

EXTENSIONS OF REMARKS

MOVING THE FOOD STAMP REFORM LEGISLATION

**HON. HUGH SCOTT**

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 15, 1970

Mr. SCOTT. Mr. President, I strongly urge the House Committee on Agriculture to give serious and immediate consideration to the possibility of separating the food stamp reform legislation from the farm bill.

This past September 24 the Senate passed legislation to reform the food stamp program, which contained my amendment to extend the benefits of the program to elderly persons now denied eligibility because they lack kitchen facilities or because they are physically unable to cook for themselves. My amendment also proposed that private, nonprofit organizations be authorized to accept food stamps in exchange for cooked meals prepared either for home delivery or for consumption in community dining halls.

Identical legislation was introduced in the House of Representatives by Representatives EDWARD G. BIESTER, JR., and JOSEPH M. McDADE, two of my Pennsylvania colleagues.

Because the proposal to liberalize the food stamp program is a part of the administration's omnibus farm bill, now locked in the House Agriculture Committee, no House action has been taken on the food stamp measure. Therefore, I strongly urge the House Agriculture Committee to separate the food stamp legislation from the farm bill in order to get some House action on it as soon as possible.

I was exceptionally pleased to receive the resolution passed by the city council of the city of Cincinnati endorsing my food stamp legislation. I ask unanimous consent that the resolution be printed in the RECORD.

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

RESOLUTION

Endorsing the amendment to the 1964 Food Stamp Act proposed by Senator Hugh Scott which provides that private, non-profit organizations be authorized to accept food stamps in exchange for cooked meals prepared either for home delivery or for consumption in community dining halls thereby enabling greater numbers of aged men and women to participate in the meals program contemplated by the Federal Food Stamp Act.

Whereas, in approving the 1964 Food Stamp Act, Congress intended to help older citizens with meager incomes to buy more and better food; and

Whereas, under the present law persons who otherwise meet age, residency, and income requirements are still not eligible for food stamps if they do not have cooking facilities in their households, are physically incapacitated or chronically ill so that they cannot buy and prepare food, and if they

have no other persons to do this for them; and

Whereas, these people are often among the most isolated and needy in the community; and

Whereas, the proposed amendment would authorize the Secretary of Agriculture to designate specific church and other bona fied non-profit charitable organizations to accept food stamps in exchange for prepared meals; and

Whereas, the stamps would be issued only to needy individuals, the redemption of these stamps would also assist eligible groups in the purchase of food for these individuals who would be the direct beneficiaries of the amendment; now, therefore,

Be it resolved by the Council of the City of Cincinnati, State of Ohio:

That Council hereby endorses and expresses its support of the amendment to the 1964 Food Stamp Act proposed by Senator Hugh Scott which provides that private, non-profit organizations be authorized to accept food stamps in exchange for cooked meals prepared either for home delivery or for consumption in community dining halls thereby enabling greater numbers of aged men and women to participate in the meals program contemplated by the Federal Food Stamp Act.

Be it further resolved that copies of this resolution be sent to the Representatives from the First and Second Districts of Ohio; Mr. Hugh Scott, U.S. Senator, Mrs. Lucile S. Costello, Director of Senior Services, 1428 Vine Street, Cincinnati, Ohio 45210, and Mr. Frederick A. Breyer, Director, Hamilton County Welfare Department.

Passed: May 20, A.D., 1970.

Attest: \_\_\_\_\_ Mayor.  
 \_\_\_\_\_ Clerk.

KLEPPE COMMENTS

**HON. THOMAS S. KLEPPE**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. KLEPPE. Mr. Speaker, I wish at this point to include the text of my July 1970 Newsletter to my constituents of the West District of North Dakota:

WEST DISTRICT CITIZENS VOICE THEIR VIEWS  
 JULY, 1970.

I want to thank each of the more than 10,000 West District residents who responded to my annual questionnaire which was sent to all postal patrons in the District—about 81,000. I asked the people for their views on several major issues and problems of the day. The replies, in my opinion, present a good cross-section of their current thinking. Here are the questions, together with a percentage tabulation of their responses:

1. Do you believe the government should provide a guaranteed minimum annual income to welfare recipients? Yes 22% No 78%
2. As a means of stopping inflation, would you favor Federal wage, price and credit controls? Yes 68% No 32%
3. Should voting rights for citizens in national elections begin at age 18? Yes 24% No 76%
4. Would you favor a Constitutional Amendment to permit voluntary prayer in our public schools? Yes 85% No 15%
5. If you were a member of the U.S. Senate, would you have voted to con-

firm the nomination of Judge G. Harrold Carswell for the Supreme Court? Yes 54% No 46%

