responsibilities after graduation.

There may be parents willing to stand for such shenanigans, but we haven't met them. Parents can understand their children who see any excuse as justified to get out of school for an unscheduled holiday, but we of the establishment have the naive idea that the attitude of the young changes at the

college level where preparation through education is of prime importance.

That being so, it's also of prime importance for us at home to understand that the chances are pretty good that our sons and daughters away at school are being victimized by a riotous few radicals on campus who through force and violence bend the majority of their fellow students to inactivity. The demand has gone up at Virginia Tech that Tech be closed for the remainder of the year.

This, we hold, is academic blackmail, which can only be answered by the authorities in charge of higher education in the State. The answer is to us clear. As long as one conscientious student chooses to attend class, his contract with the State for an education is valid and must be honored. Those who would deny a student his right to a college education expose themselves to legal restraint and appropriate penalty.

A college campus is no sanctuary for those students who would deny another an education.

### MORE COMMUNICATION, LESS VIOLENCE

**HON. OTIS G. PIKE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1970

Mr. PIKE. Mr. Speaker, I am very slow to put editorials from newspapers in the CONGRESSIONAL RECORD because I believe that the proliferation of such matter in the RECORD detracts from its real purpose. Once in a great while, however, twice in 10 years, to be precise, something crosses my desk which demands wider circulation than it has received. Recently a weekly newspaper in my district—the Long Island Advance, Patchogue, Long Island, N.Y.—published a very thoughtful editorial on the state of the Nation in general, touching in particular on the generation gap and the need for more communication and less violence.

This is a newspaper which has opposed me six out of the six times I have run for Congress, and I am sure will continue to bat a thousand in my seventh campaign this year. The fact that such a loyal Republican standardbearer would take such a very moderate and constructive position leads me to believe that there may indeed be hope for the Nation:

#### MORE COMMUNICATION, LESS VIOLENCE

When young Anthony Moffett resigned recently as youth adviser to President Nixon his act symbolized, as he no doubt intended, the profound differences between youth and the administration. Events since expansion of the Vietnamese war into Cambodia have left no doubt that great numbers of young people on college and university campuses throughout the country are deeply alienated and disturbed—more deeply perhaps, under the stimulus of the student deaths at Kent State University, than at any previous time in the nation's history.

The lines of communication between not only the administration but of the whole establishment have been pretty weak in the past but fortunately they seem to be opening slowly and greater understanding between the various segments of our people is beginning to be felt. One thing that will help to speed the day when youth's voice can be more plainly understood is lowering the voting age from 21 to 18. It has taken us several years to reach this conclusion and

we are now convinced that if youth can be drafted to fight at the command of the President or of the Congress that it should enjoy the right of franchise.

One thing is certain and that is if this nation is to survive as a democracy violence must cease. We cannot go on having our people killed, maimed and beaten up. Our schools and colleges must be kept open for all who wish to learn. Students cannot go on burning buildings, wrecking furniture, destroying files, throwing rocks and other forms of pillage in order to gain their ends. If they want peace they must act in a peaceful manner in pressing their demands; if they wish to be treated as adults they must behave in adult fashion. They must learn to recognize communistic propaganda and of how it inflames people into committing acts of violence that they would never think of committing if a calm appraisal were to be made of a problem.

And no good will come from any more acts of violence created by adults as took place recently in the financial district of New York City when a gang of construction workers broke up a peaceful demonstration of students by attacking them with their fists, their metal helmets and various other things such as pliers that inflicted severe injuries on some of the young people.

There must be a cooling off of violence in all levels of life. And in this respect more attention must be paid to findings of the National Commission on Violence which held that there is far too much depiction of violence in television shows, and that this has a bad effect on viewers, especially children. The remedial action recommended by the commission does not involve federal standards or coercion. What is proposed is that the commercial networks act voluntarily to limit television violence and schedule adult programs with a significant violence content after 9 p.m.

Everything possible must be done to create a feeling of respect for the rights of others.

### PIGS ARE BEAUTIFUL

**HON. LAWRENCE J. HOGAN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1970

Mr. HOGAN. Mr. Speaker, there are few times when the public recognizes the contributions of the police who daily protect the lives of all Americans.

I would like, therefore, to call the attention of my colleagues to a recent WMAL editorial which praises the police of the District of Columbia and urges a greater sense of urgency for completing action on the District of Columbia crime bill.

For those who did not hear this editorial, I include it at this point in the RECORD:

#### PIGS ARE BEAUTIFUL

That's the slogan adopted by some policemen on the West Coast . . . who have good-humoredly turned around a term used against them. A similar suggestion in Washington was hailed by a high police officer as an example of how "training can change an attitude from one that was once hostile to one now amused." Or in the childhood phrase: "Sticks and stones may break my bones, but names will never hurt me." It shows the police are better adjusted than most of those who have used the term in hatred.

Well, police are beautiful. And nowhere are they more beautiful than when the average Washingtonian sees one on the street. As an apparent result of increased patrols,



crime statistics in the District of Columbia now have a slight downward trend. Yet authorities still are lacking the major tool they need—the new D.C. anti-crime bill . . . locked in a conference committee. Despite the complex legal problems, the conferees need a greater sense of urgency. With that bill added to the stepped-up patrols, there is every reason to believe Washington has an excellent chance to bring crime under control.

Broadcast on Tuesday, April 28, 1970.

**ORGANIZATION SUPPORTS  
PRESIDENT'S DECISION**

**HON. JOEL T. BROYHILL**  
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, Mr. Volodymyr Y. Mayewsky, chairman of the Organization for the Defense of Four Freedoms for Ukraine, Inc., has asked that I make a letter his organization has sent to the President, supporting the President's decision to move Americans into Cambodia, a part of the RECORD.

Under leave to extend my remarks, I insert Mr. Mayewsky's letter in full at this point in the RECORD:

**ORGANIZATION FOR THE DEFENSE OF  
FOUR FREEDOMS FOR UKRAINE,  
INC.,**

Washington, D.C., May 4, 1970.

HON. RICHARD M. NIXON,  
The President of the United States of America,  
The White House, Washington, D.C.

DEAR MR. PRESIDENT: The membership and the Executive Board of the Organization for the Defense of Four Freedoms for Ukraine, Inc., Washington, D.C. Branch 17, take this opportunity to congratulate you on your excellent speech on Thursday, April 30, 1970, and to express a full agreement with and support for your courageous decision on the communist North Vietnamese sanctuaries in Cambodia.

We stand behind you, Mr. President, in your declaration that "We will not be defeated" and we fully support your policy decision to secure an honorable peace in Southeast Asia.

We would like to point out, and we feel you are aware of this, that the plans for the communist aggression in Southeast Asia (and other places) are being prepared by the communist leaders in Moscow and are only executed by the Hanoi communist regime.

We would like also to emphasize that until all Captive Nations are liberated from communist oppression, including the captive non-Russian nations in the U.S.S.R., and until the last vestige of tyranny is erased from Eastern Europe, Southeast Asia, and wherever else it may exist there can be no true PEACE in the World.

It is because of the historic experience of Ukrainians with Russian Communist totalitarian persecution, cultural and physical genocide, and abridgement of human rights that the Ukrainian-Americans strongly uphold and support constitutional democracy in the United States of America, human rights and peace with freedom and justice to all.

May God bless you and grant you bountiful wisdom in carrying your burdens as our Chief Executive.

Sincerely yours,

Volodymyr Y. Mayewsky,  
Chairman.  
Bohdan Maksymchuk,  
Secretary.

**EXTENSIONS OF REMARKS**

**REPRESENTATIVE HECHLER HITS  
UNJUSTIFIED CRITICISM OF DEDICATED  
LEGISLATOR**

**HON. WILLIAM D. HATHAWAY**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. HATHAWAY. Mr. Speaker, the perceptive and hard-working gentleman from West Virginia, Mr. HECHLER, recently expressed the shock that many of us in the Congress and a great many people throughout the country experienced when the Ralph Nader-supported task force on air pollution questioned the devotion of Maine's junior Senator, Edmund S. MUSKIE, to the cause of preserving and protecting our environment.

The gentleman's incisive remarks were reproduced in a number of the Nation's newspapers and I request that they be inserted in the RECORD:

**REPRESENTATIVE HECHLER HITS "UNJUSTIFIED  
CRITICISM OF DEDICATED LEGISLATOR"**

WASHINGTON, D.C.—Rep. Ken Hechler (D-W.Va.), one of Ralph Nader's most ardent supporters in Congress, has labelled the Nader-sponsored criticism of Senator Edmund Muskie as "unwarranted, unjustified and unfair."

The West Virginia Congressman took particular exception to the 548-page Nader Task Force Report written by John C. Esposito, which he said contains some excellent analysis and good recommendations, but suffers from a holler-than-thou, dog-in-the-manger attitude. To blast Senator Muskie for what was done three years ago naturally raises the question: where was Mr. Esposito during the hearings on the Air Quality Act of 1967? Why hasn't all this useful information been presented during this year's House and Senate hearings on revision of the Act?

"Although I gave Mr. Esposito and he included in his report, information on air pollution problems in my Congressional District he refused to return eighteen telephone calls pleading with him to present valuable information to Senator Muskie's Air and Water Pollution Subcommittee or the House Committee considering new air pollution legislation. Mr. Esposito prefers to criticize rather than to be constructive. Furthermore, when I discovered a gross inaccuracy in his Task Force Report and repeatedly telephoned him to inform him of that fact, he has made himself more inaccessible than President Nixon is to Secretary Hickel.

"I resent unjustified criticism of a dedicated, conscientious and public-spirited legislator like Senator Muskie. He has carried forward the banner of clean air and clean water, has exerted effective national leadership in these fields, and I place my confidence in his future efforts. The Nader Report has served a very useful purpose in again focusing public attention on what needs to be done to clean up the air, but name-calling is just another form of air pollution the nation can do without."

Like the gentleman from West Virginia, Mr. Speaker, I too consider myself to be one of Mr. Nader's staunchest supporters in the Congress and one of the greatest admirers of his always impressive, usually objective work. He has, for a number of years now, been a pioneer in areas affecting the health, safety, and welfare of the American people and his efforts have resulted in real and lasting progress in these areas.

I was especially surprised, therefore, that the report of a task force under his direction should cast unfair and unjustified aspersions upon another of the Nation's true pioneers, the junior Senator from Maine, who, for a

time, fought the lonesome battle against pollution almost single-handedly, and who, more than any man in the United States, is responsible for the progress we have made in saving our environment. I would only suggest, as my distinguished colleague has, that the task force now turn away from misdirected criticism to a constructive, cooperative effort against the common enemy so well defined and to a great degree already subdued by the Senator from Maine.

**ACTION TO IMPROVE QUALITY OF  
OUR ENVIRONMENT**

**HON. JAMES G. FULTON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to insert in the CONGRESSIONAL RECORD the letter from John P. Schmidt, manager of Public Affairs Department of the Duquesne Light Co. in Pittsburgh, Pa.

The Duquesne Light Co. is a new civic-minded utility with operations in the city of Pittsburgh and in Western Pennsylvania. I am also enclosing for the RECORD the excellent Air and Water Quality Control fact sheet dated March 19, 1970, which to quote Mr. John P. Schmidt:

Describes what the electric industry and specifically Duquesne Light Company has done and is doing to improve the quality of our environment.

As I feel air and water quality control as well as protection of our environment are most important obligations and challenges for our generation, I am glad to insert these fact sheets:

DUQUESNE LIGHT,

Pittsburgh, Pa., May 6, 1970.

HON. JAMES G. FULTON,  
Federal Building,  
Pittsburgh, Pa.

DEAR JIM: With all of the current interest in our Environment, I thought you would be interested in the attached Air and Water Quality Fact Sheet. This sheet, while brief, describes what the electric industry and specifically Duquesne Light Company has done and is doing to improve the quality of our Environment. If you care to enter this information into the Congressional Record, we would be most appreciative.

Glad to see you recovering so well from your recent illness.

Sincerely yours,

JOHN P. SCHMIDT,  
Manager, Public Affairs Department.

**AIR QUALITY CONTROL PROGRAM**

Here are some of the company's pollution control efforts within the scope of the \$385 million current Duquesne Light Company 5-year capital expenditure program:

1. Approximately \$250 million is allocated to pay for new generation—1969-1973. These new generating stations will permit us to take advantage of the most modern technology in the field of air quality control. The new units will permit the Company to shut down and place in cold reserve seven of the oldest generating units.

2. Duquesne Light Company's new coal-fired generating station expansion in 1970-1972 includes:

- (a) Cheswick; Springdale, Penna.; 1970—570,000 kilowatts.
- (b) Sammis; Ohio; 1971—195,000 kilowatts (Duquesne Light Company's share).

(c) Eastlake; Ohio; 1972—195,000 kilowatts (Duquesne Light Company's share).  
3. Duquesne Light Company's new Cheswick Power Station, scheduled to be in operation in the summer of 1970, will be equipped with modern air quality control devices costing over \$3.7 million. Included are:

- (a) 750-foot stack. Cost=\$943,000.
- (b) 99.5% efficient electrostatic precipitator. Cost=\$1,461,000.
- (c) Special equipment for removal of sulfur from coal before it is burned. Cost=\$101,000.
- (d) Space has been provided for additional SO<sub>2</sub> removal equipment when such equipment becomes available for industrial installation.
- (e) Fly ash removal system to abandoned coal mine. Cost=\$760,000.

4. The \$200 million nuclear Beaver Valley Power Station is scheduled for completion in the summer of 1973 (Duquesne Light Company's share—402,000 kilowatts.) A nuclear station, although more expensive to build than a coal station, will not contribute any combustion pollutants to the atmosphere.

5. Fort Martin, a coal-fired power station added in 1967, (Duquesne Light Company's share—276,000 kilowatts) is another modern station and is jointly owned by Duquesne Light Company and the Allegheny Power Company system. It is located in West Virginia.

6. Two new units, 800,000 kilowatts each, will go into operation at the Bruce Mansfield Power Station in Beaver County, one in 1975 and one in 1976. Duquesne Light Company will own a substantial, but as yet unallocated, share as tenant in common in each of the two units.

#### RESEARCH AND DEVELOPMENT

7. A network of meteorological monitoring stations has been installed and a network of pollution monitoring stations is being set up in the Springdale-Cheswick area to measure air pollutants. Data from this system will be made available to the Allegheny County Bureau of Air Pollution Control. Approximate cost—\$500,000.

8. To comply with the most recent Allegheny County and Pennsylvania State regulations, research and measurement studies are being conducted at each of our coal-burning power stations to determine the pollutants for which Duquesne Light Company is responsible. With this data, engineering consultants already retained by the Company, will specify pollution control equipment necessary at each power station to meet existing air pollution regulations.

9. A large national manufacturer is now studying, at our request, the feasibility of designing and installing additional SO<sub>2</sub> removal equipment at our Cheswick Power Station.

10. The Company is cooperating with other utilities and equipment manufacturers by jointly funding research projects like these:

- (a) Bituminous coal research with National Coal Association.
- (b) Stanford Research Institute—study of sulfuric acid market.
- (c) Edison Electric Institute—to which the Company contributes funds annually, financed 50 research projects during 1969 valued at \$42 million, aimed at improvement of electric service reliability and the maintenance and improvement of environmental quality. As part of the EEI study, a \$5½ million project on sulfur oxides is being conducted at the Hazleton Laboratories on the effects of sulfur oxides on primates. This will determine the maximum concentration of oxides of sulfur in the air at ground level that are compatible with good public health.
- (d) In 1969, Duquesne Light Company spent over \$135,000 on various Research and Development programs.

11. Two old generating stations, Colfax

built in 1920 and Reed built in 1930, will be derated. This means coal consumption will be reduced considerably, which will also reduce pollutants. At Colfax, in Springdale, two of four units will be shut down in 1970 and the balance will be shut down in 1972.

12. The output of Reed Power Station on Brunot Island will be reduced 85% by 1973. Presently at Reed, washed coal is being used with 35% less ash content. An experimental use of additives to remove sulfur trioxide is being conducted.

13. All boilers on Duquesne's system are now equipped with stack density recorders and closed circuit TV showing stack conditions to aid operators to control emissions.

14. To date, Duquesne Light Company has invested more than \$18 million in air quality control equipment, with an annual operating cost of \$2½ million.

#### AIR AND WATER QUALITY CONTROL—RESEARCH AND DEVELOPMENT

A 1969 survey of Pennsylvania's leading electric utilities reflected the industry's active participation in research and development projects designed to improve the quality of the air and water. Research and development outlays, equipment installation and operating expenditures by the 17 Pennsylvania power companies questioned totaled more than \$74 million. Duquesne Light's share was more than \$17½ million, or approximately 24% of the total. Nuclear projects were not included in the study.

The entire development of the electric industry has been based on a concept of "reliability, economy, and a cleaner way to do things." The "cleaner way" is reflected in the fact that until 1967, the electric industry purchased approximately 90% of all air pollution equipment sold, while contributing only about 12% of the air pollutants, according to estimates of the U.S. Public Health Service. In eliminating the need for what would otherwise have to be done with millions of small engines, electric energy from a large central generating source equipped with the most advanced pollution control equipment does the job more economically and efficiently with less effect on the total environment.

Fortune magazine recently conducted a survey of 500 businessmen, asking them to rate the nation's basic industries according to their concern for the resulting consequences to the environment. Only the electric utility industry scored a clearly positive response. In all other cases, there was general recognition that individual industries have done less than a satisfactory job.

In Pennsylvania, new power plants are being designed to operate within the standards set by State and County Health Department regulations. The performance of all older power units is being analyzed with the result that many are being scheduled for limited operation and early retirement. For example, two of the four units at Duquesne Light's Colfax Power Station in Springdale will be shut down this year, and the whole plant will be phased out by 1972; the Reed Power Station on Brunot Island is scheduled for an 85% reduction in output by 1973. Duquesne Light is participating in a major power pool with four other utilities which, through joint construction efforts, will accelerate the phasing out of the older, less efficient, coal-fired power stations.

Recently, more than 1500 research projects were reported as either under way or recently completed by investor-owned electric utilities, exclusive of nuclear power projects. Depending on the nature and scope of the problem, the companies may work singly, in groups, or on an industry-wide basis on their research activities. Equipment manufacturers continue to spend additional millions of dollars for electric utility research and development.

One area in which the benefits of research are apparent is that of nuclear power. Power from the atom has no by-products of com-

bustion. It is the cleanest method developed by modern science for steam electric generation. Duquesne Light holds a position of leadership in this field. The first full-scale commercial nuclear power plant in the world, Shippingport, in Beaver County, was built jointly by the Atomic Energy Commission and Duquesne Light Company and is operated by Duquesne Light. Many millions of dollars have been spent on basic research at this plant. The major advances in the chemistry of water treatment at Shippingport, for example, are being utilized throughout the world. Almost every commercial nuclear station owes part of its existence to the pioneering research at Shippingport. Attention is now being directed to the development of fast breeder reactors, which are expected to be far superior to any yet developed. Incidentally, Pennsylvania is a very major first with the most nuclear power capacity operating, under construction and committed to the year 1975, of any state in the nation.

The new Beaver Valley Power Station, to be constructed adjacent to Shippingport, will be equipped with the latest cooling tower system. Costing approximately \$2 million, the cooling facility will permit the station to operate in accordance with stringent State discharge water temperature regulations. To develop the water temperature criteria for the cooling system, Duquesne Light invested approximately \$140,000 in special research conducted at the Alden Hydraulic Research Laboratories of Worcester Polytechnic Institute. A 100-foot scale model of a 2½ mile stretch of the Ohio River was used to simulate temperature variations and flow conditions, as well as water discharges from the Shippingport and new Beaver Valley stations.

The bituminous coal and electric utility industries have initiated a broad program of air pollution research. Primary aims of the program are to find economical, feasible means of controlling sulfur oxide emissions from coal-burning electric generating stations.

Duquesne Light is supporting numerous research projects relating to this program which are being conducted by Bituminous Coal Research, Inc., Westinghouse Electric Corporation, Edison Electric Institute, and numerous other companies and research organizations.

Duquesne Light has contributed to research work conducted by EEI on possible methods of converting heat and chemical energy directly into electricity. One of the processes studied was magnetohydrodynamics (MHD), which utilizes a stream of liquid metal or high-temperature, high-velocity ionized gas to produce electricity, thereby eliminating the need for a conventional turbine-generator. Another concept, involving the release of energy during the fusion of light atoms into heavier elements, is being investigated as a future means of generating electric power.

A major research project is being conducted locally by the Environmental Safeguards Division of NUS Corporation for Duquesne Light at a cost of more than \$500,000. This extensive environmental study includes analysis of particulate matter and establishment of permanent air and meteorological monitoring stations. Information from this system will be supplied to the Allegheny County Bureau of Air Pollution Control. This consultant is also studying all generating stations concerning air and water quality control as related to present and future local, State, and Federal regulations and criteria.

Duquesne Light has also participated in major pilot efforts in finding feasible uses for fly ash, the abundant nuisance by-product of coal-fired power stations. It is being substituted for a portion of the cement in making concrete. It's being mixed into lightweight concrete blocks; also being pumped underground as a slurry to fill old mine shafts and prevent subsidence. Fly ash from Duquesne Light plants is also being used by



the U.S. Bureau of Mines to combat mine fires. In addition, Duquesne Light has a sintering plant at its Elrama Power Station in Washington County for producing lightweight aggregate.

Monsanto is currently conducting a study of the possibilities for SO<sub>2</sub> removal equipment for Duquesne Light's new Cheswick Power Station. The Company has provided space in the design of the plant for installation of the equipment as soon as it is available. Another study is being conducted by Chemico of the possibilities of SO<sub>2</sub> equipment for all Duquesne Light power stations. A study of the market potential for sulfur and its compounds is also being conducted.

Duquesne has and is also conducting extensive studies of chemical additives to coal to improve combustion and reduce pollution.

Another industry project which will combat air pollution is a program to develop an improved rechargeable battery system for powering vehicles. All segments of the electric utility industry have joined to expand and accelerate research on underground transmission of power. A \$4 million program to extend research into power transmission at ultra-high voltages is also underway, thus permitting the building of power plants in isolated areas, preventing pollution in highly populated areas. Other research experiments, in almost every conceivable field related to electricity, are being carried out—from the study of the use of computers in planning distribution networks and controlling entire systems to application of new developments in cryogenics and super-conductivity.

The investor-owned electric utility industry is now engaged in over 100 environmental studies on water problems, according to a survey announced by Edison Electric Institute, of which Duquesne Light Company is a member. The projects are carried on by companies throughout the country and many of them are studies of the effect of water temperatures on fish and other aquatic life. The companies are working with colleges, universities, and independent research organizations on the projects.

In addition, the EEI is also carrying on a \$1.1 million cooling water research program at Johns Hopkins University.

The Duquesne Light Company is also a supporting member of the Ohio River Valley Sanitary Commission, ORSANCO, and participates in many of its research activities.

The Duquesne Light Company is injecting fly ash into abandoned portions of one of its mines which neutralizes acid mine drainage producing a clean and almost neutral water which is pumped to the river. In addition, the Duquesne Light Company has conducted research in water treatment and equipment for acid mine drainage and has and is installing such equipment.

#### WHAT MAKES THEM OUTSTANDING?

### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. FASCELL. Mr. Speaker, Saturday we celebrated Armed Forces Day in honor of our men serving in the various branches of the military. It is appropriate in these days of blanket condemnations and generalizations that we pause to honor and commend the outstanding work being done by young men and women to guarantee the security of the United States.

I particularly wish to cite the accomplishments of the 915th Military Airlift

Group, Homestead Air Force Base, Fla. On February 14 of this year the "Flamingo Flyers" received the U.S. Air Force Outstanding Unit Award and the General DeBrier Trophy for outstanding operational excellence.

"What Makes Them Outstanding?" is the title of an article about the 915th Military Airlift Group recently appearing in the Air Reservist, the official magazine of the Air National Guard and the Air Force Reserve. I believe our colleagues would wish to join me in congratulating the "Flamingo Flyers" and I respectfully commend the attention of the Members to the full text of the Air Reservist article:

#### WHAT MAKES THEM OUTSTANDING?

(By Lt. Robert K. Wilcox)

"Exceptionally meritorious achievement" . . . top combat readiness . . . 22 million miles of accident-free flying . . . military airlift support throughout the world . . . "dedication and professionalism as Citizen-Airmen"—That's what makes them outstanding.

These achievements have earned the 915th Military Airlift Group (MAG), Homestead AFB, Fla., the respect of the Air Force and their neighbors.

For these Air Force Reservists, this past Valentine's Day (Feb. 14) holds special significance. On that date, the 915th (nicknamed the Flamingo Flyers) received the USAF's Outstanding Unit Award and the General DeBrier Trophy which is presented by the Military Airlift Command's (MAC) 21st Air Force for outstanding operational excellence.

In addition, the mayors of Miami, South Miami and Homestead issued proclamations naming Feb. 14 "Air Force Reserve Day," "915th MAG Day" and "Flamingo Flyer Day," respectively. These honors were bestowed upon the Reservists for their military contributions and for their outstanding community relations program.

The ceremony was conducted at Homestead AFB and was attended by many local civilian dignitaries as well as top level representatives of the Military Airlift Command, Tactical Air Command, Air Force Reserve and other services.

The Outstanding Unit Award was presented by Brig. Gen. Alfred Verhulst, vice commander Headquarters Air Force Reserve. The 915th was cited for "exceptionally meritorious achievement from 26 January 1968 to 31 August 1969," and for its top combat readiness and accident-free flying record which includes more than 22 million miles since its activation in 1947.

The 915th is the first Reserve unit to receive the General DeBrier Trophy since the award was established four years ago. Previously it had gone to Air National Guard units. Sponsored by Brig. Gen. Daniel DeBrier, USAF, retired, the award is presented annually to a flying unit of the Air National Guard or Air Force Reserve for superior performance. Maj. Gen. Gilbert L. Curtis, commander, 21st Air Force Headquarters, MAC, made the presentation.

The 915th is a descendant of the 435th Flamingo Wing which also was located at Homestead AFB and mobilized for the Korean Conflict in 1951 and the Berlin Crisis in October 1961.

In December 1965 the 435th was reorganized as the 915th Troop Carrier Group and assigned to the 445th Military Airlift Wing. In April 1966, the 915th was redesignated a military airlift group and equipped with C-124 Globemasters and given a MAC mission.

Since that date, the 915th has provided airlift support to U.S. forces throughout the world, including high-priority airlift missions to the Republic of Vietnam.

In addition to global airlift operations, the 915th has participated in numerous inter-

theater and domestic emergency airlifts. These operations include the Dominican Republic Airlift of 1965; Operation Christmas Star, airlift of gifts to servicemen in Vietnam during Christmas 1965; Operation Combat Leave, emergency airlift ordered by former President Lyndon B. Johnson during the airlines strike of 1966; the New Orleans Hurricane of 1966; and the emergency airlift of food and medical supplies into Mississippi in August 1969 following Hurricane Camille.

Another memorable event for the 915th took place during the Feb. 14 ceremony as Col. Clifford C. Root turned over the reins of command to Col. Harry Amdur. He is the former commander of the 904th MAG currently located at Hamilton AFB, Calif. Colonel Root is now the director of Operations, Central Air Force Reserve Region, Ellington AFB, Tex.

Colonel Root concluded the ceremony by commending the 1,100 Reservists of the Flamingo Group: "They have gained national recognition for their dedication and professionalism as Citizen-Airmen, and through their actions, they have proven the slogan of the Air Force Reserve—'Ready Now!'"

#### RESOLUTION IN SUPPORT OF NATIONAL SURVIVAL

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. LANDGREBE. Mr. Speaker, last Wednesday the Indiana Republican State Central Committee unanimously passed a resolution in support of national survival. In my opinion, this resolution states those basic principles which need to be remembered if our great Nation is to retain its freedom and sovereignty. I understand that this resolution was authored by Theodore L. Sendak, attorney general of Indiana. I insert the text of this resolution at this point of the RECORD:

#### RESOLUTION IN SUPPORT OF NATIONAL SURVIVAL

Whereas, in the 194-year history of the American Republic, certain truths have emerged in every struggle for national preservation;

Whereas, in the War for American Independence, Washington's men endured great hardships at Valley Forge and in the crossing of the Delaware without adequate shoes and supplies while enemy sympathizers withheld their support;

Whereas, in the undeclared War against the Barbary Pirates who kidnapped and tortured American civilians and sailors, the American Navy fought bravely with bare necessities while unsympathetic citizens advocated tribute and withdrawal;

Whereas, in the War of 1812, patriotic Americans defended this country and its institutions even while others with anti-American predilections cheered the burning of the nation's capital;

Whereas, in the protracted Civil War of the 1860's, Americans made great sacrifices to preserve this country despite the activities of street agitators and Copperheads who aided the enemy by sabotaging military recruitment, denying material backing, and vilifying President Lincoln in the press;

Whereas, in the war against Spanish oppression in Cuba, American men championed the cause of freedom while others refused support;

Whereas, in both World War I and World War II, vast numbers of Americans worked and fought valiantly and long for the freedom of the oppressed while enemy sympa-

thizers advocated appeasement and surrender;

Whereas, in the Korean War, American men saved South Korea from Communist enslavement while others who were unsympathetic held back;

Whereas, today Americans are devoting their lives, their fortunes, and their sacred honor again to maintain the freedom and independence of small nations threatened by tyrants, again the faint-hearted and the inexperienced are content to follow the Pied Pipers of enemy propaganda who seek the nearest red-lighted exit from responsibility;

Now therefore be it resolved that this committee of American political leaders calls upon the political leaders of both political parties in all parts of the United States to stand up in support of national survival, a sacred proposition to which loyal American political leaders have always adhered, and which provides that petty politics ends at the waterline when it comes to sustaining American soldiers already committed to battle, and that all of mankind's history and human nature alike teach the fundamental truth that the most humanitarian way to end a war and to secure the peace is to win that war on the psychological, the economic, and the military fronts as expeditiously as possible.