6. Do you favor strengthening of the ABM (Anti-Ballistic Missile System) as proposed by the President? Yes 63% No 37%
7. Do you believe that college students receiving loans or grants from the government should have such assistance cut off if they actively participate in demonstrations which cause property or physical damage or which interrupt the orderly pursuit of education by other students? Yes 93% No 7%
8. Vice President Spiro T. Agnew has been speaking out on a wide range of subjects. How would you rate his performance? Good 60% Fair 24% Poor 16%
9. Would you favor placing a limitation of \$20,000 a year on the amount of government payments an individual farmer could receive? Farmers—Yes 93% No 7% Non Farmers—Yes 97% No 3%
10. Please list in order of importance priorities you feel are most urgent.
  1. Ending war in Vietnam, 21%
  2. Controlling inflation, 18%
  3. Crime prevention and control, 17%
  4. Strengthening farm income, 13%
  5. Controlling air, water and land pollution, 12%
  6. Reducing defense spending, 11%
  7. Increasing aid to education, 8%

INFLATION: OUR NO. 1 DOMESTIC PROBLEM

It is not surprising to me that the thousands of North Dakotans who responded to my questionnaire placed inflation, right after the war in Vietnam, as the problem which concerned them most. Rising costs are placing enormous pressures in the pocketbooks of wage earners, housewives, farmers, retired people and others living on relatively fixed incomes. We call this inflation. But that is a rather non-descriptive word which does not even begin to convey its real meaning. Inflation could better be described as a thief. It steals from every one of us—by day and by night. Unlike Robin Hood who—according to legend—stole from the rich and gave to the poor, inflation steals from everyone and gives nothing to anyone.

I believe inflation can be brought under control by eliminating its primary cause, which is uncontrolled deficit spending by the Federal government itself. We simply can't go on year after year—spending more money than the government collects without forcing up prices for all goods and services, without pushing up interest rates and without skyrocketing the national debt. Some who complain most loudly about inflation also support the very increases in government spending which cause inflation. We must bring our Federal budget into balance. It may hurt a little. But—in the long run—it will be far less painful than the alternatives, which are unending increases in living costs and—eventually—bankruptcy for the people and their government.

ALCOHOL-GASOLINE RESEARCH STUDY

A research project designed to test the feasibility of blending grain alcohol with gasoline to produce a cleaner-burning motor vehicle fuel is getting underway. Wheat growers in North and South Dakota, Colorado, Idaho, Kansas, Montana, Nebraska, Oklahoma, Oregon and Washington have raised funds to underwrite actual testing of a 9 to 1 blend of gasoline with alcohol in an internal combustion engine to measure its performance in comparison with tetraethyl-leaded gasolines. For several months, I have strongly urged Federal agencies concerned with air pollution to conduct further studies along this same line. I continue to believe that a grain alcohol-gasoline blend will reduce air pollution, eliminate surpluses of wheat and other grains, save billions of dollars in farm program costs and improve engine performance. It is most encouraging to

me that wheat growers are undertaking their own program to prove these points.

#### HOW I VOTED

For conference report on H.R. 514, to extend programs of assistance for elementary and secondary education. *Passed.* For recommitment of Family Assistance Act to Committee on Ways and Means to restrict benefits in case of refusal of manpower services, training, or employment. *Passed.* Against Family Assistance Act on final passage. *Passed.* For H.R. 15693, to exclude from the mails certain objectionable material offered for sale to minors. *Passed.* For amendment adding \$4 million for medical care for veterans. *Passed.* For H.R. 14465, providing Federal assistance for expansion of the Nation's airports and airways, and to amend laws relative to taxation of aviation facilities. *Passed.* For H.J. Res. 1117, to establish a Joint Committee on the Environment. *Passed.* Against H.R. 17867, Foreign Aid Appropriations. *Passed.* For H.R. 17255, to amend the Clean Air Act to provide for a more effective program to improve the quality of the Nation's air. *Passed.*

For H.R. 17958, to liberalize Veterans' compensation. *Passed.* For H.R. 17070, Postal Reform, to improve and modernize the postal service, to reorganize the Post Office Department. *Passed.* Against H.R. 15361, Youth Conservation Corps. *Passed.* For H. Res. 914, to extend the Voting Rights Act of 1965. *Adopted.* Against overriding President's veto of H.R. 11102, hospital construction. *Passed.* (I co-sponsored legislation to provide the same dollar amounts for this most necessary program but I felt Congress should not tie the President's hands in effecting possible savings). For H.R. 17825, Omnibus Crime Control and Safe Streets Act of 1968. *Passed.* For S. 3592, to clarify the provisions relating to custom slaughtering operations. *Passed.* Against Cooper-Church amendment, regarding Cambodia. *Amendment Defeated.*

#### BILLS I INTRODUCED

H.R. 16838, to amend the Internal Revenue Code respecting reserves for bad debts of certain agricultural and livestock credit corporations. H.R. 16986, to restore investment tax credit up to \$15,000 for farmers and small businessmen. H.R. 16987, to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota. H.R. 17477, to provide appropriations for sharing of Federal revenues with States and their local governments. H.R. 17877, to provide for orderly trade in textile articles and articles of leather footwear. H.R. 17987, to limit the sale or distribution of mailing lists by Federal agencies. H.R. 18106, to extend the time for conducting the referendum with respect to the national marketing quota for wheat for 1971. H. Res. 1127, designating January 22 of each year as Ukrainian Independence Day.

#### MENTAL HEALTH INFORMATION SERVICE

North Dakota has established the first state-wide Mental Health Information Service in the Nation, operated by the N.D. Mental Health Association of Bismarck, in cooperation with the State Health Department and the State Hospital at Jamestown. Mrs. R. W. Wheeler, Bismarck, Association President, advises me that the information and referral service is available to all residents of the State who may obtain it, toll free, by dialing 800-342-4706. Callers can receive information concerning all available services, including hospitalization, consultation, education and emergency help. Anyone interested in supporting this most worthwhile project or learning more about its fine work may write N.D. Mental Health Association, Box 160, Bismarck, 58501.

It was a great honor to plant the Emmons County Soil Conservation District's three millionth tree on the grounds of the County Courthouse at Linton. Among those present for the planting were State Senator Bob

Chesrown, E. L. "Buck" Worthington, Mandan, retired State forester, and Wilbur VanderVorst, County SCD chairman.

"If the Constitution be picked away by piecemeal, it is gone—and gone as effectively as if some military despot had grasped it at once, trampled it beneath his feet, and scattered its loose leaves in the wild winds."—DANIEL WEBSTER.

#### HORTON COMMENDS MILDRED W. JOHNSON FOR HER OUTSTANDING SERVICE TO THE ROCHESTER COMMUNITY

#### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. HORTON. Mr. Speaker, an outstanding citizen of Rochester was recently honored as the black citizen who has done the most for the community in the past decade. I would like to share the knowledge of some of her accomplishments with the House of Representatives. She is Mrs. Mildred W. Johnson, executive director of the Virginia Wilson Interracial and Helping Hand Center at 297 Joseph Avenue and is known as a woman who can get things done.

Mrs. Johnson was presented with a Gold Cup Award by the Big Eleven Businessmen's Club at a ball in her honor, and Coleman Faison, business manager of the club, says Mrs. Johnson was chosen because of her service to the community in spite of tremendous odds against her success in her ventures.

Her center runs on private contributions not Community Chest funds. Staffed largely by volunteer help, the center provides help for those who have run out of places to turn to for finding housing, jobs, food, and temporary shelter.

As Sandy Flickner, writer for the Rochester Democrat and Chronicle recently stated in her salute to Mrs. Johnson, the winner of the first Gold Cup Award is often described as the "black matriarch of the city." She started the center in her own home more than 10 years ago because she wanted to help people in trouble. When informed that she was the winner she paused in her work long enough to say she was "tickled" about it but would much rather have someone contribute needed funds to the center.

I have known Mildred Johnson for many years and have always admired her great abilities to overcome any odds in the pursuit of her goals. Hard work and extreme devotion to her cause have brought her the admiration of the community which knows her as a woman tough and unbending before public officials or private wealth in her efforts to help poor people.

There will be other winners down through the years of the Gold Cup Award, but none will be more deserved. Mrs. Johnson is a dynamic person with a ready smile for everyone, and a sense of humor that sees her through many trying moments, but always her selfless determination to help those in need

shines forth as her outstanding characteristic. She is indeed an outstanding personality, loved by all with whom she comes in contact and admired by the entire community as a most worthy recipient of the Gold Cup Award.

The Big Eleven Businessmen's Club is composed of members of Laborer's Union, Local 435. They include James Bush, Coleman Faison, Bobby Farley, Larmar Goings, Ray C. Griffin, Willie Jones, Clifford McNeal, Martin Mosley, Ted Reeves, Thomas Riley, and Joe Wyatt.

I congratulate them on their choice of Mildred W. Johnson and I am sure my colleagues join me in saluting this winner of the first Gold Cup Award.

#### TRIBUTE TO CONGRESSMAN RICHARD D. MCCARTHY

#### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. VANIK. Mr. Speaker, the New York Times today pays a richly deserved tribute to our distinguished colleague from New York, Mr. McCARTHY. It has been my pleasure to serve with Mr. McCARTHY during the 89th, 90th, and 91st Congresses. He is, without question, one of the most outstanding Members of the House. He led the fight for enactment of a whole series of antipollution, anticrime, economic development, and public works measures. We are all familiar with his singular accomplishments in his crusade against chemical and biological warfare. He succeeded in obtaining an abandonment by the United States of germ warfare, deadly toxins, and the birth-defeating defoliant 2,4,5-T. He also obtained administration support for two international arms control agreements. He was instrumental in passage of much needed legislation applying strict curbs on the manufacture, transportation, and disposal of chemical warfare agents.