#### THE WAR POWER: CONGRESS VERSUS THE PRESIDENT

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, there appeared in the Sunday Star of May 17 an editorial which attempts to place in historical perspective, the so-called "War Power of the Congress."

This editorial, in my judgment, clears a lot of the air surrounding the constitutional authority of both the Congress and the Chief Executive, as it applies to the present situation in Southeast Asia.

I am taking this opportunity to insert a copy of this editorial in the RECORD with the thought and in the hope that my colleagues, who have not already done so, will take a few moments to read and evaluate its contents. I would also hope that those who read the CONGRESSIONAL RECORD regularly would do likewise because it seems to provide a balanced appraisal of the powers and authority that exist between the Congress and the Executive Branch of Government.

The editorial follows:

#### THE WAR POWER: CONGRESS VERSUS THE PRESIDENT

The current furor in and outside the Senate over funding the Cambodian operations after June 30 is larded with irrational emotion and political opportunism. Yet the issue at stake—the war-making power of Congress as opposed to the authority of the President as Commander in Chief—is real, complex and of far-reaching importance.

Paragraph 11, Section 8, Article I of the Constitution clearly allocates to Congress the right "to declare war." The problem is that the five post-World War II presidents of both parties—Truman, Eisenhower, Kennedy, Johnson and Nixon—not to speak of earlier practitioners of the fine art of gunboat diplomacy, have neatly finessed the issue by committing or keeping American troops in combat situations abroad when they felt it was in the national interest, without seeking the

assent of Congress or asking for a declaration of war.

The great majority of these adventures—the 1958 landing in Lebanon and the 1965 intervention in the Dominican Republic are two recent examples—happily did not become conflicts of major significance, at least in terms of casualties abroad or political impact at home. Two others, however—the Korean "police action" and the Indochinese conflict—mushroomed into undeclared wars which resulted in the deaths of more than 75,000 Americans. The Vietnamese war, with its related conflicts in Laos and Cambodia, has divided this uneasy nation as has no other similar issue since brother took up arms against brother in the American Civil War. It is a repetition of this sort of tragedy which some senators hope to prevent through congressional control of the purse strings.

The primary difficulty lies in the definition of what involves American participation in a war. If, as Senators Cooper and Church maintain in their amendment, furnishing advisers to a friendly country (Cambodia) amounts to direct involvement, then the United States was a belligerent in the Greek civil war of 1947-49. If loss of life defines involvement, then the United States was indeed at war (with whom?) in the Dominican Republic in 1965. And yet no reasonable man would hold to either of these theses.

By the same token, this hypothetical reasonable man (so much distinguished by his apparent absence from the United States these days), would have to admit that, despite the lack of ringing calls to arms from Capitol Hill, we were at war with North Korea and Communist China in the 1950s and we have been at war, at least since 1964, with North Vietnam. In neither case could diplomats burn their official papers before asking for their passports, as was the style in a more mannered age, since we have had diplomatic relations with none of the nations which we have been fighting.

Since American presidents have sent U.S. forces into action abroad more than 150 times without a declaration of war by Congress, the common sense of the matter, it seems to us, is that an undeclared war becomes reprehensible only when it is lost, or when it becomes politically impossible for the President to prosecute it. While such a theory obviously can be found neither in the Constitution nor in the canon of international law, it seems as demonstrable as the fall of Newton's apple. The Korean war, for instance, over a shorter period resulted in almost as many American deaths as the Indochinese fighting. Yet there was no significant popular or congressional outcry against that war. Boys who had no more desire to be shot at than today's draft dodgers in Canada went docilely if not joyfully to that war because it did not, could not, occur to them to do otherwise.

While the great majority of this generation have done the same, the situation and the ethic have altered. It is clear that, in the eyes of many Americans, the Indochinese war has become odious, partially because the government of South Vietnam is regarded by such people as unworthy (would that of Syngman Rhee have stood up to close scrutiny?) and partially because this war, like all others, involves an element of risk and inconvenience to the participants. Hence the war in a practical political sense no longer is possible, which is precisely why, we would suggest, the President is trying to end our direct involvement in it.

What some members of the Senate and House are trying to do now is to reassert an atrophied congressional prerogative, which understandably is dear to members of Congress, at the expense of the implied powers of the President as Commander in Chief, which equally understandably is a popular thesis with occupants of the White House. The Supreme Court has been commendably wary of trying to delineate the line between the Executive and Legislative powers.

The trouble is that the world has changed since the founding fathers wrote the Constitution. In illustration, the same paragraph which authorizes Congress to declare war grants it the right to issue "letters of marque and reprisal," which authorized private entrepreneurs to engage in naval warfare for their own profit. Very few letters of marque have been granted in recent years.

In effect, in an era of instant mass communications and push-button warfare, the senators are resting their constitutional case on a document forged to deal with contingencies in the age of sail. The founding fathers were wise men but they were not prophets. Only a lunatic in the 18th Century could have predicted the world in which we live today. The problem, then, is to interpret the Constitution to deal with the world as it is, not as it was or as we might wish it to be. It happens to be an extremely dangerous world.

We cannot believe it is the intention of Congress—or the wish of the people—to restrict the President's ability to protect the lives of American troops in Vietnam. The point is not whether they *should* be there; the point is that they *are* there, despite what we believe to be Mr. Nixon's sincere desire to bring them home as rapidly as possible. On this basis alone, the Cooper-Church amendment, which would outlaw any future operations by U.S. troops in Cambodia after June 30 and ban virtually all aid to that country, is wrong and ought to be defeated. We hope that no more American expeditions will be necessary, but we would support them if we felt they would save the lives of American soldiers who might otherwise die in Vietnam.

As to the larger question of future undeclared wars, we noted in these columns a few days ago that the alternative to an undeclared war often is not peace but a declared war. Given the temper of the times, President Johnson almost certainly could have obtained a declaration of war against North Vietnam at the time of the Tonkin Gulf incident.

It would be useful—most of all to presidents—to have constitutional provision for some exigency short of war. But such does not exist and there is little chance of creating one. Any president's practical need for popular political support for his policies, doubled with the infinite capacity of Congress to make life miserable for the Chief Executive, seems to us to provide an adequate curb on the presidential powers.

In the end, despite the Constitution, power belongs to him who is willing and able to exercise it. Presidents of both parties have sent troops into foreign countries primarily because Congress has been unwilling or unable to act. If congressional action were necessary before a solitary Marine could land, there would be much talk, few casualties and fewer freedoms, in this country and the world.

It seems to us that the Senate would do better to support the President in his efforts to extricate us quickly and honorably from a war which almost everyone agrees, probably including most of those who to their credit have had the courage to fight it, has lasted too long.

#### AID FOR THE EDUCATION OF HANDICAPPED CHILDREN IN PRIVATE SCHOOLS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. QUIE. Mr. Speaker, I am today introducing a bill which would provide a tax deduction for the expenses of educat-



ing a handicapped child in a private school.

It is encouraging that the Congress has approved many bills I have sponsored to increase public education of handicapped children. Many school systems are incorporating special programs to meet the educational needs of physically and mentally handicapped children. However, these programs are not available in many communities, particularly where the community is small and the number of handicapped children does not warrant special programs. In such a situation, parents have no choice but to enroll handicapped children in private schools. This places a tremendous financial burden on these parents and I believe that a tax deduction should be granted for the expenses of tuition; required fees and charges; books, materials, supplies, equipment; and any special devices necessary for or directly related to such education; and one round trip per school year between the handicapped person's home and the institution.

I welcome support for this proposal and hope that the Ways and Means Committee will schedule consideration of this measure in the near future.

STATEMENT BY NATIONAL GUARD  
PRESIDENT

**Hon. G. V. (SONNY) MONTGOMERY**  
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1970

Mr. MONTGOMERY. Mr. Speaker, I commend to my colleagues the following statement by Maj. Gen. James F. Cantwell concerning the tragedy at Kent State University and the National Guard. General Cantwell is president of the National Guard Association of the United States.

The statement follows:

STATEMENT BY MAJ. GEN. JAMES F. CANTWELL

The tragic occurrence at Kent State University on May 4 set off an angry, unreasoned reaction that was marked more by emotion than by any sober, factual understanding of what actually happened on that unfortunate campus.

All of us—National Guardsmen more than others—were saddened by the death of four Kent State students in a clash with Guardsmen during the campus disorders. It was indeed, as many Americans have characterized it, a tragedy.

No fair assessment of cause or blame can be made, however, until investigators have developed a full and factual account of what actually transpired. Distorted, hysterical recollections of what took place, offered by distraught eyewitnesses, cover only fragments of the sequence of events leading up to the deaths, and are no substitute for facts. Yet it is on the basis of such fragmentary, highly colored information that terms like "trigger-happy," "poorly trained," "young and immature," and others equally damning have been applied to Ohio troops and the entire National Guard.

Such accusations cannot be justified by the facts. From January 1, 1968 until May 1, 1970, a period of more than two years culminating just three days before the Kent State episode. National Guardsmen in every section of the country were called on 191 occasions to help civil authorities restore or maintain order during civil disturbances. Approximately 224,500 National Guardsmen

were involved in those unpleasant, frequently dangerous operations. Yet no more than one or two fatalities can be attributed to the actions of National Guardsmen during that entire period. The period included, incidentally, the massive, widespread riots of April, 1968.

This is an almost phenomenal record considering the tense and explosive atmosphere that prevailed during most of those 191 occasions. It is even more remarkable when one is aware of the extreme physical and verbal abuse and provocation to which National Guardsmen were subjected in disorder after disorder.

It is a record of which even the best-trained police or professional troops could boast with pride.

National Guardsmen receive extensive training in riot control operations, with continual, heavy emphasis on humane techniques and restraint in use of force. They have repeatedly demonstrated both their competence and their humanity. No element among law enforcement agencies has been more insistent that the Guard in protecting the right of all citizens to peaceful, orderly protest. Only the presence of Guardsmen, in fact, guaranteed that right on numerous occasions.

ENVIRONMENTAL QUALITY: THE  
ISSUE OF THIS GENERATION

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, May 19, 1970

Mr. BROWN of California. Mr. Speaker, even though Earth Day was celebrated almost a month ago, concern over environmental quality still continues to grow.

And still, I am increasingly impressed by the sincere dedication and interest expressed by young Americans in this crucial struggle.

Yet, I should not be so surprised.

Our decisions today will shape the world of these young people, and we have no right to ruin their future.

As long as it was possible to procrastinate over pollution problems, as long as we were able to keep environmental decay more or less invisible, as long as ecology was not political, then it was perfectly safe for us to give only fleeting attention to these mounting dangers.

But, now there is a bandwagon.

Everyone speaks out against smog, dirty water, overpopulation, indiscriminate use of pesticides and herbicides.

Yet, where is the action?

Young Americans are not going to accept promises any longer. We cannot debate the philosophical importance of environmental quality while the environmental rots.

We must do more than just listen to these young Americans. We must act, and act decisively to halt pollution in all its forms, no matter the cost, no matter the tradeoffs.

The following letters and articles are not mere rhetoric. They represent the voice of young America, and that voice is calling out for action now:

[From Cry California magazine]

THE ISSUE OF THIS GENERATION

(By Richard F. Conrat)

Last fall, we asked Dick Conrat to travel around the state and interview young citi-

zens at random with the purpose of finding out how they feel about our environmental problems and what they perceive their role, if any, to be in meeting these problems. We believe their answers, which follow, are required reading for the politicians, high and low, in whose hands the future of our nation lies.

(Alan Jones, Brisbane, Architect, Interviewed at Zellerbach Square, San Francisco)

I sit up on the hillside where I live, and I look out over the Bay every day, and I see the smog and the garbage trucks dumping their garbage in Brisbane. It bothers me, but most of the time I feel there's nothing I can do. I guess I just gripe about it.

I drive to work about half of the time. And when I drive, I cuss at the pedestrians, and when I'm a pedestrian, I cuss at the cars.

I feel that I have fewer answers to these problems now than when I was younger. I used to feel that it was somebody's fault—some bad guy's—that the air was polluted. Now I drive a car to work, and add to the congestion and the smog. I don't like driving; I really like to walk. But now I no longer live in the city, and the bus service is terrible. So I drive, and now I see that everybody is in the same situation, in a way.

I look for ways, in my own habits of life, to find ways of living that don't contaminate the environment. But it's hard. For instance, I have 20 acres in the Santa Cruz mountains. My only interest in this land is to build a cabin to visit on weekends, and to hike around and enjoy it. I walk around in certain ways and make paths, and then I see that the water runs off differently. Try as I may, I find there are ways in which I mess up the land. I just can't help it.

Ultimately, the solution to environmental problems is a personal thing. I have tried to find ways of living that are not injurious to other people and animals. Imposing solutions on people may be necessary where the problem is terribly acute, like the problems of smog, or polluting the Bay, or of filling the Bay. But people have to learn, in a personal way, how to live in natural or manmade environments without screwing them up. So most of our environmental problems won't be solved until people's attitudes change—until their personal habits and patterns of life reflect an understanding of their relationships to each other and to the environment.

(Peggy Holm, Los Altos, University of California, San Diego, biology major, interviewed at University of California, San Diego)

I live in the hills, where people are pretty spread out, and I enjoy living there a lot. But when I go into the city, even going into La Jolla here, I don't enjoy it at all. There are just too many people everywhere, jostling you all the time. People don't look at each other in the city any more, when you're walking down the streets. It's so depersonalized, it drives you mad. All the people in this country seem to be jammed into certain spaces, while all the rest of the country is almost uninhabited. My response to all of this is to run away from it, move away from the city to some small community. But I would back any sound proposals for regulating what's going on.

I'm really aware, and so are all my friends, that we've got incredible problems, but I'm stymied, and don't know what to do about them.

John Jones, Rolling Hills, University of California, San Diego, biology major, interviewed at University of California, San Diego

The reason I came here was because the smog was so bad in Los Angeles that I didn't care to go to UCLA. You just can't breathe up there. And the water is polluted along the coast, and I like to skin dive. I'd like to do something to solve these problems, and if

there were programs which students could get behind, I'd certainly want to participate.

I feel more money should be spent on the control of these polluters and their pollutants, and stricter laws should be passed. Just off Palos Verdes I have seen beautiful kelp beds completely destroyed. The Hiperian plant in particular has discarded millions of tons of effluent which, though they say it hasn't, has swept back in and caused the urchins to multiply to such an extent that they've eaten away the kelp. Now groups such as Marineland, among others, have taken measures to prevent this kind of thing. But unless we stop throwing all our garbage into the oceans, they will all go, too.

(Unidentified cocktail waitress interviewed at Mission Bay, San Diego)

I'm really troubled by our having no knowledge about the possible effects that things might have, like the buildup of pesticides in our system. It's already having an effect on birds and fish. I've even read that there won't be any birds left along the California coast within ten years. It's frightening. I think something should be done, but there aren't any means or methods available. There's so much politics before you can even begin to put something into motion, that by the time something is put into effect, I'm afraid it will be too late.

(Unidentified bartender interviewed at Mission Bay, San Diego)

It's kind of a bad deal for the common laborer, you know. You drive a truck or you do construction work, and what do you have to say? I don't produce it, I don't use it. All I can do is wait for someone to say something that sounds right and stand behind him. Somebody with some power has got to start it. Because the peasant's not going to start anything. That's just the way the country's run. The peasant follows, you know. And you can try, but the chances are so slim that anyone would listen that it's just not worth the effort. I'd stand up behind anyone who has a good thought on it, or a good plan. I really would.

(Michael Declues, East Los Angeles University of Southern California chemistry major interviewed at University of Southern California)

I'm affected by a whole lot of problems, but there's not much that I can do about them. What can I do about smog? I live in a small house on the East Side, and to me the worst environmental problem is the crummy housing that black people have to live in. There's nothing I can do about these things now. Maybe, after I get out of school and make some money . . . maybe then. Right now I feel powerless, and I don't know of any group which is effective in working on these problems.

(Rick Marienetti, Novato delivery boy, brokerage firm interviewed at Zellerbach Square, San Francisco)

I'm most bothered by the fact that I have to breathe this air. Much of the time it isn't too clean. There's not much I can do about it, though, except maybe to wear a gas mask. Either that, or people could get together and do something about it. But it probably won't come to that until people are really in bad shape—either from breathing the air, or drinking dirty water. I wouldn't know where to begin in order to do something effective. I wouldn't even know how to go about organizing people. But I'd sure lend my support to something that could have impact.

(Rick Jordan, Pasadena, San Diego State College student, interviewed in San Diego)

We're on our way camping. Going up high in the mountains, far from the city. Far from the restrictions of the city, where we can enjoy a more natural setting and acquire a more natural viewpoint. We're living a specialized, compartmentalized life and way of thinking,

and getting into something where you can begin to feel and see the whole thing. The city environment and the urban society put you into school, or into work, and you get all wrapped up in that one little thing. That's all you're doing, and you get all hung up in the particular intricacies of that one little trivial piece of your life, and you don't really have a chance to be aware of a larger dimension to life and living.

I guess one might be able to exert some control over the shape of one's environment if you could acquire an understanding of how all things interrelate—if you could transcend the boxes society puts you in—school, job, family . . . But that's a pretty hard thing to do.

(Colleen Forbes, San Diego State College ecology major, interviewed at San Diego Zoo)

I'm an ecology major, and conservation is the only way to go! A lot of people are getting super uptight about the whole environmental deal. They're beginning to get involved, and do things. At State we have a conservation society, and I belong to that and to the Sierra Club and to a few other groups, and I hope they'll have an effect. We're trying right now to get the Torrey Pines into a preserve—there's only about 3,000 to 6,000 trees left.

We just moved out from Boston. And over the past couple of years, there as well as here, I have come to feel like just not doing things, or going places, because of the fact that it is harder to get there, and once you're there, there's less opportunity to really enjoy something, because of the numbers of people doing the same thing.

You come to realize how seriously the environment affects people when you live in the city. You see how commuting in cars and overloaded buses, all on overcrowded streets, with people so close together, just makes for an unpleasant atmosphere, and puts people into bad and unfriendly moods. Everyone looks so irritable. I don't think it's a healthy situation. The big thing is, what can you, as an individual do about it? I just tend to feel that there's not very much that I can do. But if I really felt I could make a dent, so to speak, I'd really try; but it seems too insurmountable.

(Dennis Martin, San Pablo, airman, March Air Force, Riverside, interviewed at San Diego Zoo)

Cutting down the forests is something I sure don't like. I like to go hunting or fishing or camping just about every chance I get. And the countryside sure has changed over the past ten years. Just empty hills—nothing there—where there had been forests. Nothing I can do about it—that's progress. I don't like smog, either. But again, there's nothing I can do. If you want cars, you've got to have smog. There actually is something they could do about it, if they came out with steam or electric cars. But we're pretty much at their mercy.

(Don Silverek, San Francisco, photography student, interviewed at San Francisco Art Institute)

I've done a lot of thinking about what's going on in our physical environment. Every day, you're struck with the fact of overpopulation, questions like "where is the food going to come from?" I'm feeling this metropolitan area because it causes me to be very uncomfortable. You live here, and you come to realize that space has become a commodity that is dealt in, and you pay so much to sit here, you pay so much to store your stuff, to park your car, to go to work; it costs you money every time you move.

The problem is to make people more aware of all this. I, personally, am at the point where I can go one of two ways. I can say, well, I can either get into this problem, I can pick out certain areas which I can photograph to show change from better to

worse, photographs that cause people to become more aware of aspects of their everyday life which they had lost sight of, which they had canceled out due to overexposure—their reaction to pictures of isolated aspects of their environment is maybe going to cause them to think about the problem in a different way—or, I was thinking, why not just forget it, say, well, to hell with it; and instead of using my photography to isolate images that might cause them to act in a different way, I'll not concern myself with what's going to happen to people, because, after all, if they were really concerned about it, about their own lives, they'd get in and straighten it out. So I'll say, to hell with these people, and I'm going to go and take pictures of flowers.

(Stewart Branch, Van Nuys, insurance salesman, interviewed at University of Southern California)

First of all, I would say that anyone who doesn't want to put up with it, with smog and traffic and the irritations of Los Angeles, can very well leave it. It's difficult, it's trying and yet I feel the good things outweigh the bad. There certainly are bad things in terms of overdevelopment, in terms of the transportation problem, smog. . . .

(Gary Wright, Burbank, operations manager, trucking firm, interviewed at University of Southern California)

What are we doing to solve these problems? Is anything being done to solve our number one problem, the population explosion; and number two, the transportation problem; and third, the pollution problem. We are all touched by these problems because we are all participants.

The internal combustion engine is the problem, and things are only going to get worse until we can put some real pressure on Detroit to develop some alternative.

The individual is very limited in what he can do about things like this. He can do one of two things. He can boycott buying automobiles, which I favor doing; or he can write to his congressman. And those are the only things he can do. There's no other choice. Stop and think about it. It's pretty limiting. I'm pretty conservative politically. I didn't dig the moratorium. But smog is right here. It's a tangible thing: I can smell it, see it, breathe it. It's in front of me. We've got to do something about it.

(Ken Kiser, San Mateo, student, San Mateo Junior College, interviewed at Ocean Beach, San Francisco)

We ain't going to make it, you know, if we keep on building these cars. It seems like we're living in a world of death, and people are dying. We're doing ourselves in through overpopulation through greed—people getting rich and then they want to get richer—it ain't cool. People ought to really face reality. People ought to look at the mess they're making a little more closely, help their brothers instead of always just themselves. When people have got it good, they don't think about any of these things; when people get rich, they go, "why hassle I'm doing all right." I don't think this way of thinking is right. But I don't know what I can do about it. I'm still thinking about it. It's hard. I'm just one person, and don't have the power to change anything. I just don't know. But if there were a way, I'd sure put my two cents worth in.

(Linda Purdy, Susanville, University of Southern California English major, interviewed at University of Southern California)

I'm from Susanville, a small town in northern California. I've only been here a few months, and the smog bothers me greatly. I've been used to clean air and clean water. I sure hope there's something that can be done about it, because I don't like it here. There's got to be an answer to these problems. I don't know what it is, though.



(Carey Sunahara, Hawaii, University of Southern California, mathematics major, interviewed at University of Southern California)

I'm from Hawaii, and as I look back on it, everything there seems so clean. Here in Los Angeles, everywhere I look are cars and traffic and highways and smog. I find the life so different here. It's just dog eat dog. I mean, people really don't care about each other. Just about themselves. And that's really, really bad. Because if people live in close proximity, you have to care about the next person, or everything will just fall apart. Here it seems that all people care about is making money, and I really don't like it.

(Vivian Smith, Gary, Indiana, University of Southern California, engineering major, interviewed at University of Southern California)

The environment affects me most particularly in the economic restrictions and disadvantages that I grew up with. I see it more clearly when I come to this big university, and see how differently other people live. It puts a strain on me sometimes. I'm from Gary, Indiana, and people live in very crowded conditions. The effect of this seems to be to alienate people from one another.

I hope my education will prepare me to take a stand relative to these problems. I feel strongly that I want to be involved, and right now I don't know how. But I'm ready to stand behind any effort that I can believe will really address itself to the problems I see around me.

(Roger Ruby, Michigan City, Indiana, University of the Pacific, business administration major, interviewed at University of the Pacific)

I'm not a native Californian, but I sure feel the effect of environmental problems where I come from, in northern Indiana. We have incredible water and air pollution, both connected to the major industrial areas around Chicago and Gary. This is a truly major concern for me, personally; and I feel it should be for everyone else, too. We should work on our politicians to enforce laws already on the books. I know that even in the case of public utilities and power companies which are now violating the laws, nothing is being done. These problems are not unique to California, they occur in and around every large metropolitan area, with only a few exceptions in the cases of cities which had the foresight to plan ahead.

The part I can play in affecting some of these problems is in conveying my concerns to other people, and making them aware of the urgency of these problems. We have to get our politicians to put a stop to all of the polluting and killing of our water and air.

In the end, we're all going to suffer, including the politicians and the industrial owners and managers... they'll realize that they're also hurting themselves. I think it's a matter of pressing—for laws, for enforcement, for technology to develop methods of disposing of wastes without polluting the environment. My role is to join with others who are concerned, and demand solutions.

It's really sad that these problems are in need of such urgent solution, and there is so little that I can do about them. We almost need a revolution of awareness—of getting people to realize that pollution will kill all of us if we don't do something about it.

(William Stretton, San Diego State College student, interviewed at Mission Bay, San Diego)

Right now, the problem of pollution hasn't begun to affect me. But I have the funny feeling that if things continue unchecked as they are, it soon will. Smog's getting worse and worse. I don't care to live in the city

because of it. I live in Fallbrook, north of San Diego County, a little out in the country. But now the smog seems to be moving in there, too. About the only thing I could do about it is to sign a petition banning automobiles from the cities. I would like to think that I could have some kind of effect. But up to now I've been sitting on my can, watching things get worse.

(Carey Stretton, Palomar College student, interviewed at Mission Bay, San Diego)

It all strikes me as so unnecessary; smog and other pollutants. Our technology can surely produce vehicles that don't produce air pollution. And the way industry spills its wastes into rivers and lakes is utterly wasteful and unnecessary. But no one seems to do anything about these problems because they're so materially oriented, so worried about the dollar. Businesses seem more concerned with immediate profits than with the long-range problems and effects. They're just greedy. This could be a rich country for everyone, but the very rich thrive more on the poor than they would if everyone was rich in it. And the rich don't want it to change.

I don't feel I can do anything about all this. I really don't. A lot of kids are dropping out for this reason. They say, "what's the use? why even try?" I feel personally ineffective—incapable of doing anything about these problems. And yet I want to, I would like to do something very much. I don't want to drop out. I don't know what to do. I'm really confused.

(Tom Hitchcock, Colorado Springs, Colorado, U.S. Navy, San Diego, interviewed at San Diego Zoo)

Smog. Congestion. Blight. What can you do about it? It's kind of like stopping progress. Pretty hard to do. You've got to keep on progressing. But progress sure takes its toll. Unfortunately, it's taken its toll of the land, of natural balances, of species of animals. . . . Like some of these monkeys here are almost extinct because of hunting practices in Africa, or progress going on down there. I don't know, but somehow you've got to put a certain amount of land out of reach of progress. And after spending the last couple of summers in Los Angeles, I've certainly come to appreciate the need for smog control. It's a real bummer, LA is. About all I can do is write my congressman. But that doesn't seem to do much good. They sure need to pass some laws, though.

(Dale Frazier, Plainview, Texas, U.S. Navy, San Diego, interviewed at San Diego Zoo)

I'm from Plainview, Texas, and I thought we didn't have that smog problem. But my dad works at Best Fertilizer, and they're already having a problem of it. And they passed a law that just so much smoke and stuff could go into the air.

(Pam Middelbrook, Sacramento, Sacramento State College student, interviewed at Sacramento State College)

I've been listening a lot to Arthur Godfrey's programs, and he's started me thinking about things. He's a conservationist, and he's brought up a lot of things that have reinforced my thoughts about pollution in this country. . . . The effects of pesticides on our rivers and streams and wildlife . . . pesticides that don't wear off, and have a recurring effect on the ecological chain and on the environment. As parts of this balance are upset or destroyed, wildlife that we enjoy are affected and die off, and our children won't be able to enjoy things on this earth that we did.

It seems to me that people are looking at these problems with a very short view; they don't seem to show any realization that future generations are going to be affected by this, and that maybe in 20 years our kids aren't going to be able to enjoy the things

that we now do, just the natural surroundings. They're just destroying everything for convenience and expedience now; they're dumping the sewage in the rivers . . . even at the American River down here, there are sewage pipes running into it. . . . It just makes me mad that people aren't looking to the future any more. Me and my kids are the future, and I'm going to protect them if I can.