It would indeed be a tragedy for the House of Representatives and for the Nation itself to lose the services of this dedicated young legislator. Let us hope that a way will be found to utilize the talents and the experience of this brilliant, young legislator.

On Wednesday, July 15, 1970, the New York Times editorially expressed these views in the following editorial:

#### WASTING A GOOD CONGRESSMAN

A regrettable consequence of last month's otherwise pleasing Democratic primary is the threatened loss of Representative Richard Max McCarthy from the national scene. To run for the Senatorial nomination, Mr. McCarthy had to give up the chance to try for another term in the House of Representatives. His defeat by Representative Richard L. Ottinger, who was our choice among several good candidates, now leaves Mr. McCarthy out in the cold—and deprives this state of an excellent member of its Congressional delegation.

Thomas Flaherty, Democratic nominee for Mr. McCarthy's House seat, is given only an outside chance against a Republican opponent who, aside from his services as a quarterback for the Buffalo Bills, has no public record except coming out for Barry Gold-

water in 1964 and subsequently serving as an aide to Governor Reagan of California. Were it not for a peculiar State law, Mr. Flaherty could drop out now, allowing the State Committee to designate in his stead Mr. McCarthy, a seasoned incumbent and formidable local vote-getter, who polled double the tally of his three Senatorial rivals combined in his native Erie County. But the law forbids Mr. Flaherty's replacement on the ticket for any reason except death—or his designation at the September judicial convention as the party's candidate for the State Supreme Court.

Obviously, no one should appear on the ballot for two positions, but why should it be necessary for the party to penalize itself, the candidate, and, above all, the voters by forbidding a nominee to withdraw—voluntarily of course—to make room for an experienced candidate whose only offense was the efforts to serve both party and electorate in a higher office?

### THE RAGING BATTLE AGAINST SEX DISCRIMINATION IN UNIVERSITIES AND COLLEGES

#### HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mrs. GRIFFITHS. Mr. Speaker, at this time, I would like to insert in the RECORD a copy of a letter addressed to Senator CRANSTON and written by Dr. Bernice Sandler commenting on a reply sent to the Senator by the Secretary of Labor, George Shultz, concerning sex discrimination in our higher education institutions and the enforcement of Executive Order 11246:

WOMEN'S EQUITY ACTION LEAGUE  
Silver Spring, Md., July 8, 1970.

Senator ALAN CRANSTON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR CRANSTON: Thank you very much for writing the Secretary of Labor on our behalf, and for sending me a copy of the reply that Secretary of Labor George Shultz wrote you concerning sex discrimination in universities and colleges, and the enforcement of Executive Order 11246, as amended. As you know, the Order forbids Federal contractors from discriminating against women. The letter contains so many inaccuracies that I am somewhat at a loss as to how to respond. Someone obviously has been feeding the then Secretary of Labor a good deal of misinformation. Let me list some of the major distortions contained in the letter.

1. Secretary Shultz states that the Office of Federal Contract Compliance "consults on a regularly scheduled frequent basis with interested parties such as WEAL." I am not sure just what "regularly scheduled" means but I would not use that term to cover my one formal meeting with members of the OFCC staff since WEAL's original January filing. Dr. Ann Scott, my counterpart in the National Organization For Women (N.O.W.) was present at that meeting, and I believe she may have met one other time with an OFCC official. I would welcome frequent, regularly scheduled meetings with OFCC officials.

2. The statement that WEAL has not brought up any cases in which the Order was not enforced is an outright denial of the Department of Labor's complete lack of enforcement of Executive Order 11246. In fact, until WEAL brought forth its charges, sex was not included in any compliance review or pre-contract compliance review, despite the fact that the Order went into effect in

October 1968. Every single one of our charges represents a university or college where sex has never been included in whatever reviews were done. Furthermore, until WEAL filed, I know of no affirmative action plan for women, as required by the Executive Order, that was ever requested, developed, filed, or implemented in any institution of higher learning, because Contract Compliance never even asked for this, despite the fact that more than 3.3 billion dollars of Federal money is issued to these institutions. As far as I can tell there has been no attempt, even now, more than 5 months after our initial filing to even notify all universities and colleges that discrimination against women is just as much a violation of the Executive Order as is discrimination against other minorities.

3. A check of our filings would show that we have filed against more than 100 (not 60) colleges and universities.

4. The description of charges being "promptly processed for investigation with a report of findings and recommendations targeted for sixty days from the date of receipt" is a creation of someone's fantasy. Indeed, it has sometimes taken more than sixty days for some of our filings to be sent across the Mall from the Department of Labor to the Dept. of H.E.W. for investigation.

I know of no investigation that has been started in response to WEAL's charges other than the University of Maryland. Mr. Louie E. Mathis, the public information officer for the Office for Civil Rights of H.E.W. confirmed this to a Washington Post reporter (see enclosed article), and stated that the other reviews currently under way (Harvard and Manhattan Community College) were part of "broader reviews." The only response to our original "class action" complaint asking that all universities and colleges come under review has been a promise from H.E.W. to now include sex in every compliance review—an obvious admission that it had been omitted previously. At least in this case H.E.W. is admitting their previous inaction. One cannot say that for the Dept. of Labor.

Let me give you another example of prompt processing." Our complaint against the University of North Carolina (March 16, 1970) has still not been investigated (and it's well over 60 days); moreover, officials at the University of North Carolina have not yet been formally notified that a complaint has even been filed against them (see enclosed clipping).

5. On May 27, 1970, WEAL submitted to the Secretary of Labor an extensive plan of Affirmative Action (copy enclosed) to be used as a model with all universities and colleges that hold Federal contracts. This plan was drawn up in line with the Department of Labor's own guidelines for affirmative action plans. Some five weeks later I have not even had the courtesy of an acknowledgment of my letter, let alone a response to my request to discuss this plan with officials of the Department of Labor.

6. The Department of Labor has shown little interest or concern with enforcing the Executive Order with regard to women. The Executive Order 11375 which amended 11246 to include sex was promulgated in October 1967, to be effective October 1968, with the intervening year to be used to develop and issue guidelines. Yet it took nearly three years (from October 1967 to June 1970) for the Department of Labor to finally issue a set of guidelines relating to sex. And even these guidelines are a watered down and weakened version of the original guidelines proposed by the Department of Labor itself.

The Department of Labor has policy responsibility for enforcement of the Executive Order; yet throughout the Federal establishment, other agencies—lacking leadership from the Department of Labor—also ignore those aspects of the Executive Order that apply to sex. For example, in a recent New York meeting (June 18, 1970) conducted by

the Department of Defense's Office of Contract Compliance with representatives of some 200 large Federal contractors, Mr. Seymour Maisel, Chief of the New York Regional Office of Contract Compliance for the Department of Defense, stated that Order No. 4 (the Labor Department's guidelines for affirmative action plans) does not address itself to the "female problem"; that the definition of "minority" to include women has not been reaffirmed; that contractors do not have to set goals for female employment, and that if women were excluded from affirmative action programs as defined by Order No. 4 it would not make a bid "unawardable." Such statements are irresponsible and in direct contradiction of the Executive Order itself and subsequent Dept. of Labor guidelines, policy statements, and communications to various members of the Congress. This is characteristic of the "vigorous enforcement" that the Department of Labor talks about.

On June 25, the National Organization for Women (N.O.W.) filed charges against more than 1300 Federal contractors and subcontractors. NONE of these had ever filed a plan of affirmative action concerning the employment of women, despite the fact that the Executive Order 11375 went into effect in 1968. (The fact that guidelines had not been issued does not in anyway invalidate the applicability of the Executive Order to these companies.)

A recent statement by Mr. Robert Smith, acting director of public affairs for H.E.W. confirms the worst of our suspicions of the complete disregard for women in the enforcement of the Executive Order. As you know, the enforcement of the Order with other minorities has focussed on apprenticeship programs. WEAL is making the point that admission to college at both the undergraduate and graduate level is indeed analogous to the apprenticeship training programs of industry. Without admission to college training, it is virtually impossible to prepare for college teaching. Thus control of the future labor market of faculty is controlled at the entry level, admission. (As with other minorities and employers, universities say they'd be "glad to hire women but there are no qualified women.") Under the Executive Order and all the guidelines issued by the Labor Department, admission is indeed a proper and necessary part of any investigation into employment in the academic community. Our complaint at the University of North Carolina is specifically focused on admission policies, since that university restricts admission of women only to women who are "especially well qualified (about 26% of the women who apply are accepted in contrast to over 50% acceptance of the men who apply).

Mr. Smith stated: "I want to emphasize that the admission of students on the basis of sex is not and has never been under the jurisdiction of any federal agency. In other words, we have absolutely no jurisdiction on student admissions." June 25, 1970, *The Tar Heel*, enclosed. Apparently, while giving lip service to our complaints, the government is trying to keep the scope of what it does so narrow as to be meaningless.

Let me add here that Contract Compliance in H.E.W. has exactly one woman on its staff to handle complaints; she was transferred there only after WEAL's initial filing. The Office of Federal Contract Compliance in the Dept. of Labor is similarly lacking in women, as is the case in practically all contract compliance offices. In contrast, all of these offices have made a remarkable and successful attempt to integrate their staff in terms of other minority representation. It is difficult for women to expect (and get) fair treatment from an enforcement agency that has virtually no women on its own staff.