I really can't see any kind of legislation being effected that defines the number of kids you can have, but that just might end up happening if we can't educate people to decide for themselves to limit the size of their families. I feel, too, that the Church is going to have to loosen up a bit. I myself am Roman Catholic. I hope that it isn't too long before the Church reviews the situation practically, and revises its stand on birth control. I looked at the situation from a practical standpoint, and decided that I would exercise family planning, although I don't know by what means, yet. And I know this is true of most of my Catholic friends. We have a situation here where the Church will probably end up following the example of its members, rather than leading as I believe it should.

(Caroline Johnson, Sacramento, State College student, interviewed at Sacramento State College)

What I'm concerned about is doing something about smog now, here in Sacramento, before it ever reaches the levels you see in L.A. I'm not sure what effect one can have on these problems, but all I know I can do is to write my congressman, and sign petitions. I signed one the other day, relating to Point Reyes. If movements like the one involved with circulating that petition meet with any success, I'm sure they will take up more and more of the environmental issues that confront us.

I read recently something about proposals to have the federal government legislate the number of children people could have. My first reaction was, 'they're taking away my rights!' I have the right to have the number of kids that I want. But when you get thinking about it, you ask whether you want to bring kids into the world in an environment that deprives them of the space, and the air, and the clean water that they need . . . then it seemed to me that legislation, or at the least education of people as to the consequences of overpopulation, ought to be effected in order to prevent this kind of world from happening.

(Tom Young, Spring Valley, High school student, interviewed at San Diego Zoo)

They're just building and building, and cutting down all the forests and natural sights and greenery that people can go see. Like where we live, they're building that new freeway—U.S. 395—and destroying lands where we don't have any more sites for parks left. They let all the other places go. And now up in L.A., they're planning on ripping up one of the only green spaces left to make a parking lot. Where are people going to go? Makes you want to run off to some secluded island, or something. I don't think that I could have effect at all.

(Ron Greenspan, San Francisco Orthodontist, interviewed at Ocean Beach, San Francisco)

The main thing bothering me is the population explosion, the number of people on the highway, or anywhere else you go. It seems that there are larger and larger numbers of people, and that it gets harder and harder to go places, and to do things and to enjoy things.

The only thing that we, as individuals, can do about this is not to produce too many offspring. I mean, if people want more than two children, say, in their family, they should start adopting children. There are so many

children who are hungry, who need homes, that if you really love children, I don't see any reason why you wouldn't adopt them.

Today there are so many problems that people are apt to take the attitude of, you know, that the whole thing is to damn big for one individual, or a couple, to do anything about. With the population problem, the only answer is to educate masses of people. What can you or I, as individuals, do about it? The temptation is, as with anything else, to stay, well, within my own little sphere of neighbors and friends, to involve these people close to you—and that's the only thing you can do about it. I am not capable, as few people are capable, of doing anything on a large scale.

(Kathy Milne, Phoenix, Arizona, University of the Pacific student, interviewed at University of the Pacific)

Of course environmental problems concern you . . . they are part of you, and they are everywhere. I don't know what I can do, because all I can do is not litter in the streets, little things that are part of my life. My actions affect just myself, and not the problem, really; except that other people are affected by my actions, because they're catchy, like. They have programs to curb smog, but they don't seem to be doing anything. If they don't have strong public backing, it's because people won't do anything until it's right there.

These problems are right there for me, but I'm not in a position to affect or sway anything other than my immediate environment. I never thought too highly of writing my congressman about anything, probably because I didn't feel it would do much good. I have a hard time working for causes, because everything is so remote . . . nothing is on an individual basis. But the role I feel comfortable in is acting in ways consistent with my values, and thereby influencing those directly in contact with me, and things kind of just radiate. . . . But nobody's going to do anything about smog until they just can't see.

(Albert Holguin, San Francisco, Heald College engineering student, interviewed at Steinhart Aquarium, San Francisco)

People are the problem. There's just too many people around. I'm kind of pessimistic as far as expecting things to change. We don't like seeing the environment go to pot; we all are aware of what's happening. But it seems that the people who have the authority to effect the necessary changes are not responsive to public sentiment. It seems they're more concerned with the special interests of private enterprise. So I'm pessimistic. We're going to run. We're going to another country—to Argentina, which has only 20 million inhabitants, as opposed to the 200 million here.

I believe in a natural balance. In a couple of years, when people start dying from the smog in Los Angeles, they'll do something. They'll do it when they have to. As an animal, you do have to react to your environment and to protect it, eventually. Nature will take its course, eventually.

It's too expensive to clean up. The whole problem is money, really. And the politicians' whole gig is money; like where is it going to come from? Money is tight, but we spend it on a war, on making more money, on a little bit of housing; but when it comes to cleaning up the mess, there's none left. And people don't want to pay more taxes. They're over-taxed as it is. And the politician sees it this way, and nothing gets done. ("Fred," Topanga Canyon, No stated occupation, interviewed at Griffith Park, Los Angeles)

It's really smoggy here today, isn't it? It makes me sick. The only thing you can do is leave. You know the government won't do anything about it until it really starts kill-

ing people, right? They haven't done a whole lot about it so far. It's been getting steadily worse, and every day there's more evidence that it's harming you in some way—that it's doing something to the trees and the grass. . . . But they're not going to do something until it starts killing people, or people start getting really angry. If enough of us get real angry, they (the politicians) will listen.

("Zero," Hollywood, Student of life, interviewed at Griffith Park, Los Angeles)

I stay high. That's the only way I can take the world. The world's problems are too heavy for me. A few years ago I used to watch Huntley and Brinkley: saw Vietnamese kids with their legs and arms blown off, their faces scarred. It really turned me off—the whole military-imperialistic aggressive thing. It turned me against my own country. Now there are people who want revolution. But the way I see it is that after the revolution it's still the people with the guns who are in power—maybe different faces, but that's all. Power freaks.

(Peter Phillips, Pomona, Pomona College economics major, interviewed at Pomona College)

Maybe the college environment tends to promote a very remote perspective relative to solving these problems. We're Quakers, and we look at the Vietnam war, and smog, and the industrial urban society, and just throw up our hands and scream "b——." Let's just leave. But at the same time, I think we'll come to realize, particularly after leaving the giant womb of the university, that these things are not really escapable. And then you face the choice of fighting or submitting and I think we're too young to submit. At the moment I view society in terms of massive interests which have a momentum of their own as they affect life styles, ideas of work, etc.

Looking at the way industry is set up, the kind of consumer society we have created, the concepts of private property and capitalism—looking at all of the foundations of present-day America, you realize that the individual doesn't have any way to come to grips with the social questions which affect us all. . . . You've got to be kind of quixotic to take on a society like this. The McCarthy and anti-war movements last year kind of disillusioned me with regard to this approach to solving problems. It's hard to imagine any more widely and solidly supported a movement than the anti-war movement, but look at how slow and ineffectual it is in extricating us from that war.

(Billy Cox, Southgate, Pomona College international relations major, interviewed at Pomona College)

The things that bother me are like smog, traffic, aspects of modern society like billboards and TV advertising. And with respect to these problems, I don't feel that I have any control over these things at the moment. Like I have one two-hundred-millionth of a choice; or in California, one twenty-millionth of the say. It's hard to affect the structure of society, and smog is a pretty hard thing to get at. Smog comes from an industry which is situated in a different political jurisdiction; California government doesn't carry much weight in Detroit. And the federal government is too far away, and there are too many people in Washington who come from places which aren't bothered by smog, and they have an equal voice with those who are affected.

I generally feel that I am very disconnected from these decisions. We've been conditioned over the past five years from the Vietnam experience to take an angered, fatalistic view.

I get to feel I don't want to live in cities at all. We've considered going to Canada. And I don't want to own or drive an automobile. I'd rather walk everywhere I go, or take public transportation.

(George Hutcherson, Concord, University of California, Davis, civil engineering major, interviewed at University of California, Davis)

I've lived in Concord for about 17 years, and I've noticed that smog has been creeping in from the river over the last few years. We have steel mills, paper mills, and other industry down there. It's really painful to see it, because only a few years ago the sky was nice and blue. Now it's hazy most of the time around Mt. Diablo. The population has increased, over the time that I've lived there, from 5,000 to 80,000. I can see that population is a factor in this increased pollution, but if people is the problem, I can't see how we're going to control it. I personally would favor restrictions on the number of people who could live in a particular geographical area, to limit the concentration of people in a particular air basin or land area. But I don't see how this could be accomplished.

I can see, too, the need for population control, but I don't know how we can convince people of this need, particularly in view of the Catholic Church's stand. It seems to me that unless you can get both major political parties and all the churches in this country to support the concept of limited family size, it's going to be pretty tough to convince people of its necessity.

I hope that I'll be able to do something about these things one day, perhaps when I'm old enough to vote, and when I've completed my education. I'm a civil-engineering major, and I would like to go into something like air pollution or water quality control, and do as much as I can. But in the meantime, I don't think I can do much. Maybe sign my name to petitions, but that's about it.

(Stan Gamble, Riverside, University of the Pacific engineering major, interviewed at University of the Pacific)

I'm from Southern California, around Riverside, and the smog is really bad down there. I know a lot of people are moving because of it. I know it's not the answer, because sooner or later it will catch up with you. I've never thought about what I could do to stop it. There's nothing I can do, just one individual. But if people got together in groups, then, maybe, they'd have a chance.

(George Mason, Connecticut, Occidental College art major, interviewed at Occidental College)

I'm from Connecticut and, upon coming out here, I find that the problems of the city—of urbanization—are very real for me. . . . I find the city weakening to me, to my personality. I cannot be as strong as I have been, and as I would like to be, here in the city. I don't have room to run, or a place I can identify with. I like to do a lot of running, and I like to do a lot of thinking and walking. When I run I can think more clearly, and feel strong. And I can't do that here, in the city.

I suppose I have a lot of idealistic solutions to the restraining and destructive effects of urban and environmental problems, but realistically . . . I wouldn't know how to handle the problem. It's almost as if the city runs without us—or that it runs us.

I would say, as I look back on it, that I have been running away from these problems. But I would hope that I would become increasingly involved. If my running away, and taking refuge in those beautiful places that are left, reflects a feeling that the problems are overwhelming to me, possibly that's true. Because I simply don't know what to do.

(Therese Regan, Los Altos, University of California, San Diego, biology major, interviewed at University of California, San Diego)

Environmental problems seem so remote here in this associated pocket of well-planned grounds, buildings, and trees. I'm from the



Bay Area, where things were a little different. The filling of the Bay was really sad. I've lived near Palo Alto for the past nine years, and when we first came, we were surrounded by beautiful orchards, and now it's just solid houses, and it's like a concrete city. It's really sad. Population control is really necessary, but I don't know how it can be effected. I can do something personally—limiting the size of my family—but I can't affect the rest of society. More than anything else, I suppose it's the feeling that I can't do anything that causes me to be apathetic towards these problems. I feel I have no control over Detroit and the other industries which have created so many of these problems. There's just not much that the individual can do.

(Steve Shank, Irvine, Pomona College philosophy major, interviewed at Pomona College)

I don't know what effect, if any, an individual can have on things like the Vietnam War, or smog, or other environmental problems. It's frustrating if you believe in something, and you see that as an individual you can't do much.

(Dave Klatsker, Los Angeles, Pomona College English major, interviewed at Pomona College)

I'd like to think that as a citizen you had some effect on what is going on. My parents have written letters to their congressman about the smog problem, but I don't see any real effect that has had. If everyone got together they might have some greater effect. Like I say, I'd like to think I would have some effect, but I really don't see how. I'd like to think that part of my education is making me more aware of how I could contribute to a better environment.

(John Brown, Orange, Claremont Men's College, political science major, interviewed at Claremont Men's College)

It's pretty obvious, living in Claremont, that a lot of environmental factors have an effect on people. Number one would be smog. You walk to class and you feel the effects of that daily. Number two would be traffic. It's hard to go someplace; it's harder to get back. Those are just two very noticeable things. Other things come to my attention through the media, such as the deteriorating cities, industrial water pollution, etc. Those things touch my life in more remote ways.

My personal, individual effect on these things that concern me is virtually nil. There's very little that I as an individual can do to affect large, environmental problems. The answer probably lies in massive public support for massive outlays of money—but the individual feels pretty helpless in relationship to these problems. What can a person do about 100 million automobiles and the smog produced by them?

I'm going to start by running away. That may sound like a big cop-out, but living in Southern California is becoming really intolerable. Beyond that, the solution lies in getting large numbers of people to do something about things. I think I'd like to become very involved in this process, in solving environmental questions. At the moment, though, the only solution is grassroots: don't drive an automobile; call for a better means of transportation; or go down to the river and drink polluted water to call attention to how foul it is.

(Neil Nunokawa, Honolulu, University of Southern California, pre-dentistry major, interviewed at University of Southern California)

We're both from Hawaii, and Los Angeles is incredible! It's a big city with big-city problems. Smog is only the most visible and irritating. There's nothing one can do about smog; smog is going to be a part of every city, all over the world. It's a question of whether you want to advance technologi-

cally. I feel we should use our technological advances to solve these problems.

There is not much we can do about these problems as individuals. Everybody has to get together and work together to be effective. I feel the culprit is big business—the people who are out to make money.

The climate for solving these problems is much better in Hawaii than it is in Southern California, as I see it. In Hawaii, a large and ever-growing number of people are really concerned. They care. And even people who move to Hawaii get caught up in this, and they become concerned, and are willing to give of themselves to help solve these problems.

Here in L.A., people are more apathetic. I feel that Hawaiians are deeper, more open and more honest people. But the people in L.A. seem to me to always be hiding their real feelings, wearing masks. My impression is that people in L.A. have no roots, no commitments to the place. They're here to make their buck, and get out.

(Gary Loop, Walnut Creek, University of California, Davis, chemical engineering major, interviewed at University of California, Davis)

I used to live in Los Angeles, and I think smog is one of the main reasons I moved up here. Because if you've ever been in an airplane, and looked down on that stuff . . . it's pretty sickening, you can't even see the ground. But I know moving away isn't the answer, because you can already begin to see it pile up elsewhere, even where we live now. As an individual, I really can't see that much that I can do about it. To tell the truth, I really, really don't know what I could do.

(Darrell van Fleet, San Diego City College history major, interviewed at San Diego Zoo)

I feel that the urban environment that we've established out here isn't very healthy for human beings. We're all bothered by smog and by a lack of an adequate transportation system. The only thing we've got is cars, and they cause smog and freeways. The neighborhood I live in—southeast San Diego—is crisscrossed with freeways. You open your window and that's all you can see. You see the freeway, you hear the freeway, you smell the freeway. We have to do something to preserve our environment. We're rapidly destroying this country.

I don't know what an individual can do about it. He can not drive an automobile which produces smog. That's about all he can do. I don't drive for this and other reasons. A lot of people talk about the environment as a problem. But I don't see any effort to organize politically with this as an issue. It seems to me that this is a potentially the major political issue. The question of overpopulation, and destruction of the environment, DDT, and this sort of thing. Seems to me this is the major issue. I mean, a lot of other things we talk about pale by comparison. We have to organize politically with this as an issue. What form this is going to take, I don't know. . . .

(Mary Byrne, Evanston, Illinois, Occidental College biology and art major, interviewed at Occidental College, Los Angeles)

I don't come from California. I come from Illinois. And I live in Chicago, right on Lake Michigan. So pollution affects me a great deal. I can see it!

When I was little, the water was clean, and we could go swimming. But in the time I've lived there, I've seen the pollution come and grow and destroy. So this week I'm switching from an art major to biology. I want to be able to do something about pollution; I think it's awfully important to work in this field, and have some effect on these problems.

I'd like to become a researcher and have a direct and immediate part in such work; but there have to be organizers and educators

and other kinds of people, too, to enlist the necessary public support. Public force is the only thing that is going to move the legislators who have to make the laws which have to curb the industries and the other exploiters of our resources.

(Dennis Lynch, Sacramento, Musician, interviewed at University of the Pacific)

Things like cutting down trees, and smog, and garbage . . . they're a drag. I don't know what you can do about them, except for not throwing garbage around yourself. And maybe other people will learn something from the way you do things. Bigger things, like industry dumping stuff in rivers, smog . . . well, I sure think something should be done about it, but I don't know what. If I knew the answer to that, well, I guess we'd have the problem solved! And if I knew the answer, probably everyone else would too. Sure, it bothers me that I don't know what I can do, but what can you do about it?

(Wayne Parra and Coral Ideras, Modesto, interviewed at Steinhart Aquarium, San Francisco)

If we don't control environmental problems now, it's going to soon get to the point where everything will be destroyed, and we won't have anything left.

(Greg Hudson, Escondido, University of California, San Diego, political science major, interviewed at University of California, San Diego)

Man polluting himself out of existence. I feel I have to do something. Everybody has to do something, even if it's just yelling and screaming. It's a terrible feeling, it really is—that man is so detached from nature—that he is destroying it so thoroughly and at such an incredible rate . . . seems so he can go on existing in a way that just comforts him at the time. It's terrible—man is no longer even a part of nature; he's either controlling it or destroying it; he no longer tolerates the balance of nature in any way.

Running away from all this certainly helps my mind, and it's a very strong impulse, but I know it's not the answer.

(Walter Sakai, San Mateo, University of California, Davis, zoology major, interviewed at University of California, Davis)

I'm majoring in zoology, and I guess my field is ecology. Everywhere you look, you see environmental problems, but you can't do anything about them, because they are controlled by the Establishment. What can you do about the internal combustion engine? Right now the car is a necessity as transportation, at least here in the West where public transportation is poor. But some day soon the necessity for survival will require that they be eliminated. Sooner or later, people are going to begin dying off from emphysema . . . and then people are going to realize that the internal combustion engine has to be dispensed with . . . of necessity.

I'm fatalistic about certain of these problems, but not about others. I feel that it is within our power to save the redwoods, and Point Reyes, and other such specific issues, when people get together and let their voices be heard. But when it comes to larger problems, like smog, or like overpopulation, what can you do? As a native Californian, can you say, well, we don't want any more people moving in?

What I'd really like to see is the division of Northern and Southern California. I feel the north would be a much groovier place without the south. We wouldn't have to be building all these giant dams all over the mountains, wrecking the local ecology, wiping out beautiful valleys, and so on. . . . The effect of this in Southern California would be that people would have to recognize that they can't continue to increase the population, developing everything in sight. This would have a stabilizing effect on growth and development.

May 20, 1970

But realistically, I can't see this split actually happening. Southern Californians wouldn't support the move. But I don't know what other options are open. I just don't know what we can do about these problems.

(Jessica Dunn, San Francisco, escrow clerk, mortgage company, interviewed at Zellerbach Square, San Francisco)

Traffic bothers me. But what can you do about traffic? It will always be there. All I can do about it is not drive. I take the bus. But rapid transit isn't really the answer, as far as I'm concerned. I'm from New York, and I know what the subways are like. And BART is going to be just another New York City subway. Downtown San Francisco is just as congested as New York right now. I don't want to live outside the city; I just wish the city were a little more livable. But there's not much I can do about it.

(Patrick Pace, Mill Valley, photography student, interviewed at San Francisco Art Institute)

I really don't believe I can have any effect on people, or on the environment. There are too many variables. As one human being, I feel I have no control, nor any potential control, over anything. Moreover, I feel that no one, no institution, no force that I can perceive, is in control of where this country is going. A certain kind of economic inertia is at work, forcing people to live and work in ways which they have little control over. Cities are big because the economy has caused this to happen. People live in and around cities because they have to make a living. I feel most people would prefer to live in less congested, less polluted environments. But they don't move because they fear economic reprisals. That's really it—people are afraid, very afraid. And in many ways, I myself am afraid. In this climate, I don't see how any one can get his message across. I can use my medium of photography to make myself more aware, but I doubt seriously that I can cause anyone else to be affected—to become more aware.

In order to be reached, people have to first want to listen. And then what we need is a whole new framework—a re-thinking of the principles of private property, of whether land should, in fact, be owned at all, concepts that our society have been built on—it is doubtful whether anyone will want to listen. Yet nothing short of a complete re-examination of our basic values and beliefs will allow people to once again assert some control over their lives. I feel that our culture, our society, is on a suicide course. Thinking about it sometimes really makes me sick . . . sick with frustration over my inability to affect things. I suppose that's why I'm in school now—to search for what I might be able to do, if anything.

Representative GEORGE BROWN, Jr.

As a student and member of the society, I am becoming increasingly alarmed at the destruction that has is or planned to happen to the Calif. coast line. Action must be taken now. I urge you to support the creation of strong CCDC bills to protect our coastline.

Thank you for your time,

KIM DINES,  
Saratoga, Calif.

MAY 9, 1970.

GEORGE BROWN, Jr.,  
House of Representatives,  
Washington, D.C.

DEAR MR. BROWN: On Wednesday April 22 many high schools throughout the United States participated in an Earth Day celebration. Students wore arm bands, rode their bikes to school, and had special discussions and debate sessions.

I am a junior attending Rosemead High School in Rosemead, California. On Earth Day we had a special closed circuit television broadcast and a rally with our bikes. The

students who participated in this demonstration are concerned about our natural resources and pollution. I feel that you need to be more concerned. The lakes, rivers, and oceans are methodically being destroyed. I am afraid that my children will not have fresh water to drink or air to breathe.

I know that organizations are being initiated and legislation introduced to improve this terrible situation, but doesn't this cause deserve an all out campaign? It does concern us all. Facts have proven that we need to start NOW if we hope to survive much longer. A famous biologist has said that if one of the candidates for the president in 1972 does not campaign for such goals, then he will take his family to live in the wilderness because he doesn't think that people will be able to survive in the metropolitan areas.

An Ecology Action Club is being formed at Rosemead High. Our first project may be to collect glass bottles and aluminum cans. I feel that the students of the United States are trying to put forth an honest effort. You MUST do the same.

Sincerely,

BRICKY ALLSOP.

MAY 10, 1970.

DEAR SIR: I am a college sophomore.

I am alive today breathing with a 10% oxygen deficiency with each breath, because of the pollutants that seem to get hold of my hemoglobins before the oxygen has any chance. People commit suicide that way you know! My nutrition is fairly uncontaminated compared to the Brown Pelican that became extinct on a certain island because of D.D.T. contamination in the food they eat. I myself am unfit to eat because of D.D.T. accumulation. I inhale, ingest, digest, and grow with more junk than I exhale or egest. It seems to me that you would have a little faster pace knowing that the earth is so ill. But we're making it sicker and what's worse we are aware of it. The earth is violently ill with a growing disease called pollution. Man is too specialized (as are every other organism) to adapt to such an environment as fast as it is forming.

What am I doing? We bury our garbage, avoid buying aerosol cans, plastics, non-returnable bottles, colored tissue paper (pollutant dyes); I don't drive, I'm buying a bicycle this week. We have even adjusted the toilet so it uses less water. I have joined Zero Population Growth because they hit the problem at the very root of many problems; too many people. What are you doing? Please don't send me a list of all the bills you've supposedly been pushing. If you people up there were really working at it something would have come through. You certainly seemed to pass judgment on the evils of "Grass" easily enough but plain old tobacco is more harmful. The world depends upon you! I'm optimistic or I wouldn't have written this. I'm not a member of a small interest group want only for me. Everybody wants to live. Even you. We are a majority but we need a stimulant. Please, make life the major issue!

Love,

JANELLE AESCHLEMAN.

CRESTHAVEN ELEMENTARY SCHOOL,  
Silver Spring, Md., April 24, 1970.

Congressman GEORGE BROWN,  
House Office Building,  
Washington, D.C.

DEAR SIR: During recent weeks our class has been discussing the causes and effects of pollution. Arjun Yodh who is ten years old has expressed his concern by writing a poem. His father brought the poem to my attention. I thought that perhaps it would interest you.

POLLUTION

A thick, greyish, mist that hangs in the air;  
Factories, smoke, and gas, all do their share,

Now people are coughing and paying death as a fare

While scientists lately start looking for the end of the nightmare.

For the hatred of pollution wasn't really hate,

People just put it aside and it's too LATE.

Sincerely,

JEAN BIRMINGHAM.

MONTEREY PARK, CALIF.,

May 12, 1970.

HON. GEORGE E. BROWN,  
U.S. House of Representatives,  
Washington, D.C.

DEAR SIR: I am a student at Mark Keppel High School and would like to ask for your help in solving one of man's disastrous problems. Pollution is destroying our lives in front of our very eyes, and nothing is done about it. As you well know, it is increasing more and more every day, and unless we put a stop to this problem, we will lose everything that we have achieved and worked so hard to protect for the past 500,000 years, since mankind began inventing different devices to improve living conditions.

I realize that Pollution isn't an easy problem to solve, but we must start now in order that we might save what is left of "The Beautiful Green Earth." I urge you, sir, to look into this problem more deeply, because it is a matter of importance to mankind as well as other creatures.

I would appreciate a quick and desirable reply, so that I and other fine citizens of Monterey Park, as well as other citizens have some knowledge about what is being done regarding a solution to this devastating problem.

Sincerely yours,

AHMED ABDULLAH.

ALHAMBRA CITY SCHOOLS,  
Alhambra, Calif., April 22, 1970.

HON. GEORGE E. BROWN, Jr.,  
House Office Building,  
Washington, D.C.

DEAR MR. BROWN: The Alhambra Board of Education desiring to join with the students and adults of this district and throughout the Nation in constructive action to help reverse the rapidly increasing pollution and destruction of our environment adopted the attached resolution at its regular meeting of April 22.

Our students in cooperation with their teachers have planned and are planning many activities to emphasize the importance of doing something positive to call attention to the problems and to possible solutions. These include a campaign to collect aluminum throw-away cans; drives to keep the campuses clean; a drive to form car pools, to walk, or to use bicycles for transportation; the scheduling of films and slides and the distribution of literature on pollution; writing letters to government officials urging immediate constructive action; and class discussions on the danger of ecological destruction and proposed methods of counteracting the processes bringing this about.

We urge that you make every effort to join the concerned forces taking a positive stand on this environmental issue; furthermore, that you take action in your position of leadership of doing something constructive and of informing your constituents of the results of your efforts.

Sincerely,

ELMER ENSZ,  
Secretary, Board of Education.

RESOLUTION TO DECLARE APRIL 22, 1970, AS "EARTH DAY"

We, as members of the Alhambra Board of Education, give our enthusiastic support to the recognition of April 22, 1970, as "Earth Day." This day will be a national day of action on environmental problems. Our school district joins the thousands of other districts



across the Nation in taking a stand in the battle for healthier environment. We encourage the general public as well as the students to become actively involved in the study of facts about pollution. It is necessary for the schools to create an awareness of the problem. This is especially true when you realize that the youth of today and tomorrow will suffer from the errors committed in the past and present.

The students and the general public should not be led to believe that "Earth Day" is only one day set aside to talk about pollution, rather they should know that this is only the beginning in a long struggle against environmental destruction.

I hereby certify that the above is a true and exact copy of the resolution approved and adopted by the Board of Education of the Alhambra City High School District at a regular meeting held on the 20th day of April 1970.

Dated: April 20, 1970.

ELMER ENSZ,  
Acting Superintendent and Secretary to  
the Board of Education.

DAIRYMEN HURT BY CLASSIFICATION SYSTEM

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. NELSEN. Mr. Speaker, at this time thousands of pounds of cheddar cheese are being imported into this Nation under the label "Monterey" cheese. The Customs Bureau refuses to include "Monterey" cheese in the cheddar cheese quota, but classer it in the significantly large "other cheeses" quota. This cheese case smells. It smells like we have catered to the wants of the dairy industry of New Zealand and other countries who are trying to unload their dairy surpluses on the United States. This hurts the American dairyman, and it hurts the American taxpayer in terms of the required price-support expenses.

Most recently, the April 25 issue of Hoard's Dairyman, the leading journal of dairy farming in America, noted this situation on its editorial page. The gentleman from Wisconsin, Hon. JOHN BYRNES, has taken considerable interest in this matter, but I know all our colleagues will be interested in reading this call to "Investigate Customs Bureau." I include it in my remarks at this time:

INVESTIGATE CUSTOMS BUREAU

On January 6, 1969, just before he left office, President Johnson made some temporary dairy import decisions permanent and then added a special provision that New Zealand would be granted a permit to ship 7.5 million pounds of "other cheeses" to this country annually. This meant New Zealand could ship additional cheese than the American cheddar and other types covered by quota.

The President's action has never been explained because New Zealand had no history of shipping "other type" cheese.

In any event, on June 28, a ship steamed into Newark, N.J., with 8,490 cases of New Zealand "Monterey" cheese. Reportedly, the Customs Bureau rejected the advice of experts that the cheese was mislabeled and should properly be charged against New Zealand's quota for cheddar cheese.