At hearings in June by the House Special Subcommittee on Education concerning sex discrimination in higher education, the OFCC

of the Dept. of Labor refused to appear to testify. I was informed by a member of the Washington Press Corps that even Mrs. Elizabeth D. Koontz, Director of the Women's Bureau could not get "White House clearance" to testify at the time scheduled for her to appear. So far not one official from the Department of Labor has testified.

The government officials who did testify rejected aspects of the bill at hand (H.R. 16098) which would help in the struggle against sex discrimination. For example, the U.S. Commission on Civil Rights testified against extending that Commission's jurisdiction to include sex; The U.S. Office of Education testified against extending Title VII of the Civil Rights Act of 1964 to include educational institutions. Thus the Nixon Administration has rejected two of the primary recommendations of the President's Task Force on Women's Rights and Responsibilities.

At the recent 50th Anniversary Conference of the Women's Bureau (June 12, 1970) both the then Secretary-designate Mr. James D. Hodgson, and the Assistant Secretary of Labor, Arthur A. Fletcher publicly stated their concern and willingness to move forward on the problems of sex discrimination. As you can see from all of the above there is much to be done.

It is all well and good for Contract Compliance to claim personnel and dollar shortages; we agree that more resources are needed. However, there is no reason why existing resources cannot be reallocated and priorities recorded, particularly since half of every other minority group are women. This kind of action is not dependent upon appropriations action by Congress. Communication to all other government contract compliance agencies and to all Federal contractors that Executive Order 11246 as amended *must* be enforced with regard to women, and that Order No. 4 does indeed apply to women, is essential. Until this is done, all the promises by the Labor Department are meaningless.

We obviously have few friends in this Administration. It is frustrating and discouraging to get lip-service and rhetoric on the one hand, and no action on the other. Anything you can do to get the appropriate government representatives to stop talking and to begin action will be deeply appreciated by the women in America.

Sincerely,

BERNICE SANDLER, Ed. D.,

Chairman, Action Committee for Federal Contract Compliance in Education.

#### CHAIRMAN CLAUDE PEPPER AND HOUSE CRIME COMMITTEE

#### HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. MADDEN. Mr. Speaker, we are all aware of the seriousness of the challenge of crime to our agencies of criminal justice.

The very real concern of citizens for the escalating frequency of crimes against person and property, generally referred to as street crime, was in part responsible for the establishment last year of the Select Committee on Crime of this body.

I have been extremely impressed with the comprehensive and deliberate approach this committee has been taking under the chairmanship of our able colleague, the Honorable CLAUDE PEPPER.

Chairman PEPPER and the other members of the committee have been engaged

in a thorough examination of all elements and aspects of the challenge of crime as was written into the mandate establishing the committee.

The committee has held extensive hearings in the Capital as well as in eight cities across the country. Areas of emphasis have included youth crime, court delay and case backlog, the adequacy of local law enforcement, narcotics addiction, organized crime and the effectiveness of adult and juvenile correctional institutions in prisoner rehabilitation.

On this last point, I was especially pleased with an inspection that the chairman and members of the Select Committee on Crime made to five States in an effort to gauge the effectiveness of rehabilitation programs for young offenders.

One of the States visited was my State of Indiana, where Chairman PEPPER and Congressman ROBERT V. DENNEY examined the Indiana School for Boys at Plainfield and the State Reformatory at Pendleton.

This matter of improving the effectiveness of correctional institutions is an important link in the effort to reduce crime in the country. More than half of all serious crimes committed are by persons under the age of 21. Of these young offenders arrested for criminal acts, it has been estimated that from 50 to 60 percent have been incarcerated before in correctional institutions.

I agree with Chairman PEPPER when he states that if we can cut down on the number of repeaters reentering our correctional institutions, we will have taken a significant step in reducing the frequency of crime in this country.

It is my understanding that the committee plans to issue a report on street crime and its relationship to youth crime which will include information gathered in the inspection of juvenile institutions in Indiana as well as other States. I eagerly await this report.

At this point in the RECORD, Mr. Speaker, I would like to include three of the many articles that appeared in the Indiana press following the committee's inspection there July 9:

[From the Indianapolis News, July 9, 1970]

#### BOYS SCHOOL HAS OFFICIAL VISITORS

(By David Mannweiler)

PLAINFIELD, IND.—Two fact-seeking U.S. Congressmen came to the Indiana Boys School today to learn how Indiana treats its young offenders and to offer suggestions for new programs.

Representatives Claude Pepper, D-Fla., chairman of the Select Committee on Crime in the House of Representatives, and Robert V. Denney, R-Neb., spent almost 4 hours at the school with Alfred R. Bennett, school superintendent, and Robert Heyne, commissioner of the Indiana Department of Correction.

The lawmakers visited the Indiana Reformatory at Pendleton this afternoon.

Their visit coincided ironically with the escape and capture of six inmates of the Boys School. The youths, ranging in age from 14 to 17, slipped away from the school shortly after 9 p.m. yesterday and were recaptured today about 6 hours before the congressional visitors arrived at the school.

Pepper said he was concerned about the 40 per cent recidivism (repeater) rate at the Boys School although he said it prob-

ably is smaller than in similar institutions in other states.

"It appears we are running the same people through the correctional mill. If we can teach these boys something while they are in institutions, and they do not repeat offenses, we can cut crime 50 percent."

#### MINNESOTA RATE CUT

Pepper and Denney said they were "very impressed" with the Minnesota School for Boys at Red Wing, a school that has attempted many experimental programs and has reduced its repeater rate to 19 per cent.

Pepper said Red Wing's "group therapy" program, in which nine or ten youths relate and rehash personal problems in group discussion, "is fantastic."

Bennett said his institution started a pilot program using the Red Wing concept about a month ago. "I feel we are at least one year behind them but our institution is considerably larger than theirs."

Red Wing has between 350 and 400 inmates and keeps each youth for at least one year.

The Boys School has between 550 and 600 inmates and keeps most of them only six months.

Pepper said the Red Wing institution cost \$7,600 per year for each youth in the institution. Indiana spends about \$1,100 per year per inmate.

"That's quite low, as far as most juvenile institutions go," Bennett told Pepper.

#### A 100 INMATE LEVEL

He added that he would like to see the Federal government create assistance for training personnel for enlarging the Red Wing concept in Indiana. He also told the Florida lawmaker the best size for a juvenile institution would be under 100 inmates but "we would be most satisfied to reach the 350-inmate level."

Denney said he thought the one to 4.5 ratio of staff to inmates at the Boys School is too high and that the Red Wing ratio of one to 1.5 was ideal.

He said it would require up to seven years to switch the Boys School to the Red Wing type of program.

Pepper said the purpose of the committee's tour was not to investigate brutality charges or administrative errors "but to look at how the Federal government can give assistance in the states in helping to stop crime."

He said the omnibus crime bill will offer \$250 million to state institutions when it finally passes Congress.

#### DENNIS TO STUDY HOUSE INQUIRY ON REFORMATORY AT PENDLETON

As a member of the House Committee on the Judiciary, which handles anticrime legislation, 10th District Congressman David W. Dennis said he is looking forward to a full report on the House Special Committee on Crime's investigation at Pendleton today.

The group, chaired by Democrat Rep. Claude Pepper of Florida, is conducting a study regarding the environment and rehabilitation procedures in institutions for youthful offenders through the Midwest in order to determine why there is such a high rate of repeat offenses in that age group.

Pepper and the members of his committee will visit the Indiana Boys' School at Plainfield and the Reformatory at Pendleton today.

Dennis said on a national basis, more than 50 per cent of young persons under 21 in penal institutions are repeat offenders. The combined average is 60 per cent for both young and adult offenders.

"I firmly believe," Dennis continued, "that better correction and rehabilitation programs in our penal institutions, particularly for the young, would be a worthwhile investment. Quite obviously, a reduction in repeat offenders could significantly reduce the country's crime rate. I wish to commend the

House committee for its efforts and for including the Pendleton facility in its nationwide investigation.

"The information gathered should be helpful in furthering anti-crime legislation," Dennis remarked.

The recently passed bill, which Dennis co-sponsored, extending the Crime Control and Safe Streets Act of 1968 required that 25 per cent of the funds in the measure be used for correction and rehabilitation.

Kenneth B. Bays of Anderson, state representative from this district, will accompany the federal legislators on the tour as Dennis' personal representative.

[From the Gary Post-Tribune, July 10, 1970]

#### PRISONS "TOURISTS" FAVOR U.S. GRANTS

INDIANAPOLIS.—Two members of the House Select Committee on Crime declared support for federal grants to build decentralized youth correctional facilities as they returned here Thursday from a day of visits to two Central Indiana institutions housing young prisoners.

The reaction came from Rep. Claude Pepper, D-Fla., chairman of the committee, and Rep. Robert V. Denney, R-Neb., after their visit in Indiana during a five-state tour to collect suggestions for new legislation to improve states' correctional systems.

Pepper observed after visits to the overcrowded Indiana Boys School at Plainfield and the Indiana State Reformatory near Pendleton, "It looks like it may be time for the federal government to do for corrections what it has done for the highway systems in the states."

Denney noted, after discovering that a fourth of the boys school population came from Lake County, that "perhaps we should have another school near Lake County, near family and community contacts to facilitate rehabilitation."

He said after viewing some of the dormitory cottages at the boys school: "It would be in the public interest if it could burn up."

Pepper and Denney joined later in recommending more regional centers.

"They should be much smaller and closer to the homes of the inmates," Pepper said, urging maximum inmate loads of 250 to permit more individual treatment.