After all these months, a panel of eight nationally recognized authorities on cheese identification and grading went to Washington, March 23, and positively identified the "Monterey" as cheddar. They were invited to the test by Wisconsin's Senator Nelson and Representative Byrnes.

It is not the amount of cheese imported nor the special grant to New Zealand that bothers us about this episode. After all, the annual imports of Monterey are equal to only the production of about 150 U.S. dairy farms. And dairy imports, in total, have been going down. During the first half of 1967, dairy imports were coming in at the rate of 4.4 billion pounds of milk equivalent annually. With subsequent presidential actions, imports have been substantially reduced, to 1.8 billion pounds in 1968 and 1.6 billion in 1969.

But the malodorous aspect of the present situation is the subterfuge which lead to apparent collusion between the New Zealand dairy industry and our Customs Bureau. This is no way to do business. It appears that a white paper is due from the Customs Bureau or a congressional investigation is in order.

SOMETHING BEAUTIFUL IS HAPPENING

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. BUTTON. Mr. Speaker, in my district there is a unique organization doing an heroic job as a day care center. Its services were well described in a recent issue of "Local 301 News" by a member of that IUE local, Helen Quirini.

The center, known as Refreshing Springs Day Care Center, is in Schenectady, N.Y. Its history is well recounted in the following article:

SOMETHING BEAUTIFUL IS HAPPENING

(By Helen Quirini)

Something beautiful is happening in our town and I would like to share it with you. About three years ago some people in a church in our inner city realized that there was a desperate need for a place where children of working parents could be cared for. Working parents or parents going to school to train for a job had no place that they could afford to send their children. This little church decided to do something about the need, and started a day care center in their one room basement. The center survived on parent fees administered on a sliding scale only because many staff members were willing to work without consistent salaries. The director still works up to 11 hours a day at the center without compensation.

Before long their church was overflowing with children and they looked around for help. Many people after hearing of the wonderful work this church was doing pitched in to aid them. The Inner City Ministry is now helping to supplement the small paid staff with nearly 80 volunteers. The volunteers come from all walks of life, rich and poor, black and white, Protestant, Catholic, Jewish, labor representatives as well as management people. A psychologist, social workers, nurses, a bookkeeper from Vita, and financial advisors from the JCs as well as many Skidmore students joined the other dedicated people.

The State Street Presbyterian Church located on the corner of Catherine Street offered their beautiful new five room basement facilities and the Emmanuel Baptist Church on Nott Terrace offered two rooms to take care of the overflow from the State St. Church. The Albany Presbyterian donated

\$2000 to pay expenses for the year, and the Trinity Methodist Church pledged \$3700.

The center operates 11 hours and 45 minutes a day. Many children are served breakfast each morning. 50% of the children come from broken homes. 20% are on partial welfare. The others are borderline poverty cases. The children also participate in a clinic in St. Clares which has been set up for Head Start children staffed by public health nurses.

This is the largest child care center in Schenectady and is operating on the smallest budget. Among the 65 children there are 8 babies, 20 toddlers, 15 preschoolers, and 22 school age children. The group is approximately 50% black and 50% white. The children served by this center come predominantly from Census Tracts 9 and 10, the "Hamilton Hill" area of Schenectady. This is the heart of the city, and the lowest income area of the county. The area holds about 70% of the welfare clients of the county. The center is ideally located to serve the children attending the two schools in the area, the Martin Luther King and the Halsey school. A continuance of the center would mean 47 mothers could keep their jobs. This would insure dignity and self-reliance, while making taxpayers out of possible welfare recipients.

This center was built with love and uses TLC (tender loving care) to teach ABC's to a group of exciting and eager kids. A survey by the Community Welfare Council revealed that there are about 800 children who need this kind of care.

Maybe you are wondering why I said something beautiful is happening in our town. Well isn't it beautiful that originally a church should assume the responsibilities of caring for children in order that their parents could become self reliant, and when the problem became bigger than expected, other churches in the area comprising the SICM (Schenectady Inner City Ministry) joined in this fine work not only with their money but with over 80 volunteers. And that all the people previously mentioned also pitched in to help. This is truly one of the best living examples of brotherhood that I have ever seen.

Now the center must solicit funds to continue its fine work. Again many people have joined the ranks. Space prohibits my mentioning all the people, clubs, organizations, etc. that are helping. To just mention a few, a fashion show was held, the Welcome Wagon ladies and the Woman's Guild are having special projects, St. Helen's Catholic Church and the Eastern Parkway Methodist jointly sponsored a supper to raise money. Between 30 and 80 coffee parties will be held in the near future to tell the story interested women with the hopes that they will contribute money so that this fine service can continue. Over 100 people are volunteering to help raise money so that this center can continue. I am proud to be one of them.

The name of the center is the Refreshing Springs Day Care Center originally sponsored by the Refreshing Springs Church, 30 Steuben Street, Schenectady. The name of the director is Mrs. Georgetta Dix.

VIETNAMIZATION PLAN FLAWS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. JACOBS. Mr. Speaker, I commend my colleagues, Congressman BENJAMIN BLACKBURN, of Georgia, and Sen-

ator ROBERT DOLE of Kansas, for identifying the more obscure of the two prohibitive flaws in the so-called Vietnamization plan.

Despite my efforts to bring to the attention of the public what I have called the life imprisonment flaw of Vietnamization, little general recognition seems thus far to have been generated of the clear fact that the Vietnamization plan contains no provision whatever for obtaining release of American prisoners held by the Communists in Vietnam.

Logically the only way to obtain such release is through an agreement with the other side under which the United States would terminate its intervention in return for accounting for and release of all American prisoners.

In a sense then the Vietnamization policy is draining or frittering away our bargaining power. If we would simply go to Paris and acknowledge that we are doing what we are doing, namely withdrawing American troops, we then could obtain something to show for it.

The other prohibitive flaw in Vietnamization is the fatal flaw reported each week in the American casualty list.

#### JOBS FOR THE HARD-CORE UNEMPLOYED

#### HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. WYDLER. Mr. Speaker, there has been much discussion during the past year or so about the accomplishments of the National Alliance of Businessmen, a voluntary organization of businessmen dedicated to finding jobs for the hard-core unemployed. Mr. Donald M. Kendall, president of PepsiCo, Inc., recently completed a 1-year term as chairman of the National Alliance of Businessmen and, in a speech before the National Press Club, cited the good work that the NAB is doing.

Mr. Kendall's speech contains several points which are in the public interest. I commend the speech, which follows, to my colleagues:

#### JOBS FOR THE HARD-CORE UNEMPLOYED

I have a threefold purpose in my talk to you today, but before I start I would like to say something personal. I'm happy to be here at the National Press Club. Like any other big business executive, I've appeared before audiences up and down the country—but I'm proud to be here. I'm glad you asked me also because it gives me a chance to thank you correspondents and reporters, editors and publishers and TV and radio producers for the great interest in the subject—this very crucial subject that brings me here today.

We—Paul Kayster the President of NAB, and I—have in the past year or so held more than 90 press conferences and 40 back-grounders with editors and publishers. And in every instance—whether we have met with you personally or your associates in your home towns—the story that we have had to tell about, as I have said, this very crucial subject of jobs for the hard-core unemployed, has been treated with interest and understanding.

We have been given a good deal of public notice—"publicity" if you will—in the wake of our press conferences throughout the nation. Thus you have helped us tremendously—through your interest and your own understanding—with our job of creating understanding among the general public, of the task that faces all of us as Americans. And so I want to take this occasion to render our formal recognition of the interest and understanding of the press.

Now for the three objectives that I have in my talk here today:

First, I want to give you an advance informal accounting of what we've done at NAB—National Alliance of Businessmen—during the year I've been honored to be its chairman. I want to stress that this will be an informal accounting since a more formal report will be coming through the NAB Board of Directors shortly. But let's assume this is a secret background—and I authorize an immediate leak.

Second—and perhaps most important—I want to tell you what we've learned on the job. I want to tell you about the problems we've run into and the continuously evolving solutions that we've worked out.

Third—and this may be, potentially, most important—I would like to emphasize what may well be the basic breakthrough toward the elimination of massive unemployment of so-called "hard-core unemployed."

As many of you know, the National Alliance of Businessmen is a non-profit, private organization with headquarters a few blocks from here. It is a voluntary alliance of businessmen, Democrats and Republicans—in the very best sense of the term—non-political.

NAB received its charter in January of 1968 when President Johnson called upon the American business community to apply its talents to the crucial national problem of finding jobs for the hard-core unemployed in our cities.

We business leaders were asked to devise means of bringing these hard-core unemployed out of their backwaters and by-passes, out of their festering swamplands of poverty and discontent into the fresh, active, hopeful mainstream of the American economy. To show them the way to change themselves from tax-eaters to taxpayers. The result of our efforts thus far has been an absolutely unique and truly exciting partnership between business and government—a partnership that might well be considered as a kind of pilot project for future social and economic development.

Our program of "Job Opportunities in the Business Sector"—J-O-B-S, for short—started operating in June 1968 with Henry Ford as Chairman and Leo Beebe as full-time administrative head. Besides its Washington headquarters, eight regional offices were set up as well as fifty metropolitan offices in the nation's largest cities. All these offices were staffed principally by executives on loan from private corporations for periods of from six months to one year.

During this first year some 1000 executives were recruited for full-time duty—another approximately 7,000 worked-part time mostly as job solicitors all over the land.

From the very beginning, NAB—quite wisely, I feel—saw its function as not to create jobs but to act as catalysts in bringing people and jobs together. I will not burden you with details or furl out organizational charts, but I'd like to impress you with the salient point of our JOBS program.

It is expressed in our motto: "Hire—Train—Retain."

Most programs of the past that were designed to help the hard-core unemployed had as their watchword "employability."

But NAB operates on the "hire first" principle. An individual business or private non-

profit organization agrees straight out to hire a certain number of unemployed or under-employed people for jobs in its plant or office. Candidates are referred to the employer by the State Employment Service or by the local office of the U.S. Department of Labor. The employer then hires the men or women he chooses. And he is responsible for providing them with the training as well as the counseling and other special services that are needed to help them become productive workers and remain on the job.

How is it all financed? The federal government—under the Manpower Act—offers contracts to employers to cover the costs of training these men and women. It may come as a surprise to you, however, to realize that some companies did not avail themselves of this source of funding. They spent their own money.

Now let me say this—I do not believe, from my own experience with the program, that this is the best, most efficient and most businesslike way to operate. In this I share the conviction expressed by many informed judges of the program who have concluded that the best performance records are shown by those companies that hire and train under a government contract as against those who do this voluntarily.

But what about achievements?

They were considerable—starting originally under the tremendous vigor and pioneering administration of Henry Ford and Leo Beebe. Some fairly ambitious targets were staked out for the first fiscal year ending on June 30, 1969—while they were running the new programs through its first shakedown cruises. By the end of May, 1969—one month ahead of target—the National Alliance of Businessmen had met its first-year goal of 100,000 men and women on the job.

Well here we are on February 26th—18 days before my one-year mark as chairman. Where do we stand? What kind of accounting can I give you to pass on to the American people? What kind of record have we chalked up?

As of January 31 I can report to you that we have a total of 383,573 pledges of jobs by employers. Our target is to retain 338,000 of them on the job.

Hiring under the JOBS program has continued strong throughout 1969. Reports from employers show cumulative hired as of the end of January of 379,000 for a gain of 232,000 in the last ten months. The number of employers pledging to hire and train the disadvantaged under the JOBS program has grown in the same period from 14,000 to over 23,500.

Of the workers hired under the program 200,000 are reported still at work. This means that the rates of turnover are not much higher than most of these businesses had experienced previously with more highly qualified new workers.

Now we don't quote the figures of people who have been in this program for example for 6 months and then leave us, which I think probably we could, because once you have had a man in this program for six months, they have a job skill at that point and they have mobility.

Many of these people have gone and gotten jobs in other countries because they have something to sell. They have a skill.

On the initiative of President Nixon, there has been a large increase in government funds available to employers for hiring and training purposes. This administration has requested a \$300 million budget for this fiscal year for NAB.

I think you'll agree that NAB has ticked off some fairly solid progress. But in a sense, as is all change under the American system of continuous pragmatic growth, we are all in a continuing process of learning on-the-job.



What, specifically, have we learned?

We don't have all the answers, but we are more than ever convinced of the value of the program in dollars and cents.

I remember, not too long ago, the president of a medium-sized manufacturing company in a northeastern city was confronted by a small group of his stockholders and he hit them with an eloquent slab of simple arithmetic based on the most recent information from the Department of Labor and cited frequently by the NAB.

"Look," he told his stockholders in effect, "the average cost of training a hard-core individual to become a productive employee under a Department of Labor contract at an NAB company is exactly \$2,917. If he's on welfare, that's an immediate savings to the government ranging as high as \$3,100 a year for the head of a family of four—depending on where he lives. Moreover, the new employee is now a taxpayer instead of a tax-eater. So he'll be paying federal income tax of about \$240 a year plus a state sales tax of up to \$100—again depending on the state."

"In the case of a welfare family," he went on, "we've learned that the government's total investment will be repaid within a period of from 10 to 21 months depending on the level of welfare payments. If we're talking about a young, single man who is not a regular productive worker—then, by the time he has a wife and children he'll be adding them to the welfare mills rather than supporting himself. And if he ends up in jail rather than on the job, the average cost of supporting him in prison for single year will be far greater than the cost of training him to be a productive worker for, perhaps, the next 40 years of his life."

Finally he hit them in their self-interest solar plexus. "When an unemployed individual becomes a productive worker," he said, "his purchasing power for goods and services is increased about \$3,400 a year—and he contributes some \$10,000 a year to the gross national product."

So far I haven't run into anyone who can argue in the face of such enormous potential benefits to himself as taxpayer and investor.

Let me call attention to a major problem area. This involves the human element—the attitudes that people have on both sides of the job fence, the emotions they feel, what one man hopes to achieve by moving out into the economic mainstream, the personal reasons why another man—an employer—will pledge the job.

All these things cannot be reported to you in terms of statistics or goals or by graphs or charts. But they've played a rule all along the line.

For example, let me tell you about Burny Brothers, Inc. This is a major bakery products company in the Chicago area with 1,800 employees. Burny Brothers joined the program back in June 1968 at the very beginning with a pledge of 20 jobs. Last year the company pledged to hire an additional 240 hard-core unemployed. Their reason for doing this was very simple, very personal. The company had been founded in 1910 by three brothers who dropped out of grade school in southern Illinois. They had come to Chicago with their widowed mother and baked french bread which they sold door-to-door. Because the founders were once themselves disadvantaged, the company has long followed a policy of investing in other disadvantaged people. When they originally pledged with the program, President Jule F. Burny told us: "A number of our foremen and supervisors are school dropouts of 20 to 30 years ago. By hard work these men have created a good standard of living for themselves and have contributed to the growth and prosperity of their company and city. Burny Brothers is continuing a long tradition of providing opportunities to those in need of a helping hand."

Now here's another human interest story. John F. Craver, General Manager of the Hotel Mayflower here in Washington, discussed this problem with real frankness. "We must eliminate dead-end jobs," he said. "Traditionally, we in the hotel industry have placed a man in a job, dusted our hands and said, 'Well, that problem is solved forever.' We have at the Mayflower a man who has been a lobby porter for 44 years. Another man who's been an oyster shucker for 33 years and so on. What we've done now is to take a mental oath that no job will be a dead end. The hotel industry must adopt the concept of upward mobility. All employees should have the opportunity to make the most of their abilities to progress as far as they can possibly go—regardless of race, sex, skin color or religion. Career ladders must be built," he went on, "that specify job titles and salaries. For example, dishwasher to floor steward to assistant steward to executive steward to assistant food and beverage manager and on up."

The question has been raised about the effect on our program of the present slowdown in the rate of economic expansion. Well—I think our record of the past few months becomes even more impressive when you consider that it was accomplished in the face of a slowdown in the national rate of economic expansion.

True, layoffs have begun to show up in some industries and some parts of the country.

I might also say that those involved in the automobile industry in the government training program are still training.

But in spite of this, new hirings under our programs have continued at the rate of approximately 25,000 per month, while government reports show that the rates of unemployment for minority workers remain lower than they were one year ago.

Our NAB metro offices and employers recognize that a leveling off in the economy will, in the short run, make their efforts harder. But not every employer nor every part of the country will be affected. Many companies heavily involved with our program—such as telephone companies and banks—will probably not be affected. And many major industries—the food-processing industry is one that comes to mind—have a degree of employment stability that should enable them to continue hiring and training the disadvantaged during a period of temporary economic slowdown.

Moreover, we have made a special effort over the past year to broaden the base of our program. We have stressed service industries, nonprofit employers such as hospitals and private schools, and small businesses not directly dependent upon manufacturing. Many of these employers are relatively insulated against economic change insofar as their labor requirements are concerned.

Now a word about President Nixon's proposals for long overdue reforms in our national welfare system. These reforms have made the private sector effort to provide jobs and job-training for the disadvantaged more important than ever before. They offer our best chance of stopping the spiraling costs of the main welfare category—namely, aid to dependent children in fatherless families. And they will provide financial incentives for people on welfare to go to work and seek training in order to raise their earnings and become self-supporting.

As a businessman, I believe that the proposed family assistance plan is a sound investment in the future of our country. It is a program based on encouraging the able-bodied to work and to remain with their families. It is allied to the NAB program for it retains and reinforces the traditional American emphasis on the individual's rights to hope for a life of fruitful independence for himself and his family.

I said at the beginning of this talk that I

wanted to emphasize a possible new massive employment breakthrough. We have stressed repeatedly during my tenure the role of small employers as the prime instruments for our big job drive of the future. Let us put our hopes—and make our bets—on the small employers of America.

This nation, as you well know, is not made up only of the corporate giants—or even of companies with hundreds of people on their payrolls. The backbone of our economy is the employer of less than 50 persons. We have fully 3,300,000 companies that have less than 50 people each on their payrolls.

At first we concentrated on the big fellow—the employers with whom we could chalk up pledges for 100, 200 and 300 or more jobs each. Now we want commitments from all these 3,300,000 companies throughout the nation that have 50 men or less on their payrolls.

If a large percentage of these employers could each train one or two or three hard-core unemployed for permanent, productive and meaningful jobs, the effect would be like the limitless number of small, seemingly unimportant stars which, in combination, make up the light of the milky way. This could have a dazzlingly beneficial effect on our economy.

How could this be done?

Certain thoughts come informally to mind: Perhaps a special task force could be created at NAB to develop ways and means for seeking out the job possibilities among the small employers. This would be a task force of young executives—perhaps a dozen or so—and conceivably would be recruited from the most dynamic ranks of the junior.

#### CAMBODIA—A LEGAL QUESTION

### HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. GOLDWATER. Mr. Speaker, the President's firm and courageous move to destroy Communist sanctuaries in Cambodia has been challenged by spokesmen for the political left. These liberals label this positive action as constitutionally illegal and a usurpation of the powers of Congress.

Experts in national and international law firmly state that this is not the case. Thus, what the liberal move boils down to is a direct challenge to the fundamental authority of the President in planning and conducting the military and foreign affairs of the United States.

The new isolationists are telling us that Congress should have the preeminent right, under the Constitution, of determining our military and foreign policy. Their reading of the Constitution says that Congress should decide the conduct of American military operations. But this, of course, is not the way our Republic was established.

If there is one thing clearly established in constitutional law, it is that the Constitution does not confer upon Congress the primary power over conduct of American military actions. It is true that Congress does possess the enumerated powers of raising and supporting armies, providing for the common defense, and declaring war. But these powers have never been construed so as to curb the authority of the President over military and international affairs.

The North Vietnamese have repeatedly violated the 1954 Geneva accord by invading and utilizing areas of a neutral Cambodia as sanctuaries, and for staging raids into South Vietnam. And, under article 51 of the United Nations Charter, a belligerent nation invading the sanctity and neutrality of another nation may be attacked and destroyed by the opposing party or nation in the conflict.

The President is empowered to take the action he did by virtue of constitutional law. On March 7, 1800, when he was still a Member of the House of Representatives, Chief Justice Marshall said:

The President is the sole organ of the nation in its external relations and its sole representative with foreign powers.

This statement was reaffirmed by the Supreme Court in 1936 in the famous Curtis-Wright decision. The Nation's highest tribunal declared that the power of the President to act as the sole agent of the Federal Government in the field of international relations is "a power which does not require as a basis for this exercise, an act of Congress."

Looking closely at the Constitution, this decision is clearly based. Article II, section 2 spells out the President's authority to act as Commander in Chief of the Armed Forces. The first sentence of article II declares:

The Executive powers shall be vested in a President of the United States of America.

This sentence clearly implies that the Constitution has vested in the President all the executive powers of a sovereign nation, including the authority to formulate important policies independently of any direction by Congress.

Section 3 of article II requires that the President, and the President alone, "take care that the laws be faithfully executed." As we all know, the laws of the land include treaty law and international law, and this section thus gives the President the power to enforce International Law. Both the Supreme Court—Cunningham against Neagle—and Professor Corwin, considered by many to be the Nation's top constitutional authority, have indicated that the President may determine and enforce the rights, duties, and obligations evolving from our international relations without awaiting action by either Congress or the courts.

History, of course, presents the final verdict as to whether a President has acted correctly and within the purview of his constitutional powers. Since the Constitution was adopted, there have been 140 instances in which the President, without prior congressional authorization, and without a formal declaration of war, has ordered the Armed Forces of the United States to take action or undertake military involvement abroad.

The pragmatic basis for such actions is easy to recognize. The first Chief Justice of the United States Supreme Court, John Jay, observed in the "Federalist Papers" that the Executive possesses great inherent strength behind his direction of matters affecting our international affairs. This strength lies in the unity of the office, the capacity to act

with secrecy and speed when required, and superior sources of information. If these observations were true in the 18th century, they are even more relevant to the breathtaking tempo of history in the 20th century.

In conclusion, there can be no argument that the President did not act within his constitutional jurisdiction. In addition to the support of international law in this area, the precedents set by prior Presidents, there are the clearly delineated constitutional prerogatives.

It is comforting to see a President finally taking a firm stand on foreign policy. It is comforting to see a President who leads the people, rather than following the vociferous proscriptions of the leftist individuals whose theories were soundly rejected by the American people in 1968.

While I firmly believe that the President should keep the Congress informed as to his actions, there are no grounds for Congress to complain of usurpation of authority. So long as President Nixon fulfills his obligations and promises to the American people, and so long as he continues to demonstrate firm and positive leadership in the quest for peace in Vietnam, I shall support him.

For these reasons, I cannot support any legislation which would limit the President's powers as Commander in Chief.

The Cooper-Church amendment to the Foreign Military Sales Act would prohibit any direct military involvement in Cambodia, and any indirect support through instruction, air cover, or armaments. President Nixon has already promised the American people that the Cambodian action will be completed and all support withdrawn by July 1 of this year. This is approximately the same time at which the amendment would become law. Because I have no reason to doubt the President's integrity on this subject, the Cooper-Church amendment is an entirely superfluous structure.

The McGovern-Hatfield resolution—and corresponding House legislation—would impose a definite time limit for the completion of withdrawals of U.S. troops from South Vietnam. President Nixon has already withdrawn over 120,000 American troops from Vietnam, and plans to withdraw 150,000 more over the next year. As the Vietnamization program proceeds, less and less American support will be required. The President's programs have been successfully deescalating our commitment in Vietnam, while at the same time enabling that nation to continue its fight against Vietcong and North Vietnamese aggression. To impose a time limit on the withdrawals would defeat the whole purpose of this program, give Hanoi free rein in the conduct of the war, and seriously undermine the Paris peace talks. Even more important, it would seriously impair the credibility and honor of the United States as a country which honors its commitments to treaty nations.

Our President is working to bring the war to a just and honorable conclusion, and no action should be taken by the Congress which would undermine this goal.

## THE NEW NAZIS

## HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. ROUDEBUSH. Mr. Speaker, the Indianapolis Star has drawn editorial comparison between the modern Fascists of the New Left and the Nazis of Hitler's Germany.

Another editorial rips the mask from the revolutionary slogan, "Power to the People."

I invite the attention of the entire Congress to these fine editorials:

[From the Indianapolis Star]

## THE NEW NAZIS

Adolf Hitler is dead but many of the trappings of his Third Reich have been adopted, perhaps in ignorance, by present-day militant student groups who go by a variety of names, of which New Left is an all-encompassing one.

In order to succeed, Hitler had to capture the fire and imagination of the young of his day. That he did is history, although those same imaginative young perished by the millions when Hitler's demonic creation precipitated World War II.

But a new generation has sprung up which has startling similarities to Hitler's young men and women, with the big exception, however, that it isn't Germany we're talking about—it's the United States.

This fact is revealed by Steve Kelman, a 21-year-old Harvard University senior who has written a book, "Push Comes to Shove," excerpts from which are being published in the Chicago Tribune. Kelman, who has been in the midst of the radical student movement since his freshman year, has had misgivings about its propelling force. He has this to say regarding the Students for a Democratic Society.

"I used to believe that the comparison frequently made by seasoned adults between SDS and young Nazis in the Weimar Republic was ridiculous. . . . However, I must say that the more I study the Nazis the more I agree with the comparisons."

He also says: "Students don't realize that there also exists the idealistic 'revolutionary conservatism' of the youths who were the backbone of Mussolini's support before 1922 and who won the German universities for the Nazis. Like SDS, they accuse all their opponents of being people who put their self-interest above what is right. (A Nazi youth slogan was 'Common good before personal advancement'.)"

"It was the Nazis who invented the phrase 'the system' (Das System) to describe the hated Weimar democracy of compromise and soullessness. ('The system must die so that the people can live' was another Nazi slogan.)"

Commenting on the end results of Nazism—results quite unexpected by the young idealists who helped bring Nazism about—Kelman says: "Come the mass murders and the stifling regimentation, the monototalitarianism among today's revolutionaries . . . would flinch and turn away." And he adds, "I can see the ones who were deceived, though, painfully and pleadingly asking themselves, why? 'This isn't what we meant by the revolution. This isn't what we wanted.'"

Kelman then poses a final question, ". . . Could there have been any other 'Third Reich'? Was there a safe stopping place in this wild leap from political reality . . . can one condemn all existing institutions without preparing the triumph of irresponsibility?"

Here, from one who refers to "my friends in SDS" and has been intimately involved in



student radicalism, comes a timely warning that revolutionary destruction of organized society leads inevitably to totalitarianism of the right or of the left and that, in either case, individual liberty is totally lost.

But Kelman is writing about what happened in Nazi Germany. This is the United States and, of course, it couldn't happen here. Could it?

"POWER TO THE PEOPLE"

"Power to the people," cry the revolutionists in America.

But under the United States Constitution all power is vested in the people. It was that way when the Constitution was written. It still is.

Legislative power is vested in the Congress, the members of which are elected by the people.

Executive power is vested in the President, elected by electors appointed by state legislatures, the members of which are elected by the people.

Judicial power is vested in the Supreme Court, the members of which are nominated by the President and confirmed by the Senate, the members of which are elected by the people.

The Tenth Amendment reserves to the states or the people all powers not specifically delegated to the government of the United States. All powers enjoyed by the states are conferred on the appropriate authorities within the states by the people of the states.

Thus, there is no power in the United States that does not ultimately derive from the people of the United States.

Let us get at the truth. Do the revolutionists want power vested in the people, as it now is? Or do they want a tight oligarchy or a dictatorship which wields power in the name of the people, but not by the will of the people?

LETTER FROM A CONSTITUENT

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. YATES. Mr. Speaker, I recently made a speech on the subject of the President's decision to intervene in Cambodia. In the course of that statement, I made reference to one of my constituents, Peter Temple, and Haverford College and their views on the war. Another of my constituents, Mr. John H. Burns, requested that his views in opposition to those of Peter Temple and Haverford College be inserted in the CONGRESSIONAL RECORD and I am pleased to do so at this time:

CHICAGO, ILL.,  
May 14, 1970.

Representative SIDNEY R. YATES,  
House Office Building,  
Washington, D.C.

DEAR MR. YATES: I read with interest your insert in the Congressional Record as of May 7, 1970.

I was particularly interested in your printing a copy of the statement of purpose given to you by Peter Temple of Haverford College, and the following statement by you: "Mr. Chairman, we must give the young men and women of this country the opportunity to express themselves and to know that their duly elected representatives are listening to them. This resolution offers that opportunity."

The mistake made by many, including yourself, is to equate "listening" with "comply-

ing." We are listening. It doesn't follow that we must comply.

Another interesting observation is my own case. I am a Republican, therefore a member of the minority in your Congressional District. I particularly wrote you with regard to your vote against the ABM system. I stated and my view has not changed, that a vote against the ABM involved a moral responsibility for any lives lost that might be saved by voting for the ABM.

I am for all out victory in Vietnam. All other solutions, in my opinion, will result in eventual disaster. The Presidents, Johnson, and now Nixon, have acceded to the carping and sniping for the last six years of people who state if only you will do this peace will come; i.e. don't invade North Viet-Nam, don't bomb or blockade Hanoi or Haiphong, don't bomb, period, don't disturb the materiel or men coming down the Ho Chi Minh Trail, pull out the troops, etc. With every concession peace never came and the cry was for something else. The fact that North Vietnam agrees to nothing and is intransigent to all concessions is conveniently ignored.

To get to the crux of my letter. I am a minority (as are the students). I am concerned that no one is listening and no one is complying—re. you my Republican in Congress. What do you want me to do? Tear apart the North Side because no one is listening.

Maybe this letter will get you to listening and maybe you will insert my letter in the Congressional Record on the same ground that the statement of purpose of Haverford College was inserted—that we must listen to our neglected minority.

I am interested in your reply to my letter.

Very truly yours,

JEROME H. BURNS.

IN THE OTHER FELLOW'S SKIN

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. EDWARDS of California. Mr. Speaker, there is not an American alive who does not share the anguish of the parents of those four students who died in a senseless fusillade of bullets at Kent State University. These wanton deaths in the heartland of Middle America have shocked us to the core. Official violence, death at the hands of authority figures, has touched us where we live.

Perhaps now, while our sensitivities are raw from the events of the past 2 weeks, it would be well for us to reflect on the role official violence has played in the lives of certain groups within our society. I speak of black Americans particularly, but also of the Mexican Americans of the Southwest and other American minorities who have not been as sheltered as we from official violence, people whose lives have been seared by it and whose loved ones have been consumed by it. In just such a thoughtful mood, Tom Wicker of the New York Times asks in the following article, "Suppose you were black?"

IN THE NATION: FOR WHITE READERS ONLY  
(By Tom Wicker)

WASHINGTON, May 18.—Suppose you were black. What would you think if you had read these items in your newspaper in the last ten days?

From Augusta, Ga.: Six black men are dead, all shot in the back by police rifles or shotguns. At least four may have been no more than bystanders at rioting last week that followed the death of a black youth in a jail where conditions are known to be so terrible for blacks that community protests have been regularly made for years. One of these protests was a letter to Attorney General John Mitchell. He never answered.

From Jackson, Miss.: At Jackson State College, two black students are dead and nine are wounded, including several girls. All fell before a thirty-second barrage of gunfire from state highway police who for unexplained reasons took over the task of quelling a student disturbance, although town police and National Guardsmen also were at hand. The highway police justified the shooting by contending that they were receiving sniper fire from a dormitory roof. No evidence or witnesses have been found to substantiate the sniper story, although there are dozens who refute it, and there is no explanation at all of why trained police officers, upon receiving what they thought was sniper fire from a rooftop, fired more than 140 bullets into a crowd of unarmed students standing on the ground in front of a girls' dormitory. At the moment, no national protest rally is being planned for the Ellipse in Washington.

THE CHICAGO SHOOT-OUT

From Chicago: Months after Fred Hampton, a Black Panther leader, was killed by Chicago police in what they described as a blazing gun battle with a band of armed Panthers, a grand jury has discovered that only one bullet was fired at the police raiders. It was the police who poured a massive fire into the apartment where Fred Hampton and others had been sleeping; it was the Federal Bureau of Investigation that provided the preliminary information, and it was police and city officials who later covered up the truth and concocted the story of the "shoot-out." Some Chicago newspapers as well helped carry out the distortion.

From Washington: The Justice Department has filed a brief in support of the proposition that Southern parents should get a tax deduction for making contributions to private academies set up as an alternative to desegregated public schools. As recently as January, Robert Finch, the Secretary of H.E.W., pledged to fight any such move, because he knows well that these academies can survive only through tax-exempt status; and that if they receive it, they will spring up throughout the South, thus effectively re-establishing a tax-supported dual school system.

SOMEONE TO TURN TO

Well, since I am white, I don't know for sure what I would think if I were black and read those news stories. But even the effort to put oneself in the other fellow's skin, under these circumstances, is frightening. It is bad enough to be, say, the victim of a crime, or to be in fear of crime and disorder, when you have recourse only to an ineffective police force and to a court system heavily overburdened. But at the least, in that case the law is on your side, or you believe it to be; there is someone to whom you can turn.

But suppose you feel that the armed policeman is not there to protect your life and rights but to do away with them. Suppose even the Federal Government is no longer trying to assert your rights in court and its highest law enforcement arm seems more interested in helping the police exterminate black militants than in impartially observing and enforcing the law? Suppose that, by all evidence available to you, the law does not even seem to be on your side—is at best indifferent and at worst hostile?

No wonder Dr. Aaron Shirley, up to now a moderate black leader in Jackson, said

the other day that "if black folks have to die, they ought not to die so peacefully." White men who read that as a threat instead of a desperate plea for rudimentary justice and humanity can make no answer that will not ultimately echo the Mississippi patrolman who said after the Jackson slaughter: "You better send some ambulances, we killed some niggers."

#### REPRESENTATIVE KOCH EXPLAINS NEED FOR TRANSPORTATION TRUST FUND

### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1970

Mr. MIKVA. Mr. Speaker, our colleague, the gentleman from New York (Mr. KOCH), has long been an eloquent advocate of a transportation trust fund which would cover more than merely superhighways. He has argued convincingly that if we are to develop a truly balanced transportation system in America, Federal support must be available on a regular and continuing basis, for all forms of transportation—especially urban mass transit—rather than only for superhighways.

Recently, Congressman KOCH made his point before the House Public Works Subcommittee on Roads. I believe that all of our colleagues would benefit from having available to them Congressman KOCH's cogent testimony. I include that testimony at this point in the RECORD:

STATEMENT BY REPRESENTATIVE EDWARD J. KOCH

Mr. Chairman, I am pleased to have the opportunity to come and speak before your Committee today. One of my principal interests since coming to Congress last year has been mass transit legislation. In February, 1969, I introduced a bill to provide for the establishment of a \$10 billion Mass Transportation Trust Fund similar to the Highway Trust Fund, but with its own independent source of financing through the automobile manufacturer's excise tax. The bill has gained 106 House sponsors.

While I realize that your Committee does not have specific jurisdiction over the urban mass transportation program, I would urge that you study carefully the needs of mass transit as part of your consideration of a highway program for the next decade. For, today's transportation crisis has reached such proportions that we no longer can afford the luxury of treating each mode of transportation individually, but must integrate all kinds of transportation.

Your Committee has done a spectacular job in both the initial establishment and maintenance of the Highway Trust Fund. The assured source of funding that has been made available for highway construction has enabled states to engage in long term, comprehensive highway planning and construction. Mass transit has never had an assured source of funding, however, and those funds that have been appropriated have been so meager that a total of only \$1 billion has been appropriated for mass transit construction since the enactment of the Urban Mass Transportation program in 1964. This compares to the \$50 billion in federal funds that have been made available for highway construction since 1957.

#### THE CRIPPLING EFFECT OF INADEQUATE MASS TRANSIT FUNDS

The lack of funding has severely crippled mass transit construction throughout the country. Many cities have recognized the critical public transportation needs that exist and have developed construction plans, but they have not been able to execute them because their voters have refused to approve the needed bond issues. Examples of this are found in Seattle and Atlanta where bonding referendums were defeated because of the lack of assurance that federal support would be forthcoming. And most recently, in Boston, the voters approved the bond issue, but savvy to the government's unreliability, stipulated that the bonds could be floated only when the federal government came forth with its share. Last year, the President of Atlanta's Transit system, Mr. W. P. Maynard wrote and told me that Atlanta's bond issue referendum to launch the city's plans for a \$751 million mass transit capital improvement and expansion program was "defeated by a vote of 57% to 43%, primarily because there was no substantial long range federal help in view." Mr. Maynard continued:

"Even though the urgent need for a rapid transit system was recognized by the voters, there was a strong feeling that this was such a large financial undertaking that the total financing could not be borne locally."

#### MIS-USE OF OUR HIGHWAYS

Today, 80% of our population lives in urban areas. And, in the year 2000 this figure will reach 90% with an additional 80 to 100 million persons. I would submit that what urban dwellers, even now, say nothing of the future, need to get to work and back home again is mass transit. Yet, this year the FY 1971 budget estimate for the mass transit program is \$285 million, just 6% of the highway program's \$4.5 billion budget.

With this funding imbalance producing what locally has gotten to be known as "free" highway money, many states and cities developed in the 60's a "highway reflex." They automatically turned to the highway to solve their transportation needs without even considering mass transit because financially it has been out of the question.

One of the major problems with this is that the use of highways, particularly in the interstate system, for commuter transportation purposes is both self-defeating and uneconomical: self-defeating because it has meant that cars, equipped to go 60 mph and better are slowed down to a snail's pace; and uneconomical, because of the space and construction costs required by a highway and the relatively small number of travelers it can handle as compared to mass transit. It takes 20 lanes of highway to service the same number of passengers carried by one pair of subway tracks.

This weekend, America lost one of her great leaders, Walter Reuther. One of Walter Reuther's great qualities was his courage to look at the world with a realistic eye and to accept change. As President of the United Auto Workers, whose members' livelihood certainly depends on the success of the auto industry, Walter Reuther said in 1966 before a Senate Committee:

"I think it is absolutely ridiculous for 100,000 Americans living in the same urban center to try to go to the same place for the same purpose at the same time, as each drives a ton and a half of metal with him. I just think that this is utterly stupid from an economic point of view and from a human point of view."

In his wisdom, Walter Reuther realized that public transportation did not pose a threat to the auto industry. He saw mass transit in our metropolitan areas as a needed

complement to highways, freeing the roads and our cities of commuter traffic. He foresaw that the eventual alternative would be the banning of cars from our cities entirely.

The automobile has provided our country with great mobility. But, this function of mobility is greatly decreased with the escalation of traffic congestion. What our cities need are not more highways, but mass transit. Our cities simply don't have the resources for large intra-city highway networks: they don't have the space, they can't afford the loss of housing demolished to make way for the highways, they don't have facilities to park the cars that highways disgorge into the city's core each day, and their citizens' health cannot support all the pollution spewed into the air through auto emissions.

#### MASS TRANSPORTATION DOLLAR NEEDS

I understand, Mr. Chairman, that some question has been raised, because of testimony already received from other witnesses, over just how inadequate the current mass transportation program is. I can tell you that billions more are needed in the decade of the 70's than recommended by the President. To substantiate this, I would like to offer to the Committee some hard statistics.

Last year the Institute of Rapid Transit computed the capital requirements for the construction of just 19 systems during this decade. The Institute's chart, entitled, "1970-79 Capital Requirements of the Rapid Transit Industry—Preliminary Study," which I would like to introduce into the record, yielded a grand total for these 19 metropolitan systems of \$17.708 billion. New York alone will need \$2.5 billion; Chicago, \$2.2 billion; Baltimore, \$1.7 billion; Southern California Rapid Transit District, \$2.5 billion; Boston, \$784 million; and the Bay Area Rapid Transit District, \$1.8 billion. And of course this does not begin to account for the many middle size cities also needing help. In addition, these figures do not take into account the inevitable 10% annual rise in construction costs.

The mass transit program, as it is now designed and even as proposed by the Administration and approved by the Senate, is not capable of getting the job done. Good mass transit planning and construction need the same kind of long term secure financing and level of funding that has been given highways. And yet, last year the President turned down the trust fund proposal for mass transit and instead submitted to Congress a contract authority financing program for public transportation. But, as this Committee knows all too well, through its experience with the Highway Beautification and Safety programs, the Appropriations Committees have exhibited a propensity for placing ceilings limiting contract authority levels.

Even more important than the financing mechanism chosen by the President, however, was his recommendation that only \$3.1 billion be made available in the next five years for contractual obligations with a total of \$1.86 billion in appropriations for expenditures in this period.

Unfortunately, this level of funding is going to be of very little help to our major cities. While the law provides for federal participation in up to two-thirds of a project's construction costs, because of funding limitations, the federal share may actually amount to only 20% if, for instance, only \$200 million is made available for a \$1 billion project. Municipalities simply cannot finance 80% of a project—and so nothing is done.

Thus, it is essential that we bring the federal level of funding for mass transit to a point which is most suitably called "a threshold for action," below which point funds are insufficient to enable our communities to



undertake transit modernization and new construction.

#### A SINGLE TRANSPORTATION TRUST FUND

Because of the need for a balanced transportation program and because of the magnitude of our public transportation requirements, I would respectfully urge this Committee to seek the establishment of a single Transportation Trust Fund providing for all modes of transportation, including highways and mass transit, instead of extending the Highway Trust Fund to 1978. The desirability of a "balanced transportation system" has been espoused by both the Administration and the Congress, but we will never be able to achieve such a balance as long as there is an imbalance in funding and a Highway Trust Fund that has an existence of its own, isolated from the nation's total transportation needs. I would urge that consideration be given by this Committee to the need for a "comprehensive transportation program" and not just a "comprehensive highway program."

The Department of Transportation was established so that the nation's transportation systems could be more effectively coordinated; but surely, the Department must be handicapped in carrying out this mandate if each mode of transportation has its own source of funding, which funding levels having no inter-relationship, and with highways receiving such a large portion of the transportation funds.

With a limited amount of money available for our country's transportation requirements, it simply does not make sense to put \$4.5 billion into highways each year and then not have more than \$285 million for mass transit, particularly when our country is becoming more urban.

I would therefore suggest that a single Transportation Trust Fund be established in 1972 when the Highway Trust Fund's revenue collecting authority expires. In this way, the Highway Administration through its trust fund could continue to disperse through 1974 funds already collected to meet contracts previously entered into, and at the same time, the Secretary of Transportation could begin to put together a more meaningful transportation program.

I recommend this, not by way of undermining the highway industry, but to give some balance to our nation's transportation program and to give our Governors and Mayors greater flexibility in meeting today's transportation crisis—to give them a real choice in determining what mode of transportation is most suitable for meeting their local transportation needs.

I know that some people question the legitimacy of using money collected through gasoline taxes or the automobile manufacturers' tax for facilities other than those used by the automobile. When carefully considered, however, it is very clear that mass transit and the automobile are not unrelated—auto driving will be greatly enhanced if commuter traffic is diverted from the single passenger auto to subways, trains and buses. In addition, it is clear that if we do not do something to improve mass transit in our metropolitan area, traffic congestion will reach such a peak that cars simply will be banned from the central city.

Mass transit is not a competitor for the automobile; it is its complement. In relieving traffic congestion on the highways we will enhance the potential as well as the enjoyment of driving an automobile, as opposed to their being lined up on every highway, stalled as if in the most expensive open air garages.

It is time, gentlemen, for the sake of highways as well as our cities, that careful consideration be given to the use now being made of the Interstate system, and particularly of the traffic that will travel on those roads that are proposed for our metropolitan

areas—and that we recognize the inadequacies of highways in our cities. It is essential that we provide for the construction of public transportation conveyances so that our highways once again can be used for the fast and easy long distance travel for which they were designed. For as Walter Reuther warned in 1966:

"Unless we develop . . . a modern mass transportation system that can take some of the load off our highways, then the automobile industry will strangle in the congestion of traffic, and people will be paralyzed in their mobility."

Thank you.

#### AMVETS 13TH ANNUAL SILVER HELMET AWARDS BESTOWED

### HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. GERALD R. FORD. Mr. Speaker, recently the AMVETS held their 13th Annual Silver Helmet Awards Banquet at which a number of distinguished people from all walks of life received awards and honors for service to mankind.

Those honored included President Nixon, Gen. Creighton W. Abrams, astronauts Neil Armstrong, Edwin Aldrin, and Michael Collins, Red Skelton, the Reverend Father Theodore Hesburgh, U.S. Representative W. J. BRYAN DORN, Robert E. Hampton, William McCahill, and the AMVETS own Joseph R. Sanson of Michigan.

The certificates presented by the AMVETS read as follows:

THE 25TH ANNUAL NATIONAL CONVENTION OF AMVETS, ASSEMBLED IN DETROIT, MICHIGAN ON AUGUST 16, 1969 DID UNANIMOUSLY RESOLVE THAT ITS GOLD HELMET AWARD BE PRESENTED TO PRESIDENT RICHARD M. NIXON "IN BEHALF OF YOUR COMMITMENTS TO MANKIND, YOUR LOVE OF COUNTRY, YOUR REVERED BELIEF IN AMERICA'S IDEALS AND YOUR CONTINUING SEARCH FOR WORLD PEACE, WE GIVE OUR THANKS."

In 1960, AMVETS presented its highest award, the Silver Helmet World Peace Award, to the Vice President of the United States for his exceptional contributions to the cause of world peace.

Now, ten years later, although the name remains the same—Richard M. Nixon—the heavy responsibilities and myriad duties became ten-fold as he has accepted the awesome tasks we assign the President of the United States.

During World War II, he, too, wore the uniform of our country when he served in the United States Navy. Perchance that explains his deep concern for the needs of our veterans and their families.

In his inaugural address, he alluded to veterans programs. Under his leadership, a special committee has been instituted to study veterans benefits and their relationship to the Viet Nam veteran.

We are confident that history books shall record this man as a true patriot and a fearless leader, who helped to bind up the nation's wounds and to unify and rebuild a great trust in America's ideals. Throughout his entire political life, he has been a man who has sought to enhance the American way of life.

This year, it is more than fitting that we honor our President with our Gold Helmet Award in behalf of his commitment to mankind, his love for country, his revered belief in America's ideals and his continuing search for world peace.

It is, indeed, an honor that I representing AMVETS, make this special award—the Gold Helmet—to our Commander-in-Chief, the President of the United States, Richard M. Nixon.

Presented April 18, 1970, Washington, D.C.

THE 25TH ANNUAL NATIONAL CONVENTION OF AMVETS, ASSEMBLED IN DETROIT, MICHIGAN ON AUGUST 16, 1969 DID UNANIMOUSLY RESOLVE THAT ITS DEFENSE AWARD BE PRESENTED TO GENERAL CREIGHTON W. ABRAMS "FOR ACCEPTING THE CHALLENGE OF VIET NAM—TO LEAD OUR TROOPS AND TO PREPARE THE PEOPLE OF SOUTH VIET NAM FOR THE RESPONSIBILITY OF THEIR COUNTRY IN TIME OF WAR AND IN THE ULTIMATE PEACE."

Throughout his military career, General Abrams has evoked fear in the enemy and respect among the men of his command. After graduating from West Point, he spent four years as a troop officer in the 1st Cavalry Division. In 1940 he was tank company commander in the 1st Armored Division. He was assigned to the 4th Armored Division from its activation in 1941 until VE Day in 1945. The exploits of General Abrams, as a tank commander under General George S. Patton, are legendary. He is recognized for his part in turning the German counter-offensive at the Battle of the Bulge into a decisive defeat.

General Abrams, an expert in tactical warfare, has served in a number of posts in the United States, Europe and Korea. In 1967 he went to Viet Nam as Deputy Commander to General William C. Westmoreland. Fourteen months later, he became Commander of the Allied forces in that country.

His task is not easy and he knows it, for his primary goal in Viet Nam is to build the confidence of the Vietnamese people in themselves. He has said: "We've got to get authority back to the villages; let them run their own local militia, their own police. True, you give yourself a lot of problems that way, but it's the only way you can build a nation." We support General Abrams in this goal.

It is especially meaningful for the veterans of World War II, Korea, and Viet Nam to honor this man of vision, whose understanding and faith extends to all men of good will. AMVETS is proud to present its Silver Helmet Defense Award to General Creighton W. Abrams.

Presented April 18, 1970, Washington, D.C.

#### RESOLUTION BY AMVETS HONORING U.S. ASTRONAUTS

The 25th Annual National Convention of AMVETS, assembled in Detroit, Mich., on August 16, 1969 did unanimously resolve that its World Peace Award be presented to Col. Edwin E. Aldrin, Jr., U.S. Air Force, Mr. Neil A. Armstrong, and Col. Michael Collins, U.S. Air Force. "In recognition of three men whose accomplishment awakened the dream of mortals. Time stood still while the world remembered that all things, sought in peace, are attainable when the capabilities of mankind join with the guidance of God."

Few men, during their lifetime, are assured a place in history. The astronauts we honor have been recorded among the most courageous of heroes and will always be remembered as pioneers pre-eminent in the exploration of space—the first men to walk on the moon.

Today, nine months after the flight of Apollo XI, it is still difficult to comprehend the accomplishment of Edwin E. Aldrin, Jr., Neil A. Armstrong and Michael Collins.

Little can be added to the myriad honors they have received. However, a lesson can be learned from their gracious acceptance of these accolades. They shared their triumph—with the countless numbers of devoted men and women who worked on the project; with the contributions of each earlier flight by fellow astronauts; with the awesome scientific advancements of 20th century man, and

with the will of God. If mankind would follow this example, the whole world could take a giant step toward peace.

We also want to pay a special tribute to the Astronauts' families. They gave us courage during the exciting days of the Apollo XI flight, and we believe they were very much a part of its success.

In the past, other great Americans have received our World Peace Award. We know that they join our tribute to these recipients of the AMVETS World Peace Award for 1969, Colonel Edwin E. Aldrin, Jr., Mr. Neil A. Armstrong, and Colonel Michael Collins.

Presented April 18, 1970, Washington, D.C.

RESOLUTION BY AMVETS HONORING  
RED SKELTON

The 25th Annual National Convention of AMVETS, assembled in Detroit, Michigan on August 16, 1969 did unanimously resolve that its Americanism Award be presented to Red Skelton "For inspiring millions of Americans when he said: 'I—me, an individual, a committee of one . . . pledge Allegiance . . .'"

In January 1969, Red Skelton electrified a vast television audience by reciting an interpretation of the Pledge of Allegiance. Young and old responded when Red Skelton, American, spoke to his countrymen.

This version of the pledge has been with him since he was a schoolboy in Vincennes, Indiana and learned it from a teacher. He had been thinking about it for some time and decided it would be appropriate to recite on the program nearest the inauguration of President Nixon. And so it was that he gave renewed life to this document of our childhood whose meaning has been sadly blurred by mindless repetition.

Red Skelton's career mirrors the history of show business—he's played them all—riverboats, tent shows, burlesque, minstrel, vaudeville, radio, movies. The 1969-70 television season finds him in his 19th year as the star of a weekly series. His biography is an exciting story of success but we want to take this occasion to express what he means to us.

Red Skelton prefers to be introduced as "one of America's clowns." To AMVETS, there is no finer. We regard him as an old friend and a fellow veteran, whose extraordinary talent has been an important part of our lives—through our youth, the wars, the GI mortgages, the children, and even today. The laughter he brings is good. The antics of the characters he portrays are wholesome. This is Americanism too—the right to laugh and the freedom to appreciate the humorous side of events in this world of ours.

Rarely is the serious face of a clown revealed. We share this privilege tonight when we recognize the man behind the mask—a famous, beloved entertainer who chose to salute the President and the country by simply reaffirming his faith in the Pledge of Allegiance. AMVETS proudly present its Americanism Award to Mr. Red Skelton.

Presented April 18, 1970, Washington, D.C.

RESOLUTION BY AMVETS HONORING  
REVEREND HESBURGH

The 25th Annual Convention of AMVETS, assembled in Detroit, Michigan on August 16, 1969 did unanimously resolve that its Special Silver Helmet Award is presented to Reverend Theodore M. Hesburgh, C.S.C., "For jarring the social conscience of America and meeting contemporary problems in a fair and forthright manner."

Reverend Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, made abundant news in 1969. His blunt letter to potential student demonstrators was widely hailed. A few months later, as Chairman of the U.S. Commission on Civil Rights, he issued a thoughtful statement on the

handling of school desegregation and the passivism which has engulfed the drive for human rights and dignity. Father Hesburgh described the root of the malady as: "The virulent social disease infecting America—prejudice. And underneath that, Human pride."

A strong leader is swayed neither by unthinking adoration nor by hostile criticism. Often, his path is lonely. His strength comes only from personal philosophy and conscience. In Father Hesburgh's actions, we see a man more concerned for the future of his country than for himself—we hail his moral courage.

In 1945, at the age of 28, Father Hesburgh joined the faculty of Notre Dame where he served as chaplain to World War II veterans on campus. Seven years later, Father Hesburgh was appointed the 16th president of Notre Dame.

In addition to heavy responsibilities as head of the university, Father Hesburgh holds a number of important posts in the increasingly interrelated areas of education, government, public affairs and science. He has served on the U.S. Civil Rights Commission under Presidents Eisenhower, Kennedy and Johnson, and was appointed Chairman by President Nixon. His interests include The Rockefeller Foundation, the American Council on Education, the United Negro College Fund, and the Freedoms Foundation. He has been identified with the "atoms for peace" movement since its inception and has served as permanent Vatican City representative to the International Atomic Energy Agency in Vienna. An early supporter of the Peace Corps, he was instrumental in establishing the first University Peace Corps project. His tireless public service was recognized in 1964 when he received The Medal of Freedom, the nation's highest civilian honor.

AMVETS are proud to present the Special Silver Helmet Award to the man who says what must be spoken and does what must be done—Reverend Theodore H. Hesburgh, C.S.C.

Presented April 18, 1970, Washington, D.C.

RESOLUTION BY AMVETS HONORING HON.  
W. J. BRYAN DORN

The 25th Annual National Convention of AMVETS, assembled in Detroit, Michigan on August 16, 1969 did unanimously resolve that its Congressional Award is presented to The Honorable W. J. Bryan Dorn "For his unwavering faith in the heritage of America and his firm leadership in veterans affairs."

W. J. Bryan Dorn of South Carolina took his seat in Congress in January 1947 with a freshman class that included John F. Kennedy and Richard M. Nixon. Mr. Dorn came to Washington with the promise that his office would always be open to veterans, servicemen and other persons having problems with Federal programs. He has well kept that vow.

Representative Dorn has worked hard and effectively for veterans. He is Vice Chairman of the Veterans' Affairs Committee and Chairman of the Subcommittee on Compensation and Pension. He was author of the Veteran's Pension and Compensation Readjustment Act of 1967 and co-author of the Cold War GI Bill of Rights for Viet Nam veterans.

Since coming to Congress, Mr. Dorn has always been in the forefront of the fight for a strong America. He helped create the Unification Act which united the Armed Services and established the United States Air Force and the Central Intelligence Agency. He is a strong advocate of our science and space program and champions the cause of physical fitness programs.

His outspoken support for the heritage of our country and his opposition to Commu-

nism, led the late Russian Foreign Minister Andrei Vishinsky, in a speech before the United Nations, to call him the number one enemy of Communism in America.

Mr. Dorn is a ranking member of the powerful Public Works Committee. He is organizer and Secretary of the House Informal Textile Committee and a member of the Steering Committee.

During World War II, Mr. Dorn was serving as the youngest State Senator in the history of South Carolina. He resigned his seat to volunteer for the Army Air Corps where he served three and one-half years as an enlisted man, including 18 months in the European theater. He has been a member of AMVETS for many years.

We are proud to present the AMVETS Congressional Award to an outstanding legislator, gentleman, and concerned citizen, United States Representative W. J. Bryan Dorn.

Presented April 18, 1970, Washington, D.C.

THE 25TH ANNUAL NATIONAL CONVENTION OF AMVETS, ASSEMBLED IN DETROIT, MICHIGAN ON AUGUST 16, 1969 DID UNANIMOUSLY RESOLVE THAT ROBERT E. HAMPTON, CHAIRMAN, UNITED STATES CIVIL SERVICE COMMISSION, BE HONORED AS AMVETS CIVIL SERVANT OF THE YEAR "IN RECOGNITION OF OUTSTANDING LEADERSHIP AND PUBLIC SERVICE AS A CAREER EMPLOYEE OF THE UNITED STATES GOVERNMENT."

Robert E. Hampton is the chief executive and administrative officer of the U.S. Civil Service Commission. His leadership and decisions influence the careers of Federal employees throughout the land.

Basically, Bob Hampton's job is people. In this sensitive area of human relations, where the interpretation of laws must be tempered with compassion, Commissioner Hampton is challenged every day. He meets this challenge well. For example, in speaking about the Equal Employment Opportunity program he has said: ". . . I don't think it's a program—I think it's a state of mind, a bent toward fairness, impartiality, compassion. It starts here—in the heart—not with what we write in the rules and regulations. . . ."

Commissioner Hampton served in the U.S. Army Air Corps during World War II and is a life member of AMVETS. Among the positions he has held during his Federal career are: Vice Consul, Munich, Germany with the Department of State; Staff Assistant to Secretary of State John Foster Dulles, and Assistant Deputy for Manpower, Personnel and Organization for the Air Force. He served as Special Assistant during the Eisenhower Administration and continued under the Kennedy Administration until he became Special Assistant to the Secretary of the Air Force. In 1961 he was appointed U.S. Civil Service Commissioner; last year he was named Chairman by President Nixon.

He serves with dignity and honor. We proudly salute Robert E. Hampton as AMVETS Civil Servant of the Year 1969.

Presented April 18, 1970, Washington, D.C.

THE 25TH ANNUAL NATIONAL CONVENTION OF AMVETS, ASSEMBLED IN DETROIT, MICHIGAN ON AUGUST 16, 1969 DID UNANIMOUSLY RESOLVE THAT ITS REHABILITATION AWARD BE PRESENTED TO WILLIAM P. MCCAHILL "IN RECOGNITION OF THE TIRELESS ENTHUSIASM, UNDERSTANDING, AND COMPASSION WITH WHICH HE SERVES THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED."

For 23 years, Bill McCahill has been the Executive Secretary of the President's Committee. As a result, handicapped persons have benefited. But how do you measure the impact of one man on a special community of citizens?

The President's Committee is a voluntary group working to increase job opportunities



for qualified mentally and physically handicapped workers. Mr. McCahill is its nucleus.

He is a journalist and has utilized the tools of his trade to convince employers that, truly, it's good business to hire the handicapped. He has carried the message around the world. By speaking, by writing and through friendly persuasion he's made it a lot easier for handicapped persons to get a job.

The list of Bill McCahill's civil activities is long—and it tells a bit about the man—for most of his free time is spent working with other groups concerned with the health and rehabilitation of the human race.

During World War II, Mr. McCahill was a Marine. Today he is a Colonel in the Reserve. He is author of *Hit the Beach* and *First to Fight* and was general editor of *The U.S. Marine Corps Reserve—a History, 1916-1966*. He has long been a member of AMVETS.

His work has been recognized by the Department of Labor; Goodwill Industries of America; the People-to-People Committee for the Handicapped; the American Cancer Society and the National Easter Seal Society.

We realize that no award can surpass the gratification that comes from spending each day working on behalf of handicapped citizens but we want to express our thanks to this good citizen by presenting AMVETS Rehabilitation Award to Mr. William P. McCahill.

Presented April 18, 1970, Washington, D.C.

AMVETS PAST NATIONAL COMMANDERS ASSEMBLED IN DETROIT, MICHIGAN AT THE 25TH ANNUAL NATIONAL CONVENTION ON AUGUST 16, 1969 DID UNANIMOUSLY RESOLVE THAT PAST NATIONAL COMMANDERS' TROPHY BE PRESENTED TO JOSEPH R. SANSON

Twenty-four years ago Joe Sanson joined AMVETS, Detroit Post 33. He had just been discharged from the Army after serving in the European Theater of Operations where he participated in the campaigns at Normandy, Northern France, the Rhineland and Ardennes. He had spent many months as a patient in a military hospital.

Time passed and Joe was a busy man. He attended school under the G.I. Bill, advanced in his career, and worked very hard for AMVETS.

Professionally, he is a Tax Executive in the Wayne County Treasurer's Office. Voluntarily, he utilizes his financial expertise for the benefit of veterans. Joe is well known for his activities with the Michigan Veterans Facility, a state home for veterans. He was appointed to its Board of Managers in 1951 and has been reappointed consecutively every six years with the unanimous confirmation of the State Senate. He served four years as chairman of the Board and has spearheaded the budgetary requests of the Facility before the State Legislature on many occasions.

In AMVETS, the work of Joe Sanson has contributed to the stability of his local post, his state department, and the national organization. He has held many offices on all levels, including Post Commander, State Commander, and National Executive Committeeman. To each he brought enthusiasm, leadership and lasting benefits. Through it all his loyalty to Post 33 never wavered. For example, he became the Post Service Officer in 1956, a job which requires minute knowledge of veterans legislation and is demanding of time—today, he still holds the position.

Joe Sanson has received numerous awards from AMVETS. At the 1969 state convention, his department expressed gratitude for his years of service. Tonight, we recognize the efforts expended by one member on behalf of veterans and the cause to which we are dedicated. All of us join the Past National Commanders in this tribute to the AMVET of the Year—Mr. Joseph Sanson of Michigan.

Presented April 18, 1970, Washington, D.C.

## RESOLUTION TO END THE WAR IN VIETNAM

### HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. GALIFIANAKIS. Mr. Speaker, today I introduced House Joint Resolution 1239, a resolution to hasten the safe withdrawal of American military personnel from Southeast Asia.

This resolution is in no way intended as a criticism of President Nixon's reasons for sending American troops into Cambodia. I think few would question the President's sincerity in his explanation that he took this action to protect American troops and safeguard the Vietnamization program.

On the contrary, this resolution is an attempt to help President Nixon reach his announced goal of ending the war in Indochina as soon as possible.

As a candidate in 1968, the President made an eloquent case for withdrawing our troops quickly from Vietnam when he said:

The swift, overwhelming blow that would have been decisive two or three years ago is no longer possible today. Instead, we find that we have been locked into a massive, grinding war of attrition.

Mr. Speaker, I agree with that statement. And now that the President, as Commander in Chief, has decided to withdraw from the war, we in the Congress have a responsibility to insure that as few Americans as possible become casualties from now on. We cannot let the war of attrition continue.

This resolution should not be interpreted as another effort to shackle the President as Commander in Chief in Southeast Asia. We must all realize that it is in the national interest for the President to be able to take emergency actions without informing the Congress until those actions are underway. Surely no one entertains the idea that the 535 Members of Congress are capable of conducting a war.

But when the President's military actions result in the creation of new foreign policy—and particularly when those actions are not in response to an emergency—then the Congress has its own constitutional responsibility to join in the shaping of that policy. This congressional responsibility is just as legitimate as the President's. For it is the Congress which appropriates the billions of dollars to enable the President to execute American policy abroad.

I would hope that by now, any President would realize that the Congress must take an active part in planning to bring the Vietnamese war to a close. In fact, I think any President should seek whatever assistance the Congress could provide him.

The war in Indochina has been a burden to every President since the term of President Eisenhower. This does not have to be a personal war for President Nixon. The outcome of the fighting in Southeast Asia does not have to be either a shining victory or a personal defeat for him. It is not his war, any more than

it was the war of any one of his predecessors. This war is the responsibility of the entire Government and ultimately, of the American people.

I think we in the Congress should do everything we can to share with the President the burden of this war by helping him to achieve his own announced goals. Surely the question of whether our men will continue to die in Southeast Asia must not rest on the prestige of any one man.

But in order to help the President, we will have to assert our constitutional responsibility in the area of foreign affairs, an area where the Congress has been dormant in recent years. I think one of the reasons for that dormancy is that too few have shown a willingness to compromise on what has become for many a moral issue of right and wrong. And because of this inflexibility—this belief that if a bill concerning the war is not ideologically pure, it is reprehensible—I do not think we should be surprised that the war has occupied our energies for so long.

We have all seen the proposals to immediately terminate funds for the war, without careful regard for the safety of American troops. Those bills have rightly gotten nowhere.

And we have also seen the bills calling for a declaration of war against North Vietnam, bills with the underlying intent of desolating that country. I think we can agree that the time for those bills is past.

I did not choose to introduce another uncompromising bill. This resolution is not so extreme in its philosophy that it will have no chance of serious consideration by the House and Senate. It is intended to accommodate both sides: those who want to withdraw from Southeast Asia tomorrow, and those who believe that an immediate withdrawal, undertaken by the Congress over the President's objections, would jeopardize the safety of our troops and amount to a vote of "no confidence" in our Chief Executive.

Mr. Speaker, it would be easy to stand here today and call for the "immediate withdrawal" of American troops from Southeast Asia. The people of my district in North Carolina are as tired of this war as any people in the United States. They recognize what it has cost us in lives, disorder, and damage to the economy.

"Immediate withdrawal" would be an appealing phrase because it is so simple. But like the President, I do not believe that our troops can be withdrawn both immediately and safely. It takes a certain amount of time to move 400,000 men and their equipment without inviting a military disaster.

My constituents recognize this reality, and the large majority of them seem to support the President's decision to invade the Cambodian sanctuaries so that his Vietnamization program would not be endangered. And so do I, although I must say that I have little more information about the Cambodian situation than the administration has revealed to the press. Throughout the last 3 weeks, the administration has informed the press of its decisions before it sought even the advice of the public's representatives.

Surely the invasion of Cambodia was not an emergency operation; the Communists had retreated from their bunkers long before the American and allied advance began. They knew about the administration's decision before the Congress of the United States did.

My constituents also do not want the Congress to take any action that might threaten the lives of the American soldiers who are still in Indochina. None of us here does. The war in Vietnam has lasted for nearly 10 years and has cost us more than 47,000 lives and 325,000 casualties. We do not want to lose thousands more now that we have decided to withdraw. And we must not forget that if our troops and those of our allies are not fully protected, the process of withdrawing from Indochina will be extremely difficult.

However, I am concerned that by expanding the war into another country, the United States might easily be drawn into another prolonged war in the jungle of Southeast Asia. I am confident that the President was sincere when he said he would remove all American soldiers from Cambodia by June 30, and predict that he will do so. But I am not sure that it will not become necessary to attack another Vietcong sanctuary, and another, and yet more. We could pursue the Communists forever, particularly since there is little chance of containing them behind a demilitarized zone, such as we accomplished in the Korean war.

Mr. Speaker, the resolution I introduced today is directed at this concern. As it is drafted, it would guarantee that the war can expand no further without the approval of Congress. Yet it would not restrict the President as Commander in Chief from taking necessary military actions to protect our withdrawal. And it contains a special procedure so that in emergency situations, the President could act quickly and secretly while the Congress still retained control over expansions of the war.

My resolution provides that by next June 30, 1971—13 months from now—all American troops will be returned to the United States. It also provides that in accord with President Nixon's announcement, no appropriations may be spent for military operations in Cambodia after June 30, unless an emergency arises and the President requests more funds. Military assistance to Laos would be terminated after December 31, 1970. That last date also marks the point when future appropriations for the war in Southeast Asia must be used for the purposes of safe withdrawal, not for independent offensive maneuvers unrelated to a real enemy threat.

Until the President addressed the Nation on April 30, I was reluctant to support any bill that would fix a specific date for withdrawal of American troops from Southeast Asia. It seemed to me that such a bill might foreclose any chance we still had for meaningful negotiations in Paris.

But President Nixon himself has set a precedent for naming a specific date by announcing that he will remove American troops from Cambodia by the end of June. I think if we can set one date to

leave Cambodia, we can set another to leave all of Indochina. And I think it is time that we asked ourselves whether, in view of the 2 years of futility, we are clinging to a false hope that the Paris negotiations will ever be productive.

Thirteen months, Mr. Speaker, may seem like a short-time schedule for removing American soldiers from Southeast Asia. And it is, compared to Secretary Laird's own calculations, which would leave some 280,000 American troops in Vietnam as late as next May.

But the undeclared war in Vietnam has been going on for nearly 10 years. My State alone has lost more than 1,300 men, ninth in the Nation. Many of these men were draftees who were sent to fight after less than 6 months training in the United States. Much of the training they did receive was designed to help them cope with the geography of South Vietnam.

If we can send our own men to Vietnam with less than 6 months of preparation, what is wrong with limiting the South Vietnamese Army to more than twice that amount of time? As natives of Indochina, the South Vietnamese presumably should adapt to jungle warfare more easily than Americans. If anything, it should take less time to train them than to train our own troops.

I think if the South Vietnamese knew they would be on their own after June 30, 1971, we would see unparalleled progress in the Vietnamization program. And if there was still no real progress—if the South Vietnamese Army still did not become motivated despite the fact that we were leaving—then we should ask ourselves another question: why are we there in the first place? Why are we there, if the South Vietnamese do not regard the Vietcong as enemies worth fighting? As President Nixon said in 1968 during his campaign:

We believe deeply in our ideas, but we believe they should travel on their own power, not on the power of our arms.

Mr. Speaker, just as I have reservations about the idea of "immediate withdrawal," so I also have misgivings about the amendment introduced in the Senate by Senator McGOVERN and others. My misgivings about that amendment have deepened in recent days as the McGovern proposal has gained support and become a rallying point for peace groups across the United States.

I do not pretend to be an expert in the drafting of legislation, but as the McGovern amendment is now worded, I think it contains serious flaws.

First, the McGovern amendment would restrict the Congress to one of two alternatives in Southeast Asia: either of declaring war, or of doing nothing. I think that is too inflexible. It surprises me that those who are so anxious to restrict the President are willing to box themselves into a corner. For my part, I believe the Congress should reserve the ability to take intermediate steps in Southeast Asia short of a declaration of war.

In drafting the resolution I introduced this morning, I took a different approach. Instead of a flat declaration of war, the Congress could act by joint resolution. And if a real emergency occurred during

the withdrawal—if, for example, the President again found it necessary to enter the Cambodian sanctuaries—then a majority of a new Select Joint Committee on the War in Southeast Asia could meet in executive session and approve whatever temporary expansion of the war the President found necessary for a safe withdrawal. If that meant returning to Cambodia after June 30, the committee could authorize such an action and the Congress would not be forced to declare war.

Some may question this provision because it places the chairmen of certain authorization committees and the two majority leaders in the role of approving appropriations. I include it because I think the Congress should have discretion over future expansions of the war, but at the same time be able to act quickly and secretly in an emergency. If there is another procedure which would better accomplish both of these aims, I would be receptive to it. I only think we need a procedure more flexible than Senator McGOVERN'S.

To be sure, if the McGovern amendment were adopted and an emergency situation arose, the Congress could repeal his amendment and then take whatever action it found necessary. But that would require a delay that might be deadly to a safe withdrawal. And I see little to gain by enacting an amendment with language so narrow that it will later have to be repealed.

Mr. Speaker, the McGovern resolution would also virtually tie the President's hands in providing emergency assistance to South Vietnamese efforts to protect our withdrawal. As the amendment is now drawn, assistance to South Vietnam would be available "in amounts and for purposes specifically authorized by the Congress."

Suppose an emergency occurred in which our withdrawal was endangered because of a shortage of supplies to the South Vietnamese Army. Under the McGovern amendment, the President would need a special appropriation in order to help them. I think that in this respect, the McGovern amendment is simply too inflexible for safety.

If our withdrawal from Vietnam were ever threatened by such an inflexibility, it would not surprise me if the President asserted his authority as Commander in Chief and overrode this section. And then the constitutional crisis would begin.

The resolution I introduced today is more flexible. It provides that appropriations may be spent for military assistance to South Vietnam "for purposes authorized by the Congress." Not in specific amounts, but for purposes. The President then would be able to take such emergency actions in supplying South Vietnam as he found necessary. His constitutional power as Commander in Chief would not be impaired.

Senator McGOVERN'S amendment would also prohibit our furnishing any "defense articles" to Cambodia without a formal declaration of war. I think that, too, is unrealistic. In the future, the United States might well be in a position when it would be in the national interest



to supply arms to any nation—whether it be Cambodia, or some other country. In the resolution I introduced this morning, arms supplies would not be prohibited.

Many liberals may disagree with me on this point, as may many of the university students and faculty members who have come to Washington in the past 10 days. We will simply have to disagree. I am not prepared for the United States to retreat into isolationism, and I do not think my district is prepared for such a retreat, either.

Nor would my resolution bar all American advisers from Southeast Asia. I think it would be unrealistic for us to think that by enacting a resolution, all intelligence activity in Indochina would cease. And I am not sure that the continued presence of limited members of advisers in Southeast Asia would not be desirable.

Mr. Speaker, I do not think this is an unreasonable resolution. It was drafted as a compromise on an issue where compromise has been noticeably absent in recent years.

This resolution gives the South Vietnamese army more than twice the time to prepare their native soldiers for self-defense as we allot to our own troops. It would permit offensive operations in Vietnam to continue for 7 more months as a prelude to withdrawal.

The resolution does not tie President Nixon's hands as Commander in Chief and leaves him great latitude in conducting military operations guaranteed to protect our withdrawal. That is what the President himself has said he wants to do.

This resolution does not place the Congress in the restrictive position of being forced to declare war or else do nothing. It is flexible in the amounts of military aid we can give South Vietnam during the withdrawal. It has a special provision for dealing with emergency situations that would enable the President to act quickly to protect our troops, even if that meant a temporary expansion of the war. But the Congress would retain discretion over such expansions.

Most of all, this bill would insure that, whenever the military actions of the President as Commander in Chief resulted in the creation of new foreign policy, the Congress would be a party to the determination that a new foreign policy was needed.

The passage of this resolution would do much to lift the awful burden of this war from President Nixon. It would prevent the outcome of the war from becoming a personal defeat or victory—and I do not think that the responsibility for the Vietnamese war should rest on any one man. It is the war of all of us, and we have a responsibility to help President Nixon reach the goals which he has announced that he wants to attain. We must all work together in the coming months and devote all our energies to bringing our troops home safely.

#### HOUSE JOINT RESOLUTION 1239

A resolution to hasten the safe withdrawal of American military personnel from Southeast Asia, and for other purposes.

Whereas, Questions have been raised about the extent of American commitment in Southeast Asia, and

Whereas, The authority of the President

to wage war under the Gulf of Tonkin Resolution, Public Law 88-408, is in doubt, and

Whereas, It is the responsibility of the Congress of the United States to assure the safe and rapid withdrawal of American military personnel from Southeast Asia without expanding or prolonging the conflict.

Now therefore be it Resolved, That unless pursuant to a joint resolution of the Congress on or after the adoption of this resolution, no part of any of the funds appropriated pursuant to any Act shall be expended in Vietnam after December 31, 1970, for any purpose arising from military conflict;

Provided, That funds may be expended as required for the safe and systematic return of all American military personnel to the United States, the termination of United States military operations, the provision of assistance to South Vietnam for purposes authorized by the Congress, the exchange of prisoners, and the arrangement of asylum for Vietnamese who might be physically endangered by the withdrawal of United States forces;

And further Provided, That the withdrawal of all United States military personnel shall be completed no later than June 30, 1971, unless the Congress, by joint resolution, approves a finding by the President that an additional stated period of time is required to insure the safety of such personnel during the withdrawal process.

Unless pursuant to a joint resolution of the Congress on or after the adoption of this resolution, no part of any funds appropriated pursuant to any Act shall be expended after December 31, 1970, to furnish to Laos any military assistance, or to support military operations by the forces of the United States or any other country in or over Laos.

There is hereby established a select Joint Committee on the War in Southeast Asia (hereafter called the "Committee"), whose membership shall consist of: the Majority Leader of the House of Representatives; the Majority Leader of the Senate; the Chairman and ranking minority member of the House Committee on Foreign Affairs; the Chairman and ranking minority member of the Senate Committee on Foreign Relations; the Chairman and ranking minority member of the House Committee on Appropriations; and the Chairman and ranking minority member of the Senate Committee on Appropriations.

Unless a majority of the Committee shall approve a finding by the President that such funds are required to insure the safety of American and allied military personnel during the withdrawal process, no part of the funds appropriated pursuant to any Act shall be expended after June 30, 1970, to furnish to Cambodia any military assistance, or to support military operations by the forces of the United States or any other country in or over Cambodia.

Upon notice by the President to the two Majority Leaders that further assistance to Cambodia is required, the Committee shall meet in executive session to consider the President's finding. In its considerations, the Committee may make such use of the staff and facilities of the House Committee on Foreign Affairs, the Senate Committee on Foreign Relations, the House Committee on Appropriations, and the Senate Committee on Appropriations as it deems necessary.

#### ANALYSIS OF GATES COMMISSION REPORT BY ASSOCIATION OF THE UNITED STATES ARMY

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. HÉBERT. Mr. Speaker, the Association of the United States Army has

prepared and distributed an analysis of the recently published report of the President's Commission on an All-Volunteer Armed Force—the Gates Commission. The AUSA paper is entitled "Protecting the Free Society" and is a concise presentation of both the favorable and unfavorable aspects of the all-volunteer proposal.

After weighing all factors involved, the AUSA study concludes that the all-volunteer Armed Force proposal is not feasible under current circumstances. The Army association has made a valuable contribution to the discussion of this question. Therefore, I am inserting the text in the RECORD and commend it for consideration:

#### PROTECTING THE FREE SOCIETY

##### INTRODUCTION

Almost since the inception of warfare, the problem of how to obtain manpower for the fighting forces has been a real bone of contention. Impressment, lotteries, universal military service, selective service, hiring substitutes and All-Volunteer systems have all been tried in a variety of forms but none has produced a system that both meets the need and satisfies the participants.

This subject has most recently come under scrutiny again as a result of the recently published report of the President's Commission on an All-Volunteer Armed Force—popularly known as the Gates Commission.

For those not familiar with the background of the Gates Commission, it had its genesis in some remarks prepared for a campaign speech of President Nixon's which was aired on radio on 17 October 1968. He said in part:

"A system of compulsory service that arbitrarily selects some and not others simply cannot be squared with our whole concept of liberty, justice and equality under the law. . . . The inequity stems from one simple fact—that some of our young people are forced to spend two years of their lives in the Nation's defense while others are not. It is not as much the way they are selected that is wrong, as it is the fact of selection. . . . The military services are the only employers today who don't have to compete in the job market."

Following Mr. Nixon's inauguration he announced on 27 March 1969, the creation of a Presidential Commission to be chaired by Thomas S. Gates, Jr., the former Secretary of Defense, which would "develop a comprehensive plan for eliminating conscription and moving toward an All-Volunteer Armed Force."

At the same time the Gates Commission was beginning its work, the President directed the Secretary of Defense to undertake a similar study of the actions within the Department that would be required to reach the same All-Volunteer goal. The DOD group was known as the Project Volunteer Committee. Each of the services had a subordinate study group feeding their views into the Project Volunteer Committee. The Project Volunteer Committee has not issued a public report.

In 1967 two blue-ribbon panels undertook exhaustive studies that addressed themselves to the feasibility of an All-Volunteer Armed Force and what improvements should be made in the methods of procuring military manpower.

One of these was the President's National Advisory Commission on Selective Service—a group of 20 distinguished citizens, headed by Burke Marshall, which concluded that an All-Volunteer Force was not feasible or desirable.

The second 1967 study group was the Civilian Advisory Panel on Military Manpower Procurement which was set up by the Committee on Armed Services of the House of Representatives. Retired Army General

Mark Clark was the Chairman of this distinguished group of eight educators and business leaders. Even more forcibly this group rejected the feasibility of an All-Volunteer Armed Force.

In the interim, several Congressional Committees have delved deeply into the subject and major draft reforms have been enacted. This excerpt from the introduction of the Marshall Committee's report summarizes the problem:

"... the necessity to search for a method of manpower procurement that would assure the Armed Forces' ability to acquire the men they need, under any circumstances, to protect the nation's security and to meet its commitments, and at the same time function as uniformly and equitably as possible with due regard for the problems and the rights of the individual into whose lives it must intrude".

Proponents of the All-Volunteer Armed Force including the Gates Commission advance some arguments with which there can be little quarrel.

As President Nixon pointed out, we have never been able to devise a system of conscription that was completely fair to all concerned. It is unlikely that we ever will, although Selective Service legislation is under almost constant review and modification.

If it were feasible to have an All-Volunteer Force it almost certainly would be more cost-effective as the pipeline of entries was reduced and concurrently the training overhead. Up to a point, an All-Volunteer Force should be a more efficient one. Although it is difficult to conceive of a more superbly trained Armed Force than we have right now.

There can be little question that conscription is an invasion of the personal liberties of the young men being drafted. Some 17½ million young men have, since 1917, been drafted for duty to the country and they have borne this invasion of their liberties with surprising goodwill and comparatively small complaint.

We agree also with the premise of the Gates Commission that an All-Volunteer system, maintaining the same standards of quality, would be manned by approximately the same ethnic distribution of individuals as are in the service today.

We heartily endorse the Commission's strong fundamental consideration of: "The need to maintain and improve the effectiveness, dignity, and status of the Armed Forces."

We strongly support the Commission's view that material increases in compensation are overdue in our Armed Forces. The Commission is absolutely correct in emphasizing the needs for improvements in a variety of phases of career attractiveness.

There are, however, some areas of fundamental disagreement with the Gates Commission's recommendations which we shall enumerate.

First and foremost, is the very basic question will the All-Volunteer scheme work? We don't think so—for several reasons. First, there is nothing in our history to suggest that Congress will consistently appropriate the very sizeable expenditures that will be required to do all things necessary to attract volunteers in the numbers needed. Secondly, it just isn't realistic to expect that the expanding manpower requirements of the Reserve Forces could ever be met solely on a volunteer basis. We can't afford Reserve Force units manned at less than 75 to 80%.

The Gates Commission has recommended that the Selective Service System be put on a stand-by basis not to be reactivated without the consent of Congress after "public debate." Considering the past history of public debate surrounding Selective Service legislation this would have to be considered a very risky recommendation which we cannot support.

The Committee's recommendation that the standby draft system be established by 30 June 1971 is most unrealistic. We support Secretary of Defense Laird's view, "The transition to an All-Volunteer Force must, of course, be handled cautiously and responsibly so that our national security is fully maintained." Also, we feel his objective of getting to zero draft calls under the present Selective Service System is eminently more practical and desirable than undertaking the risky course toward an All-Volunteer Force.

The cost figures advanced by the Gates Commission appear to us to be seriously understated and fail to include many of the costs of improving career attractiveness which the Commission feels are necessary if sufficient volunteers are to be attracted. When these additional figures are included they exceed the Commission's cost estimates substantially.

It seems to us that the approach to the Reserve Forces manning problems as outlined by the Commission is not in keeping with our national defense needs nor is their recommended course of action, in fact, feasible or desirable.

We have some thoughts also in rebuttal to the Commission's philosophy expressed in this statement:

"A return to an All-Volunteer Force will strengthen our freedoms, remove an inequity now imposed on the expression of the patriotism that has never been lacking among our youth, promote the efficiency of the armed forces, and enhance their dignity. It is the system for maintaining standing forces that minimizes government interference with the freedom of the individual to determine his own life in accord with his values."

As the Commission so rightly points out elsewhere in its report, the vast majority of those now serving are volunteers and have had the full opportunity to express their patriotism, as did those who had to be drafted. Government interferes with our freedoms in a variety of ways—laws and regulations—taxes and civic responsibility—and some of these invasions are considered by many to be far more onerous than the draft. But this is part of the price we pay for our liberty under a democratic system which Winston Churchill has described as "the worst form of government except for the alternatives."

That young men be permitted, in time of national need, to decide whether or not a particular conflict is to their liking seems to us to be sheer folly. Even a cursory examination of our manpower procurement problems starting with the Revolution would suggest that to the young man of draft age the most unpopular war is the present one in which his life might be endangered.

#### PAY

The Gates Commission has made two kinds of pay recommendations:

1. Those requiring implementation prior to or concomitant with the transition to an All-Volunteer Force. These would include: increased basic pay; extension of skill differential pay to men in the first two years of service; and an increase in hostile fire pay.

2. Those the committee considers equally necessary for reasons of equality and efficiency but not primarily essential to an All-Volunteer Force. These would include the development of a military salary system comparable to that in the civilian sector, including the substitution of cash for some benefits that are now provided in kind. The modification of the present retirement system, including the introduction of vesting.

In this immediate examination, we shall restrict our comments primarily to those recommendations which the Commission felt were fairly essential to move promptly toward a volunteer system. Later on we shall discuss some of the points mentioned in 2 above.

The Commission started with an assumption that there would be an across-the-board 8% increase in basic pay for all military personnel effective 1 July 1970. From this point the Commission then made these specific recommendations:

1. Raise the average level of basic pay for enlisted military personnel in the first two years of service from \$180.00 a month to \$315.00 a month effective 1 July 1970.

2. The basic pay of officers in the first two years of service be raised from an average level of \$428.00 per month to \$578.00 per month.

On a percentage basis the Commission's recommendations and assumptions for pay increases are as follows:

57% for 1st term EM\*.  
14% for 2d term EM\*.  
36% for officers in first 3 years of service\*.  
8% for all other ranks.

If the Committee's recommendations for pay increase only are put into effect, they would entail a budget increase of an estimated 3.3 billion for the following:

Basic pay increase (billion).....	2.68
Proficiency pay.....	.21
Reserve pay increase.....	.15
Additional medical corps expense.....	.12
Recruiting, ROTC and misc.....	.08
<b>Total .....</b>	<b>3.24</b>

The Commission computes that about 540 million of this budget increase would be returned to the Treasury in the form of income tax collections so that, in fact, this pay portion of their recommendation is an actual net increase in military costs of only 2.7 billion.

Let us look first at the Committee's recommendations for increases in basic pay and then later on in the context of other career compensation required, discuss its longer range recommendations.

First of all, AUSA strongly supports the 8% across-the-board pay increase. It is essential almost at once to keep military pay from falling any further behind pay in the civilian sector. So this increase for all is needed.

We agree also with the Commission in its view that those in the earliest years of service both officer and enlisted are deserving of the substantial increases which have been recommended. Certainly the adoption of these increases will improve the attractiveness of service and should increase the number of volunteers.

The Commission has made some assumption and estimates that appear to us to require considerable testing before acceptance. For example, consider their linear mathematical equation which states, "a 10 percent increase in the current value of first term military compensation will result in an increase of about 12.5 percent in the voluntary enlistment rate from the 17 to 21 year old civilian population."

This says in effect that *all* you have to do is increase the pay and adequate volunteer enlistments will be forthcoming. We suggest that the situation is more complex. If it were purely a matter of pay, how is it that the D.C. Metropolitan Police Force cannot fill its ranks with personnel of very similar standards at a starting pay scale of \$8,500.00 per year vs. the \$3,750.00 plus room, board, medical care and uniforms per year which the Commission has recommended for military entrants?

A sub-committee of the Senate's Judiciary Committee put the problem this way, "Staffing the military establishment is not a typical employment problem, because of the singular circumstance that fighting may be part of the job." For many, even the hostile fire pay

\*These include the 8% across-the-board increase.



of \$200.00 per month which the Commission has recommended will not make service that attractive since it is "restricted to those who in the course of their duties are regularly exposed to hostile fire and then only for the period of such exposure".

Allied with this concern is the problem of the inequality of hardships amongst the services and even within the services. Presumably volunteers will be permitted to select the service of their choice and probably the branch they desire within that service. The Commission recommends "an expansion of the current program whereby enlistees are permitted to specify their choice of occupation as a condition of enlistment". If that be true, the Army and Marines will continue to be the least popular. Consider these casualty figures from the Korean War—which are being pretty well validated in Vietnam:

Army (Infantry 84%)	27,604
Marines	4,267
Air Force	1,200
Navy	458
Total	33,629

In the draft calls during the Vietnam conflict only the Army and occasionally the Marines have had to rely on Selective Service to fill their quotas.

All of this suggests that while pay will have an important bearing on our ability to attract volunteers some scheme not covered by the Committee's recommendations will have to be found to fill the ranks of those who must close with the enemy on the battlefield and defeat him. In the current vernacular, that's what it's all about.

So far we have discussed only the entering officers and enlisted personnel and have not discussed the very serious problems of retention. This plays an important part in an evaluation of the Commission's report since many of its recommendations are based on a low rate of personnel turnover both to reduce manpower requirements and costs. We shall return to this when we discuss other forms of compensation but we suggest that beyond the 8% across-the-board increases already included in this plan, that military pay scales generally are well behind those of their civilian counterparts even when you translate present pay and allowances and other emoluments into a salary basis such as the Hubbell Committee recommended and which the Gates Commission most strongly endorses. We feel therefore the amounts recommended for pay alone are too low to accomplish the objectives.

We shall discuss the Commission's recommendations on the Reserve Forces later on in this paper but while we are on the subject of pure pay a few observations are appropriate. The Commission's basic recommendation concerning Reserve drill pay is to increase it significantly in the lower grades (up to \$2.50 per hour from about \$1.00 an hour now) and lesser amounts in the higher grades. For an individual in the 6th year of service, the current point for initial reenlistment, pay would be increased about 6% over what it is now. The Committee's efforts here were to improve the position of Reserve drill pay compared to other part time employment compensation. To the extent this will affect volunteer enlistments and reenlistments in the Reserve Forces this is a sound move. However, the Commission points out that surveys indicate that as many as 75% of the enlisted personnel on their first enlistment in the Reserve Forces are there because of draft motivation. It seems unlikely that these comparatively modest pay increases would attract anywhere near enough people to meet this requirement if the draft were stopped.

We shall not comment to any extent on the Commission's discussion of the conscription of physicians. They are quite undecided as to what course should be pursued in this troublesome area. They have made

some pay increase suggestions, not funded in their cost figures, which would give a first year doctor \$12,834.00 per year increasing to \$39,995 at 22 years service. They indicate that the reduction in forces now going on plus the medical students already committed to military service gives more time to study the problem and to do some experimenting. We agree—and point out that it will also be necessary to keep a viable Selective Service System going until this and other problems are proven to be solved.

We subscribe to the Commission's opening statement in their chapter on Compensation:

"Pay is not the only, and perhaps has not been the primary motivating force for joining or remaining in the military services. A sense of duty, a desire for adventure or travel, society's esteem for the military service, a desire for training, the quality of military life and the general conditions of military service—all affect an individual's decisions." We agree—that's why we question the linear mathematical equation the Commission has used. That's why we think its cost estimates are unrealistically low since the only cost that they have funded is for the basic pay increases. The general conditions of military service and the quality of military life need serious upgrading and this too will cost considerable sums—as will other needed improvements.

#### OTHER COMPENSATION

If, as the Commission has suggested, pay may not even be the primary motivating force for joining or remaining in the military service, what then is being proposed to improve other areas of compensation that help affect these decisions? The Commission has not made concrete recommendations on some of these key problems.

The Commission has strongly urged the adoption of the so-called "salary plan" of pay for the Armed Forces. This would give military pay more visibility and, to the extent that pay motivates, it should be more efficient in attracting and retaining personnel.

The Commission believes that it would be equitable and desirable to give officers and enlisted men the same vested retirement rights that civil service employees currently have. This would involve increasing military pay sufficiently to enable military personnel to contribute 6½% of their salaries annually to their retirement account without any loss in net income. I would introduce partial vesting after 5 years of service and a reduction in the retirement income available in the years prior to approximately the 25th year of service in most cases. The Commission *did not*, however, include the costs of this part of any pay raise in their estimates of the total cost of the Volunteer Force scheme.

The Commission decided against recommending general increases in such benefits as housing, educational programs, dependent medical and dental care and other items they refer to as "income in kind". They believe that instead individuals in the military should be compensated in cash for these. However, *no provision for funding* or specific recommendation for providing for these most important areas was made by the Commission. This is another reason why we feel their cost estimates are so fundamentally understated.

The whole area of housing, education, adequate medical and dental care are deserving of more attention than is evident in the Commission's report. For along with pay, among the tangible rewards, these areas have as much to do with job satisfaction and retention as almost any other factors. Certainly nothing contributes more to family well-being than these vital areas.

Secretary of Defense Laird said it this way in his FY 71 Posture Statement:

"We should improve the quality of education, both military and civilian, to ensure a high degree of professionalism and tech-

nical competence through the Department of Defense."

"We should reduce the inherent personal and family hardships of military service life by providing among other things: (a) reasonable sharing of the risks of combat; (b) quality education in overseas dependent schools; (c) adequate housing for all personnel without discrimination, and (d) quality medical care with efficiency."

"Despite budget reductions for almost all DOD activities, the Department has not cut back its request for 4,800 units for family housing for FY 1970. Moreover, we are requesting funds for the construction of another 8,000 units for FY 1971. This program represents an increase of 67 percent over FY 1970 and 86 percent over the average annual family housing construction program for the previous four years."

"I feel strongly that we must increase our efforts to upgrade housing conditions for military personnel. The provision of satisfactory housing for our servicemen and their families is a key factor in career motivation and retention and contributes substantially to improved morale within the Armed Forces."

One of the more puzzling contradictions in the whole Commission report stems from its stated belief, on the one hand, that the quality of military life needs to be improved generally if it is to attract and retain good people, and on the other hand, to recommend against general increases in the very sectors which would materially enhance the quality of military life. This it seems to us is a fundamental weakness in the report.

Surveys suggest that there are a number of reasons why young men and women enlist in the Armed Forces. Foremost among these is the desire to serve the nation and to receive recognition for that service. Patriotism is still an important motivator—and would be even more so with greater national recognition.

If good young people are to be attracted to the service, morale must be improved, job satisfaction must be provided, we must convey a sense of accomplishment and find ways to further enhance self-respect. The optimum would be for the service to satisfy both a desire to serve and the means to return to civilian life better prepared to assume a meaningful role in the community.

The goals can only be met by a major effort on several fronts. We have discussed improved pay. The living and working conditions, and in many instances, the facilities themselves, need immediate improvement. The services must reexamine many of the traditional restrictions on the personal lives of service people to see if living and working conditions cannot be improved. Those unnecessary or unpleasant duties not essential to the mission need careful examination with a view toward eliminating those we can.

Probably more needs to be done in supplying enlistment and reenlistment bonuses and options as well as providing greater post service benefits. Efforts in this latter category have often been studied but never adequately funded.

Finally, the importance of his duty to his country must be clearly evident to the serviceman and he must be given the best tools and equipment available to carry out his mission.

One of the weaknesses of the Commission's report in our view is its insistence of equating military service so directly with civilian employment. There is a considerable difference between the two and the difference is most important in a morale sense. If the Commission feels, for example, that the great bulk of its young officers or career enlisted men would prefer to rent civilian housing as opposed to being provided even less adequate housing on post, we suggest their survey sample was small indeed.

They have failed to grasp the real importance of these intangible factors of morale and camaraderie that for years have motivated career service people to put up with a life of genteel poverty while serving their country. They take pride in their service and their dedication to the country and pay alone will not motivate this type of individual to a career in the military.

#### RESERVE FORCES

Because about 75% of their first term enlistees are draft motivated, the Commission felt that they should give special attention to the manpower problems of the Reserve Forces. However, in our view, they failed to come to grips with some very basic problems that will have to be solved before any serious thought could be given to moving the Reserve Forces to an All-Volunteer status.

Beyond a modest pay raise, heavily weighted toward the first two years of the initial enlistment, the Commission recommended no other specific actions. They did feel that the Reserves should lower their sights both in terms of numbers and the quality of personnel they take in but beyond that, the Commission seems to feel that there are no unsurmountable problems. In its view, as far as the Reserve Components are concerned, modest injections of pay will enable the Reserve Components to reverse the present situation.

This seems to us to be an unusual viewpoint. To begin with, President Nixon has made it abundantly clear on more than one occasion that this country will stand by its international commitments with more than 40 nations. And as the Commission has said, "In the event of a national emergency requiring a rapid increase in the number of men under arms, the first recourse should be the ready reserves, including the National Guard." So it would follow logically we think that if your commitments remain the same and you reduce materially the size of your active establishment, you may very well be talking about increasing the size of your Reserve Components. Certainly you will be placing greater reliance on them.

To assume that a modest increase in pay would permit the Reserve Forces to revert to voluntary enlistments flies directly in the face of all of our previous experience.

If we are realistically to give any consideration to reverting only to volunteer enlistments as the only source of manpower for the Reserve Forces there are a whole host of actions, many of them costing considerable sums, that seem to us to be almost as essential as they are for the active establishment.

First, we must provide the Reserve Forces with the training facilities and equipment they require to conduct meaningful and interesting training. Never in their entire history have the Reserve Forces been adequately supplied with the late model equipments they need for realistic training in anywhere near the quantities they need.

The monies expended for Reserve recruiting will have to be greatly increased.

It would probably be necessary to reduce 1st term enlistment from 6 years, which now calls for 6 months' active duty plus 5½ years in a unit, to 3 years to coincide with the active duty enlistments and be more realistic in an All-Volunteer environment. This, of course, doubles the input figures required. Where you now need 55,000 men each year going into the Reserve Enlistment Program for six years, you would need 110,000 under a 3 year enlistment.

Other possible inducements might include:

1. A reenlistment bonus of \$100.00 or more and a bonus of similar amount for each year of satisfactory service for reservists.
2. Additional awards for reserve service.
3. Extending servicemen's group life insurance coverage to all reservists.

4. Allow credit for all inactive duty points accumulated in computing reservists retirement pay.

5. Medical care for reservists who contract a disease or aggravate an injury during any training period.

6. Provide proficiency pay for enlisted reservists.

The Commission maintains that the draft motivation data (i.e. 75% reservists draft motivated) significantly overstate the problem. It feels that if recruitment is focused on a younger, less well-educated group, than those who now populate the Reserve Forces, the flow of volunteers will be substantially larger than it is now. They do not suggest nor do we believe that this would amount to replacing the 75% figure in question. They feel the Reserves could be reduced by 113,000 (about 1/3th) with no harm to the national defense. Our position is just the opposite. In the present world climate as our active forces are cut back, we feel that we may wish to increase the size of our Reserve Forces while maintaining high standards of personnel quality.

We note with further concern that the Commission has made no provision for the maintenance of personnel currently maintained by all services in the Individual Ready Reserve. This vast reservoir of trained personnel are not only essential in time of national emergency, they are needed almost at once. These individuals are used to bring units of the active Army up to strength as well as to flesh out Reserve units called to active duty. A minimum of 600,000 Individual Ready Reservists are required for the Army manpower pool alone.

#### STANDBY DRAFT

Many of the theories and recommendations of the Gates Commission are subject to test and validation without lessening our security one bit. If Congress can be persuaded to provide the money for the pay increases and other improvements in career living for the military, we can determine whether or not these assumptions are correct and whether we can in effect buy enough volunteers to make conscription unnecessary. All of this can be done without taking the unwarranted risk that would result from terminating the draft as a viable on-going program. We should strive instead for a lengthy period of what Secretary Laird calls "zero draft calls".

The Commission recommends that Selective Service be put on a standby status on 30 June 1971 to be activated only by joint resolution of Congress upon request of the President. This strikes us as the most dangerous recommendation that the Commission has made, for the evidence is clear that the hot breath of the draft is solely responsible for large numbers of those now serving in both the active and reserve forces.

One of the reasons that the Commission recommends that Congressional approval be a prerequisite to the use of Selective Service is to guarantee the propriety of whatever action is under consideration. This seems to us to be a wrong reason.

The implication is that Selective Service legislation provides a vehicle for the Congress to exercise a stronger veto over the foreign policies of the administration. Since this is written in today's world, one draws the conclusion that had Selective Service been on a standby status it might have been possible to keep us out of let's say the Dominican Republic, the Cuban Crisis or most probably Vietnam. Things like the passage of the Gulf of Tonkin resolution, for example, indicate that this line of thought is in error. In any event, Selective Service legislation has no place in these kinds of foreign policy considerations.

Selective Service legislation comes up for review and extension every four years at least and in recent years it has been under almost continuous Congressional scrutiny

with numerous public hearings and great public discussion as witness the introduction of the lottery and the "youngest first" call changes last year.

So we fail to see any validity in this particular recommendation of the Commission. The Commission goes on to state:

"The viability of an All-Volunteer Force ultimately depends upon the willingness of Congress, the President, the Department of Defense and the military services to maintain: (1) competitive levels of military compensation; (2) reasonable qualification standards; (3) attractive conditions of military service".

While the Commission's recommendations suggest a good start on (1) we do not feel that the Committee has made appropriate recommendations nor suggested the funding necessary for (3). Hence, we can only conclude that realistically, our political representatives will not be willing to undertake the fiscal expenditures required for a viable All-Volunteer Force.

Mr. Nixon made it clear that his basic goal was to stop conscripting people as soon as that was feasibly consistent with national security needs. We suggest along with Secretary of Defense Laird that we can do this and leave Selective Service intact. If draft calls drop to zero as a result of the implementation of the Commission's other recommendations, the young men who must register will not really care whether Selective Service is on standby or operational basis.

#### CONCLUSION

What then is the sum and substance of all this discussion? There are many who feel that it should not be necessary to conscript young men to meet the military manpower requirements of the nation. This may be true if we as a nation were willing to do those things and spend the money that would make military service a nationally recognized, prestige career.

However, in the present national climate of frustration with a whole host of problems, we feel strongly that no irrevocable, emotional decision should be made on such a fundamental matter. We must not repeat the mistakes of the past. We cannot reduce the strength of our Armed Forces to the point where they are no longer an effective instrument of national policy.

There is a practical way to prove out not only the feasibility of volunteer forces but at the same time insure that our national defense needs can be met.

This Association feels strongly that it is important to maintain an operational Selective Service System and, at the same time, strive through every practicable means to make military service attractive enough to eliminate the need to actually draft anyone. To discard a viable operative Selective Service System without first clearly establishing our ability to maintain adequate military forces without it, would be to accept a risk to our national security that is both unwise and unnecessary to take.

#### RECOGNITION EQUIPMENT CREATIVITY FOR FUTURE

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. COLLINS. Mr. Speaker, scientific breakthroughs have been paced by Recognition Equipment Co. and its subsidiary, Docutel. Recognition, located in Dallas and Irving, Tex., is gaining an international reputation as the leader in vis-



ual scanning computers. President Herman Phillipson is a genius and combines talents with team leaders, Sheinberg and Tinsley. The following is an interesting summary in Parade magazine's May 1970 issue. You will be interested in Phillipson's Recognition developments.

In Irving, just outside Dallas, the other day, I asked a computer for fifty bucks. The computer pondered the matter a moment, asked me a few salient questions, then handed over the fifty. "Thank you, Computer," I said. "Thank you for the transaction," a sign on its friendly facade replied.

You think I was drunk, don't you? Well, I wasn't. I was at the headquarters of the Docutel Corporation, an imaginative enterprise that is teaching computers to replace tellers in many bank transactions. It is one of scores of industries that have sprung up in the last decade to make Texas the third, and maybe the second, most important state in the data game—the amazing computer industry that's reckoned to outstrip the auto industry in revenue by 1975.

Just how intimately the computer is insinuating its mysterious self into our everyday lives is illustrated by my lucrative Irving adventure. Gayle C. Tinsley, president of Docutel, was my host on that occasion, and it was his credit rating, actually, and his identity card and secret code number that accounted for the computer's generosity. Indeed, it was his demonstration fifty that his Docuteller Currency Dispenser so amiably handed over (and which, to keep the books straight, I felt obliged to return to Mr. Tinsley).

More than 50 Docuteller devices have been delivered now to banks from coast-to-coast (including two in Houston), and the firm expects to be turning them out at the rate of 60 machines monthly this year. Basic Docutellers deliver \$25, \$50, or \$100 to customers of established credit on demand. The machine will honor a valid credit card only after a customer's secret code number has been punched out by him on a keyboard at the front of the machine. If the card should be a lost or stolen one, and the wrong code number is inevitably punched, the machine keeps the card and suggests that the patron talk to a bank officer. The Docuteller is a tough customer.

The firm has now perfected similar currency dispensers that will allow you to make withdrawals from checking or savings accounts, and to make deposits 24 hours a day. Linked to a central computer, your bank statement reflects your correct balance in a thousandth of a second.

Another is an amazing device developed by Recognition Equipment, Inc. of Dallas. The device enables computers to read! Started just eight years ago, REI is the largest manufacturer of computer optical scanning equipment in the world. If you have a gasoline credit card, chances are that your charge tickets—printed by your service station attendant—are read monthly in Houston by an REI Electronic Retina Computing Reader. Information on the ticket you signed at the service station is read by the machine, then recorded on magnetic tape that's fed into a computer. At month's end, Computer tots up all your transactions of the month and comes up with your total bill. Says Bill Lovvett, an executive at Humble Oil & Refining Co.: "The Retina Reader eliminates the need for personal reading of charge tickets and recording them by key-punch operators. So the chances of human error in the preparation of millions of bills a month are dramatically reduced."

Israel Sheinberg, the brilliant senior vice president of REI, is largely responsible for the development of the Electronic Retina reading system. Operating much like a human eye, the system's inception actually traces

back to Electronics Engineer Sheinberg's medical studies of the human eye at Southwestern Medical School. "Earlier systems had to scan a character many times before recognition dawned," he says. "Ours recognizes a complete character image at one time—just like your eye does. But even if you've taken the Evelyn Wood speed-reading course, chances are you aren't as fast a reader as the Electronic Retina reader. It reads 2,400 characters a second! It can read a complete upper and lower case alphabet, plus numbers, and it can read 360 different typefaces. It can also read hand printing, and smudged, mutilated, or even torn documents. We think it's a doozy."

So do a staggering array of customers who have bought the REI reader. They range from a British soccer pool to a storage center for Mormon family trees at Salt Lake City. Under a federal contract, the firm is developing an advanced optical reader to read and sort letters in post offices.

It was a subsidiary company of sprawling REI that afforded me my short-term fifty in Irving recently. The same subsidiary has developed the darndest contraption you ever saw.

Underwritten by the Air Transport Association, the complex system uses a computer and frenetic little rail cars to handle airline baggage. In operation, you would park your car at the airport lot, affix a coded ticket (you got it when you bought your airline ticket) to your bag, then drop it into a rail car. Computer guided, the car would then take your bag to the proper airplane or, if the plane should be late or you should be early, to a holding area. On landing, the system would do the same thing, except in reverse.

SUPPORT FOR THE PRESIDENT'S CAMBODIAN POLICY

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. KLEPPE. Mr. Speaker, along with all of my colleagues, I am receiving a heavy volume of mail from my district concerning the President's decision to send troops into Cambodia to clean out hitherto protected North Vietnamese sanctuaries, a move which I strongly support.

Many of the letters set forth the view that somehow the war in Southeast Asia can be successfully resolved through legislative action here in Washington. Many others who have written to me disagree strongly, as I do, and express full support of the Cambodian action. I include some of these comments in the RECORD:

MINOT, N. DAK.

DEAR MR. KLEPPE: I am writing in support of President Nixon's decision to send troops into Cambodia to clean out the communist sanctuaries maintained there. I also commend our Congressional delegation for indicating support of the President. I fail to see how anyone can complain about a lack of communication regarding the Cambodian move. I feel that the President very well outlined the policy there for all Americans.

It has been on the news this morning that there is a movement to eliminate credit for R.O.T.C. at the University of North Dakota. I would hope that our University and State officials will stand against such demands. The contribution of the R.O.T.C. program to the service of this nation is irrefutable. I have tried to teach my children that

it is not only an honor and privilege but a duty for all to give some of their time to the service of our country.

I personally urge you to continue to stand for obedience to law and support of the democratic process as in the past.

Sincerely,

MARK NICHOLS.

GRAND FORKS, N. DAK.

DEAR CONGRESSMAN KLEPPE: Having just read Senator McGovern's appeal for a deluge of letters from college campuses and elsewhere in opposition to the President's Cambodia action, I hasten to let you know that I side with the President on this issue.

Although I have read what I can find to read, and studied the opposing positions, I recognize that you have access to far more information than I, and I would not suggest that you substitute my judgment for yours. While I feel strongly that we must either forthwith abandon all of southeast Asia to the Communists, or do whatever is necessary to contain them, there being no acceptable middle ground, and while I choose the latter course, I ask only that you exercise your own informed judgment as to what is best for our country.

As you may know, I disapprove of government by the counting of letters, but if this is to be the accepted process of government, I want mine to be counted as a "Yes" vote in this referendum.

Sincerely,

HAROLD D. SHAFT.

BISMARCK, N. DAK.

Representative THOMAS KLEPPE, Washington, D.C.

DEAR SIR: Tonight I saw and heard on T.V. the panel of 5 (Politicians) members of our Congress, demanding support from the American people, to their amendment to cut off monies to end the war in Vietnam. Why now?

I hope as a representative of our State you will support our President Nixon. His way in this matter I think is Right and Right will prevail.

Yours sincerely,

Mrs. FLORENCE STOEN.

BISMARCK, N. DAK.

Representative THOMAS KLEPPE, House Office Building, Washington, D.C.

DEAR TOM: I listened to President Nixon's speech last night and believe that he made a correct decision. I have a son who will be draft age in 4 years, and think the destruction of Viet Cong & North Vietnamese bases in Cambodia represent his best chance of never having to fight in Viet Nam.

Since you will have many letters critical of the speech, I think you should know that some of us approve.

Very truly yours,

JOHN DYER.

FARGO, N. DAK.

DEAR CONGRESSMAN KLEPPE: Attached is a copy of a letter which I have sent to President Nixon.

Sincerely,

NOEL A. GAGSTRETT.

FARGO, N. DAK.

HON. RICHARD M. NIXON, President of the United States, Washington, D.C.

DEAR PRESIDENT NIXON: I am deeply concerned with the attitude, which seems to be developing in our country, that if you do not agree with a situation or circumstance, anything can be done in evidencing that disagreement. Our society is too complex to expect concurrence in all areas; but resorting to violence, defamation of our country's flag, and overt acts of violation of our laws certainly guarantees to no one, individual or

party, not even those performing the actions, the liberties they seek or espouse.

I believe, as do many I have visited with, that our first responsibility is to recognize the legal framework and the political processes which exist in our country, and through which differences of opinion can be settled and to utilize these channels for this purpose. There are many of us, although we have not publicly demonstrated, who believe that there is no place for anarchy in any of our institutions and that to succumb to the pressures which are publicly evident by student protests, etc., would be to sacrifice principle and responsibility.

I support our country's actions in Southeast Asia and believe you are performing the best job possible with the problem facing you. Much of the propaganda and criticism directed at your leadership suggests no alternatives, nor does it objectively seek to provide solutions. When complete and immediate withdrawal from Viet Nam, Cambodia and Laos is demanded, are the consequences considered? I do not think so. Many of us have children who will eventually be involved in Viet Nam and certainly this is not the situation you would ask for, but each of them also has a responsibility. Evading it only prolongs the end and may lead to more tragic developments.

I support your decisions both within and outside our nation.

Sincerely,

NOEL A. GAGSTETTER.

CONGRESSMAN POLLOCK INTRODUCES A CONCURRENT RESOLUTION DEALING WITH SOUTHEAST ASIA

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. POLLOCK. Mr. Speaker, today I am introducing a concurrent resolution expressing the sense of Congress regarding the conflict in Southeast Asia and the exercise of constitutional authority in matters affecting grave national decisions of war and peace.

The first part of the resolution contains several findings of fact relative to the present situation in Southeast Asia. These findings contributed greatly to my ultimate conclusions, which are contained in the latter sections of the resolution.

In summary, recent events in Vietnam and Cambodia have led me to conclude that the Congress should support the President in his efforts to bring peace and freedom to the people of Southeast Asia; that recent limited American and South Vietnamese military reprisals against once-privileged enemy sanctuaries in Cambodia are necessary for the protection of American troops, allied military personnel, and the South Vietnamese people; that such retaliatory military activity will shorten the course of the Vietnam conflict; and that the Congress should declare it to be the national policy of the United States that American troop withdrawals from South Vietnam and Cambodia shall continue in accordance with the expressed policy of the President to accomplish the speedy, total withdrawal of American forces from Vietnam at the earliest possible time consistent with the capacity of the South

Vietnamese to protect their nation from blatant aggression.

In addition to my conviction that the President should be supported in his efforts to obtain an honorable and lasting peace in Vietnam, I also believe very strongly that except in cases of immediate and extreme national emergency, the Congress should exercise its full constitutional responsibilities and authority in all matters now and henceforth affecting grave national decisions of war and peace. To this end, I believe that there should be full congressional debate under liberal rules of parliamentary procedure in order that meaningful discussion and resolution may evolve on the future course of American involvement in Southeast Asia. To assist the Congress in making this determination, I have recommended in the resolution that select committees be appointed in the House and Senate to proceed forthwith to Southeast Asia for the purpose of evaluating all aspects of the American involvement in that area. The committees would also be required to incorporate their findings into written reports which would be submitted to the Congress.

Mr. Speaker, the President's decision to send troops into Cambodia was, perhaps, the most difficult one that he has been called on to make during his tenure in office. Based upon information carefully gathered from many different sources, the President came to the conclusion that the Cambodian venture would save American and Vietnamese lives, and would most likely shorten the future course of the conflict in Southeast Asia. Certainly, the President's decision will give the United States more time to implement its Vietnamization program and will facilitate the secure withdrawal of additional American troops from Southeast Asia.

In order fully to evaluate the President's decision, one must be aware of the extremely complex set of circumstances which confronted the President at the time he made his determination to send American troops into Cambodia. To begin with, the President was in possession of reliable information which indicated that the North Vietnamese and Vietcong intended to expand existing border sanctuaries in Cambodia. For years, these sanctuaries have been used as staging areas from which enemy forces have launched death and destruction upon American and South Vietnamese military personnel and upon the people of South Vietnam. Any escalation in this campaign of terror and assassination would have placed the allies in an untenable military position. In fact, if enemy troops had been permitted to mass along the length of the Cambodian border, it is very possible that the United States would have suffered a defeat of the same magnitude as the tragic French defeat at Dien Bien Phu. Confronted with this rapidly worsening military situation, the President decided to authorize the pursuit of the North Vietnamese and Vietcong aggressors into the border areas of Cambodia for the limited purpose of destroying the enemy's capacity to wage war in South Vietnam.

Recent developments in Cambodia seem to confirm the wisdom of the Presi-

dent's decision. Important supplies of weapons, food, and military vehicles have been uncovered in the enemy's once-privileged sanctuaries. This materiel would be sufficient to equip and maintain great numbers of enemy troops for long periods of time. The large amounts of weapons and ammunition which the North Vietnamese and Vietcong have abandoned in the wake of advancing allied forces represent supplies which will not now be used to kill American and South Vietnamese troops fighting in South Vietnam.

Mr. Speaker, each time that the President has announced American troop withdrawals from Vietnam, he has warned that the North Vietnamese and Vietcong would be taking grave risks if they should attempt to use the occasion of American withdrawals to jeopardize the security of American military personnel remaining in Southeast Asia. In the President's considered judgment, enemy military ventures launched from the Cambodian sanctuaries posed precisely the kind of threat that the President had warned against so many times. I concur in the President's evaluation. Moreover, it is my belief that the President will keep his promise to the American people not to expand the conflict in Southeast Asia and will, in accordance with his previously announced plans, withdraw all American forces from Cambodia by June 30, 1970.

Mr. Speaker, in making his courageous but very unpopular decision to send American forces into Cambodia, the President rejected partisan politics in favor of a policy premised on the conception that a lasting peace will be achieved in Southeast Asia only after the North Vietnamese and Vietcong become convinced that further aggression in South Vietnam will not result in the acceleration of American troop withdrawals or the capitulation of the South Vietnamese Government. I believe that history will vindicate the President's decision and that the course of the Southeast Asian conflict will be shortened. However, as my resolution indicates, I also believe that Congress must exercise its constitutional authority in all matters affecting grave national decisions of war and peace. Such an exercise of congressional responsibility will insure that important foreign policy decisions reflect the collective will of the American people as expressed by their elected representatives.

My distinguished colleagues, the limited American presence in Cambodia has greatly intensified the debate in Congress and among the American people concerning the U.S. involvement in Southeast Asia. I believe that this debate is healthy and necessary, and it is my fervent hope that such dialog will lead to a national consensus regarding the future course of American activity in Southeast Asia. The resolution which I have introduced today presents my current thoughts on this extremely complex issue. I offer the resolution for the consideration of this august body in the hope that it will contribute something of value to our continuing dialog on the foreign policy and constitutional questions raised by the Southeast Asian conflict.



THE NEED TO STRENGTHEN THE  
WORLD COURT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. FINDLEY. Mr. Speaker, last December 9, the International Law Committee of Members of Congress for Peace Through Law invited Dr. Arthur Larson, director of the Rule of Law Research Center at Duke University Law School, to address 23 Members of Congress at a luncheon in the House wing of the Capitol. As chairman of the committee, I invited three distinguished officials of the Department of State to be guests of the committee: John R. Stevens, Legal Advisor; Richard T. Pedersen, Counsellor; and Samuel de Palma, Assistant Secretary of State for International Organization Affairs. The need to strengthen the World Court and to increase the use of international law and international arbitration, adjudication, and legal institutions for the peaceful settlement of international disputes was the central concern at the luncheon.

In light of that occasion and other initiatives of my own and of the committee's, I was greatly pleased to read the very excellent address by Secretary of State William P. Rogers to the American Society of International Law in New York City on April 25.

This address states the new and progressive policy direction of this administration. It is the first step that will demonstrate clearly and forcefully to the peoples of the world that the United States of America is determined to substitute the rule of law for the rule of force in affairs between nations.

I commend this superb address and its many concrete recommendations and policy directions. I hope that it will be read with approval by my colleagues in the Congress and by the millions of Americans who earnestly seek a world in which the family of man will live at peace with justice for all under law.

The Secretary's speech follows:

THE RULE OF LAW AND THE SETTLEMENT OF  
INTERNATIONAL DISPUTES

Modern international law developed in an age when war was still the sport of kings. Today nations have the power to annihilate each other. This bleak fact underscores our vital need to search for alternatives to force or the threat of force as a means of settling disputes between nations.

A major objective of the Nixon Administration is to further the development of a stable and progressive world community based on an accepted system of international law.

Outside the legal community—and within it too for that matter—there are those who are skeptical about the reality and value of international law. They ask if it is really law since there is no effective provision for enforcement. They question whether nations, notoriously unwilling to bow to processes of adjudication will ever accept a broad international legal system. They refer to the failure of states to use the International Court of Justice, and point out that it does not now have a single pending case on its docket.

Candor requires us to acknowledge that for the immediate future no international legal

order, however restructured, is likely to solve many of the major disputes involving issues of war and peace.

And, we must agree, with sadness, with the allegation concerning the International Court of Justice. There has been a certain euphoria in our approach to international law. Our rhetoric often has been out of touch with reality. In our zest to take giant steps we have failed to take the confidence-building smaller steps which are necessary to move from routine, and less significant international cases, to more important and major ones.

However, we need not exaggerate our lost opportunities. There has been considerable progress in some areas. I do not have to emphasize to this audience the important role that international law plays in our international relations. Territorial boundaries are largely respected, diplomacy functions effectively, and in such activities as shipping, international air travel, foreign trade and investment, etc., international law plays a vital role.

It is clear, however, that there is much to be done to advance the cause of international law. With that goal in mind, I would like to make these three recommendations.

First, we should try to breathe new life into the neglected—in fact moribund—International Court of Justice.

Second, we should encourage greater use of multilateral law-making treaties.

Third, nations should live up to their obligations under international agreement.

Why is the Court important?

International law requires more than treaties and agreements to fulfill its promise. A judicial system is needed to support it.

Regrettably, as I have indicated, the International Court of Justice has become increasingly inactive in recent years. Why is this so?

The basic problem is the reluctance of states to refer international disputes to the Court. States have not been willing to accept the idea of going to the Court on a regular basis, expecting to win some cases and lose others. If the legal adviser of the foreign ministry is not confident of victory, he recommends against litigation.

Refusal to submit a case to the Court unless it is virtually a sure win has a short-term advantage from a national vantage point. But what nations so far have failed to grasp or to accept is the long-range gain, from an international vantage point, of establishing a system of settling international disputes by legal methods.

In 1946, the United States accepted jurisdiction of the International Court only in cases which excluded matters of domestic jurisdiction "as determined by the United States of America." This gave the United States the right in each case to determine whether the Court had jurisdiction or not. It is not generally known, however, that since 1946, we have committed ourselves, without reservation, to the jurisdiction of the Court with respect to disputes arising under some twenty multilateral treaties. These include, among others, the constitutions of a number of international organizations as well as the Japanese Peace Treaty. Similarly, we have committed ourselves to the Court's jurisdiction over more than twenty bilateral agreements, principally commercial treaties.

But this is far too few when you realize that we have become a party to 106 multilateral and 125 bilateral treaties since 1946.

This Administration is committed to strengthening the role of international adjudication in the settlement of international disputes. We are taking specific steps to carry out this policy.

In the future, the Department of State will examine every treaty we negotiate with a view to accepting, wherever appropriate, the jurisdiction of the International Court

of Justice with respect to disputes arising under the treaty. In a treaty in which we or the other government cannot accept the Court's jurisdiction, we will urge the inclusion of other appropriate dispute settlement provisions.

In addition, I have directed that, wherever disputes arise with other countries, we give active and favorable consideration to the possibility of submitting them to the International Court of Justice. Recently, we asked the Canadian Government to join us in submitting to the Court the differences arising from Canada's intention to establish pollution and exclusive fisheries zones more than 12 miles from her coast. We are presently exploring the possibility of submitting several other disputes to the Court.

In this connection we can recall the early experience of our own Federal courts, which attracted legal business through increasing popular confidence in their handling of what at first were principally routine matters. We can also learn from the experience of other countries which have found the Court useful in resolving small disputes. For example, France and the United Kingdom submitted a case relating to two small islands. And Belgium and the Netherlands litigated before the Court the issue of sovereignty over a few small enclaves. In these and other cases involving relatively minor issues the Court has been able to develop important legal principles.

Advisory opinions are also important in building confidence. It is a disappointing fact that, in the last eight years, no international organization has submitted a request to the Court for an advisory opinion, although clearly there has been no dearth of problems.

If changes in the statute of the Court are given serious consideration, I would like to suggest two ways in which its advisory jurisdiction might be expanded.

First, additional international organizations could be authorized to request advisory opinions. It would be particularly useful to give regional organizations access to the Court.

Second, serious consideration should be given to authorizing disputing states to ask the Court for an advisory opinion, when they prefer that approach to a binding decision.

It is of course also important for states to accept and respect the pronouncements of the Court. In one important case when the Court made a courageous ruling—that United Nations members were obliged under Article 17 of the Charter to pay for UN peacekeeping activities assessed by the General Assembly—its implementation was blocked by certain states for political reasons.

However, we should recognize that the Court is at least partly to blame for its state of neglect. There is no doubt that its reputation was damaged by its decision in the Southwest Africa case—that the complainants had no standing to present their claims—after more than five years of proceedings. A similar decision early this year in the Barcelona Traction case—after more than seven years—has further eroded confidence in the Court.

I hope that the Court will take steps to prevent such delays in the future by deciding preliminary questions promptly, without joining them to the merits of a dispute. The Court also should be willing to impose reasonable time limits on parties and their counsel.

I have requested my Legal Adviser, Mr. John Stevenson, to begin consultations with other governments to consider recommendations for possible improvements in the Court's procedures. The following suggestions may be worthy of consideration:

Greater use might be made of the chambers of the Court, in an effort to relieve apprehensions about submitting disputes to the 15-judge tribunal sitting *en banc*.

The chambers could meet outside The Hague, in order to make the Court more visible in other regions of the world.

Regional chambers could be established, to make the Court more attractive to Latin American, Asian, and African states in disputes with other states in the same region.

Summary proceedings might be used more often, and the length of pleadings and oral argument might be appropriately limited.

Turning now to my second point—I believe that we should make greater use of multilateral law making treaties.

The need to develop new international law by the treaty or international agreement route has become more urgent because of advances in technology. To cite one example, the rapid growth of commercial aviation has confronted us with a dangerous international problem we never had before: airplane hijacking.

The United States has taken several steps to deal with this problem. We recently ratified the Tokyo Convention on Offenses Committed Aboard Aircraft. We are actively participating in the International Civil Aviation Organization's efforts to draft a convention which would require the state where a hijacked aircraft lands either to punish the hijacker or to extradite him to a state where he can be punished.

Another major area urgently requiring multilateral treaties is the oceans, which cover 70 percent of the globe.

We are supporting measures at the United Nations for the preparation and conclusion of two supplementary Law of the Sea Conventions. One would set the breadth of the territorial sea at 12 miles, with guaranteed rights of free transit through and over international straits and carefully defined preferential fishing rights for coastal states in the high seas adjacent to their territorial seas. The other would define the outer limit of coastal states' sovereign rights to exploit the natural resources of the seabed and would establish an international regime governing exploitation of seabed resources beyond that limit.

In addition, yesterday, we signed at the United Nations Headquarters here in New York the Convention on the Law of Treaties adopted at Vienna a year ago. This treaty provides the basic "contract law" for treaty-making, interpretation, and termination. It is a treaty of major importance.

In suggesting the need for increased efforts to conclude multilateral treaties developing and clarifying international law, I do not want to deprecate customary international law. We all recognize in the day-to-day conduct of our foreign relations, the importance of observing the rules of custom which nations have accepted as appropriate rules for international conduct. They represent the accommodation and balancing of interests which states have found in their reciprocal interest to make. Thus, they are a very useful means of avoiding international conflict.

However, like our common law, the rules of customary international law are frequently somewhat vague. In certain areas, particularly where international standards for the protection of aliens' property rights are involved, they are under attack in the developing countries. These countries argue that they did not participate in the development of these customary rules and, therefore, should not be bound by them. While we may not accept this line of argument, we must take into account the threat it presents to the stability of the international legal system.

Multilateral law-making treaties have advantages over customary international law. They make the legal rules more precise. They bring the newly independent countries into the development and clarification of international law. And they should increase the willingness of states to submit disputes to international judicial tribunals.

The third point which needs to be stressed is that nations must live up to their obligations under international agreements. International law, like any other set of rules, can function effectively only in a climate of respect and observance.

It is important for states to respect the international agreements they enter into on economic and technical matters. But it is of much greater importance for them to honor their commitments under those agreements involving international peace and security.

In Laos and Cambodia—the focus of recent international concern—the cessation of all hostilities and respect for territorial integrity and neutrality are matters of international agreement.

North Viet-Nam committed itself in Laos in 1954 to a "complete cessation of all hostilities," withdrawal and a prohibition on introducing "any reinforcement of troops or military personnel." In 1962 it undertook similar and even more substantial obligations. They included obligations not to "commit or participate in any way in any act" which might impair "directly or indirectly" the sovereignty or neutrality of Laos and "not to use the territory of Laos for interference in the internal affairs of other countries."

In Cambodia, North Viet-Nam committed itself in 1954 to a "complete cessation of all hostilities" to be enforced by its Commanders "for all troops and personnel of the land, naval and air forces" under its control. It also committed itself to the withdrawal from Cambodia of "combatant formations of all types which have entered the territory of Cambodia."

With those international agreements as a backdrop, what are the facts?

In Laos over 65,000 regular North Vietnamese troops have invaded and now occupy large portions of Laotian territory. About 40,000 are in the southern part of the country, along the Ho Chi Minh Trail. More than 25,000 North Vietnamese troops are in northern Laos. On February 12, this force launched the current offensive which has led to the increased anxieties. Prime Minister Souvanna Phouma has strongly objected and condemned this invasion of his country by the North Vietnamese—to no avail.

In Cambodia, as in Laos, North Viet-Nam has long been occupying territory in direct violation of its repeated treaty commitments to respect the country's neutrality. More than 40,000 North Vietnamese and Viet Cong troops have invaded and now occupy Cambodia. In Cambodia, as in Laos, Hanoi is using armed force against a state where it has no legitimate rights and against a people with whom it has no ethnic affinity. Both Prince Sihanouk, and his successor, Prime Minister Lon Nol agree that this is the case.

A more explicit and unprovoked violation of the fundamental provisions of the Charter of the United Nations and of additional specific international obligations to respect the territory of others could hardly be imagined.

Seven nations endorsed the Geneva Accords of 1954 upholding the independence and neutrality of Cambodia and Laos. Fourteen nations undertook further obligations in 1962 to hold consultations in the event of a violation, or threat of violation, of the neutrality of Laos. The violations of those accords by North Viet-Nam in Laos and Cambodia are explicit, uncontested, open and without any shred of international sanction. Is it not time for nations which are signatories to international agreements actively to support them. Should not the international community itself more actively look for ways to shoulder its responsibilities?

Article 4 of the 1962 Agreement on Laos is explicit in requiring the signatories to "consult" on measures to insure observance of the agreement in event of a violation or even the threat of a violation. The Soviet

Union, whose Foreign Minister is a Co-Chairman of the Geneva Conference, has a particular responsibility "to exercise supervision over observance" of the agreement. Yet, except for a proposal by the Soviet United Nations Representative, Mr. Malik, about reconvening the Geneva Conference machinery—a proposal from which the Soviet Union has been steadily backpedaling since—the Soviet attitude has been negative toward exercise of its treaty responsibilities.

The flouting of international agreements which were freely entered into by Hanoi is not just a problem for the parties to the agreements. It is a problem for the world community. If states fail to honor their obligations solemnly agreed to then the role of law in the settlement of international disputes becomes minimal and nations have no recourse but to resort to force to protect their sovereignty and territorial integrity.

In addition to the obligations of signatories to the 1954 Accords there are responsibilities of a more practical sort which concern particularly the states of the area. In this regard it is encouraging to note that the Foreign Ministers of such nations as Indonesia, Thailand, and Japan are initiating consultations to determine what action they can take in the international community to protect and restore the independence and neutrality of Cambodia.

In conclusion, the suggestions I have made today—to revive the International Court of Justice, to encourage more multilateral law-making treaties and insist on observance of international agreements, reflect my conviction that it is both necessary and possible to increase the role of international law in the settlement of disputes.

We must take steps which will build international confidence in international law. Mankind eventually must become wise enough to settle disputes in peace and justice under law. That is your goal—that is the goal of your government.

Mr. Speaker, as evidence of the support in Congress for the policies set forth by Secretary Rogers and for further initiatives in the same area, I submit for the RECORD the letter sent to President Nixon on April 30 by 70 Members of both Houses of Congress:

HON. RICHARD NIXON,  
President of the United States, the White House, Washington, D.C.

DEAR MR. PRESIDENT: We share your long-standing interest in forwarding the world rule of law. We recall the address you made as Vice President to the Academy of Political Science on April 12, 1959, in which you proposed that all disputes over the interpretation of international agreements should be referred to the International Court of Justice for a binding decision and said, "I am now convinced, and in this I reflect the steadfast purpose of the President and the wholehearted support of the Secretary of State and the Attorney General, that the time has now come to take the initiative in the direction of the rule of law in the world to replace the rule of force."

We firmly agree that the attainment of peace and justice in the world demands greater efforts to promote the acceptance and use of international law, international arbitration, and international legal institutions.

We respectfully suggest that the United States demonstrate its willingness to employ international legal procedures and institutions and, through its example and influence, encourage other nations to resolve disputes peacefully by recourse to mediation, arbitration, and adjudication.

It would be a highly significant contribution to the purposes of the United Nations during this 25th Anniversary Year and a tan-



gible demonstration of America's willingness to resolve international disputes peacefully if the following specific steps could be taken this year:

First, a review by the Secretary of State of all disputes to which the U.S. is a party to ascertain which ones, or portions of them, might lend themselves to arbitration or adjudication. When this review has been completed, we would urge that the United States move to take the disputes that are determined to be justiciable to the International Court of Justice or other appropriate international tribunals.

Second, the employment of the provision of Article 96 of the United Nations Charter to seek advisory opinions of the World Court by the United Nations and the U.N. Specialized Agencies on issues where such an opinion would help to clarify the legal aspects of a dispute.

Third, the instructing of U.S. negotiators to seek inclusion of a provision in future treaties and agreements which provides for the World Court's adjudication of disputes arising under those treaties and agreements.

We believe that these steps, modest though they seem, would be favorably received by the international community and lead to an enhanced regard for the rule of law throughout the world.

As Members of Congress for Peace Through Law, we have devoted considerable time and attention to this question and have sought the advice of skilled international lawyers outside the Congress.

We welcome your comments and reactions to these suggestions and would be pleased to discuss them in greater detail with you or with members of your Administration.

LIST OF SIGNERS

Senators Edward W. Brooke, Alan Cranston, Charles E. Goodell, Philip A. Hart, Mark O. Hatfield, Harold E. Hughes, Gale W. McGee, George S. McGovern, Lee Metcalf, Walter F. Mondale, Frank E. Moss, Robert W. Packwood, Claiborne Pell, Richard S. Schweiker, Joseph D. Tydings, Harrison A. Williams, Jr., and Stephen A. Young.

Congressmen Thomas L. Ashley, Jonathan B. Bingham, Edward P. Boland, Richard Bolling, John Brademas, George E. Brown, Jr., Daniel E. Burton, Silvio O. Conte, John Conyers, Jr., James C. Corman, John R. Dellenback, Bob Eckhardt, Don Edwards, Joshua Eilberg, Paul Findley, Donald M. Fraser, Peter H. B. Frelinghuysen, Cornelius E. Gallagher, Jacob H. Gilbert, William J. Green, Gilbert Gude, Seymour Halpern, Michael Harrington, William D. Hathaway, Augustus F. Hawkins, Henry Helstoski, Robert W. Kastenmeier, Hastings Keith, Edward I. Koch, Robert L. Leggett, Richard D. McCarthy, Paul N. McCloskey, Jr., Abner J. Mikva, Patsy T. Mink, William S. Moorhead, F. Bradford Morse, Charles A. Mosher, John E. Moss, Richard L. Ottinger, Claude Pepper, Bertram L. Podell, Thomas M. Rees, Ogden R. Reid, Donald W. Riegle, Jr., Benjamin S. Rosenthal, Edward R. Roybal, William F. Ryan, James H. Scheuer, William L. St. Onge, Louis Stokes, Frank Thompson, Jr., John V. Tunney, and Morris K. Udall.

CUBAN INDEPENDENCE DAY

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. CRAMER. Mr. Speaker, May 20 is a very special day for Cubans and Americans. On that date in 1902, the Cuban

flag was first raised at the city hall in Havana and at El Moro Castle. On that date Cuba became a free country.

Most Americans know about the sinking of the battleship which made the cry "Remember the Maine" a part of our history. Most Americans know that this country interceded on behalf of the Cuban people fighting for independence from foreign domination.

Unfortunately, however, most Americans are not totally aware of the valiant fight put up by the Cuban people, alone and unassisted, for nearly a century.

The Cubans fought a 10-year war from 1868 to 1878 against a powerful Spanish Army. They have consistently sought freedom from oppression and their battle for independence from 1895 to 1898 found the United States fighting alongside of them.

But we cannot forget that the Cubans so loved liberty that the number of casualties in their two wars of independence mounted to a quarter of a million people. The total population of the island at that time was less than 2 million.

What this means is that one out of every four Cubans became casualties in their quest for liberty.

It is shameful to say that the United States seems to have turned its back on Cuba when it is suffering from the imposition of another foreign tyranny, international communism headed by the Soviet Union. Yet, State Department spokesman Robert McClosky, a holdover bureaucrat, threatens freedom fighters who wish to return and help their brothers throw off the yoke of this tyranny.

My colleague, Senator STROM THURMOND, has already brought this to the attention of the Senate. It is my wish to bring it to the attention of my colleagues in the House of Representatives and the American public.

The amount of sabotage being committed by Cubans inside Cuba is in line with the tradition of its people. Just a few days ago, on May 15, the Castro regime announced the execution by firing squad of a campesino who burned down a sugar warehouse at Isabela de Sagua.

This patriot lived in Cuba and gave his life in exchange for the destruction of 2,000 tons of sugar.

From all over Cuba come official admissions that the Cuban people are in massive resistance to the Communist regime of Fidel Castro.

It is fair to say that today resistance to Castro and communism is many times greater than the resistance which brought him to power in 1959. Yet, Cuban freedom fighters in exile are persecuted when their only purpose is to help their fellow man regain the liberty for which 250,000 Cubans fought and were wounded or gave their lives.

I should like to ask this question: Is it not in our own national interest that Cuba be freed from domination by a country a thousand times more powerful than the Spaniards of the 19th century? Does not the presence of a fleet of Soviet Navy ships anchored in Cienfuegos Harbor pose a threat to our own national security?

Among those ships are a missile firing cruiser and an atomic submarine. What

is the practical difference between land base missiles which brought on the crisis of 1962 and Soviet ships with missiles now anchored in Cuba?

It is no secret that our intelligence community fears that the Soviet Union is now prepared to establish a Caribbean fleet based in Cuba, and surely this fact must relate to our own security. I say that official efforts to protect Fidel Castro by suppressing freedom fighters are dangerous and nonsensical.

True, the State Department apprehends Cuban exiles on the grounds that forays from the United States are in violation of our neutrality laws. But I would like to cite an interpretation of those neutrality laws as rendered by the late Robert Kennedy when he was Attorney General of the United States.

His ruling was that the neutrality laws were, and I quote:

Among the oldest laws in our statutes books. They were not designed for the kind of situation which exists in the world today.

The late Attorney General continued, and I quote from his April 20, 1961, ruling:

The neutrality laws were never designed to prevent individuals from leaving the United States to fight for a cause in which they believe. There is nothing in the neutrality laws which prevents refugees from Cuba from returning to that country to engage in the fight for freedom, nor is an individual prohibited from the United States, with others of like belief, to join others in a second country for an expedition against a third country.

I believe that ruling not only is just but also was made in the cause of our own security. Unfortunately, it has been all but forgotten by our State Department which continues to harass Cuban exiles and even instructs the U.S. Coast Guard to apprehend freedom fighters on the high seas—a form of official piracy, I might add.

In conclusion, I would like to emphasize that Cuba is little more than a Soviet base dedicated to the destruction of our society, and that of free men everywhere. I should like to emphasize that our freedom is inextricably interwoven with the freedom of the Cuban people. The ominous presence of the powerful Soviet fleet based just off our shores underscores this fact.

KSU STORY ONE-SIDED IN TV REPORTING

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1970

Mr. LUKENS. Mr. Speaker, the events at Kent State are tragic enough without having emotions aroused and magnified by biased news coverage. Today I received an article which appeared in the Cleveland Plain Dealer, May 7, by Mr. William Hickey, which illustrates the irresponsible reporting of the deaths at Kent State.

Mr. Hickey, who is a TV and radio critic for the paper is well equipped to

analyze his fellow newsmen. His comments certainly give substance to Vice President AGNEW's criticism of unbalanced and biased news coverage.

I submit the following article for the interest of my colleagues:

**KSU STORY ONE-SIDED IN TV REPORTS**  
(By William Hickey)

The events of the past few days at Kent State University and elsewhere, tragic enough in themselves, created still further tragedy in that they brought out the worst in a number of local and network broadcast news departments.

Try as I may, I cannot recall what so distorted the reason and objectivity of television and radio news teams as did the deplorable incident on the Kent State campus. Never has one side of a story been so graphically illustrated, while the other has been so completely ignored or discounted.

This is not to suggest that the print media, both here and across the nation, was above reproach in handling the story, but at least a great deal more attention was given students and members of the National Guard than was heard over the electronic counterparts.

It was a case of emotion winning the day and reason be damned. Unfortunately, that attitude was displayed time and time again. This is the ultimate disservice to the community, for in a time of highly charged feelings the last thing needed is additional fuel.

Dorothy Fuldheim, long one of the city's leading news analysts, hosted a special broadcast Monday evening on WEWS-TV after returning from a trip to the scene of action and reason played little or no part in it.

The program was unworthy of Miss Fuld-

heim, who never quite managed to get her emotions under control. It should never have been aired for, taken in substance it was a blatant assault on the National Guard, with no regard for the particular circumstances its members faced that fateful day.

However, Miss Fuldheim's single-mindedness of purpose paled in comparison when placed along side the National Broadcasting Co.'s Huntley-Brinkley Report of Tuesday evening.

NBC-TV news has too many skilled and talented people on its payroll to push a half-hour of such one-sidedness upon a nation of viewers as it did with that piece of programming.

To make matters worse, the program was a technological horror. The lip sync was completely off and served only to make it all the more ominous.

David Brinkley, who has never mastered the fine art of concealing emotion despite his long tenure in front of television cameras, was nothing less than a disgrace.

Posturing, glaring, letting the world know exactly where he stood on that situation out in Ohio, left him no time to be a newsman.

He was too busy acting.

Watching these and several other shows, one gathered the impression that a troop of National Guardsmen invaded the campus without cause, provoked the students into a protest action and then fired into their ranks at will.

The cheapest moment of the Huntley-Brinkley Report came when the NBC-TV cameras rested upon the father of one of the slain students. The man, understandably near hysteria, made a number of irrational charges against the government and the condition the country was in, labeling it a totalitarian state.

While it was heart-wrenching to watch and all one's prayers and sympathies were extended to the father, that piece of film was totally dishonest and begged for rebuttal.

It is incumbent upon the news media, broadcast and otherwise, to investigate and understand both sides of a particular situation before it takes up a crusade in defense of what it knows not.

Certain facts should have been brought off with great emphasis, such as the demolition of downtown Kent of Friday evening; the total destruction of the ROTC Building Saturday evening; and that a state of martial law was in force.

If those points were stressed, the average viewer could better understand why the Guard was there in the first place, for as far as I know, nice college kids don't demolish towns and buildings. Radical types do, however, and some protection was needed for the town's citizens, as well as the students themselves.

Perhaps, if NBC-TV had interviewed and shown a number of former members of police departments, who are now condemned to live the remainder of their lives as vegetables, because they were struck on the head by rocks, that would have allowed the average viewer to better understand the nervousness and discomfort of the Guardsmen.

NBC-TV could have done any number of things to put the tragedy at Kent into proper focus.

However, to its undying discredit, it chose not to.

As a result, Vice President Agnew could present that 30 minutes of film as evidence to any court in the world to prove without doubt that the broadcast news media is biased.

## SENATE—Thursday, May 21, 1970

The Senate met at 11 o'clock a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord, giver of health and strength, send us into today's work trusting in Thy loving kindness, pledged to Thy loyal service, standing in Thy strength, and not our own.

We pray for those who have special need of Thee:

For all who are faced by great decisions affecting the lives of men and nations;

For all molders of public opinion;

For all who write what others read;

For all prophets and priests;

For all who hold aloft the lamp of truth;

For all whose hands are worn with too much toil and those whose hands are idle through unemployment;

For all prisoners of war and their loved ones.

May these Thy children be enfolded by Thy love and have grace sufficient for the day.

In the name of the Great Burden Bearer, Amen.

### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, May 20, 1970, be dispensed with.

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

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the distinguished Senator from Indiana (Mr. HARTKE), who is about to be recog-

nized under the order of yesterday, permit me to proceed briefly without losing his right to the floor or any of his time?

Mr. HARTKE. I am glad to yield.

### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nomination on the Executive Calendar will be stated.

### NATIONAL LABOR RELATIONS BOARD

The assistant legislative clerk read the nomination of Edward B. Miller, of Illinois, to be a member of the National Labor Relations Board for the term of 5 years, expiring December 16, 1974.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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