Pepper and Denney spent the last half of their one-day Indiana visit at the reformatory with its 2,200 young male felons after visiting the boys school during the morning. The boys institution houses about 600 juveniles 10 to 18 years old.

Both Denney and Pepper commended the "group therapy" plan in use at the Red Wing (Minn.) Training School which members of the committee visited Wednesday. Both displayed enthusiasm for the group therapy approach as vastly superior to the mass population treatment.

Pepper offered the opinion that Indiana's system is better than many, but typical of those found all over the nation. Both congressmen rated the vocational education facilities at the two institutions as effective, but deplored the low percentage of inmates involved in the programs and the lack of equipment.

The touring lawmakers voiced alarm over the rate of recidivism (repeat terms) among boys school charges and the emphasis on detention rather than training at the reformatory.

"We will just have to make a complete change in the structures and attitudes of our institutions," Pepper said.

Pepper talked with a frail 90-pounder from Gary during a stop at the boys school. The 16-year-old, attending 10th grade classes at the institution's high school, told Pepper he was sent there for a burglary he committed "just to be doing something."

Pepper and Denney quizzed dozens of inmates at each of the institutions visited, but

sought only comments to indicate general changes that should be made in the institutions or systems. Pepper clarified for newsmen that his party was not out to investigate specific failures of the systems, such as the riot that occurred at the reformatory last Sept. 26.

In that incident, shotguns fired by guards, ostensibly to terrify brooding inmates into submission, killed two inmates, one of them from Gary, and wounded some 40 others. A survey of the situation conducted by a private Chicago organization for The Post-Tribune concluded that definite racist feelings laced the security staff's conduct in quelling the demonstration.

Pepper recalled the disturbance and said, "It was just the tragic result of a situation that never should have been allowed to continue building."

A Madison County grand jury later ruled that the guards did act improperly in firing their shotguns to control the rioters.

A Christian Science Monitor newsman wrote detailed accounts of brutal treatment of inmates at the boys school after visits there last year. However, the touring congressmen said they found no evidence of brutality at the school.

A Hendricks county grand jury, likewise, ruled after its examination of the institution recently that there was no evidence of officially sanctioned brutality there.

Pepper and Denney criticized the lack of comic books, magazines or newspapers in detention cells and noted that youths were not allowed to sit or lie on their cots during the day, having instead to sit on the floor.

Officials said a "misunderstanding" was to blame and cited a June 17 memorandum giving permission to lie on beds at any time and to bring in reading material.

A staff member said the inmates had been asked to remove comic books, magazines and newspapers "so the place would look nice for the visitors."

Pepper said he also was disturbed to find that 35 boys sleeping in a cottage dormitory had to use the same toilet in plain view of everyone.

"It looks like they could have a private toilet instead of having it right out here in front of everyone," Pepper said.

Both congressmen talked with dozens of inmates they picked at random at each institution. At Pendleton, Pepper caused guards some anxiety as he poked his hand through the bars of numerous cells to shake inmates' hands.

Pepper asked inmates whether they ever had any rehabilitation, and one replied, "We just sit around and plan more crime when we get out."

Denney said he found no athletic equipment except basketballs for the boys to play with.

The lawmakers said Indiana's problems were typical of the nation's.

#### CONGRESSMAN BEN REIFEL RECEIVES INTERIOR DEPARTMENT COMMENDATION

#### HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. NELSEN. Mr. Speaker, serving in the Congress, we meet many completely likable and outstanding persons. Certainly, standing in the forefront of this category is Congressman BEN REIFEL, of South Dakota. His friendly, responsible approach has enabled him to accomplish much for his State and Nation.

So it is my great pleasure to bring to the attention of our membership the fact that our colleague, BEN REIFEL, has been presented with a special commendation by the U.S. Department of the Interior. This commendation was announced by Secretary of the Interior Walter J. Hickel at the Department's 38th honor awards convocation here on June 30.

I am sure that I speak for all of us in extending heartiest congratulations to BEN on meriting this fine honor, and I include for the RECORD the full citation announced by Secretary Hickel at this point in my remarks:

#### COMMENDATION PRESENTED TO BENJAMIN REIFEL

Congressman Reifel served twenty-two years with the Bureau of Indian Affairs. Upon his retirement as Area Director in 1960 he received the highest honor of the Department of the Interior, the Distinguished Service Award.

During his eight years of service on the House of Representatives Appropriations subcommittee for the Department of the Interior and Related Agencies, Congressman Reifel's keen interest in and devotion to the programs of the Department of the Interior has been extremely inspirational and deeply appreciated.

The Nation in the years to come will derive immeasurable benefits from the unselfish efforts of Congressman Reifel in striving towards the proper use and conservation of our country's natural resources. Mr. Reifel's dedication and relentless work on behalf of the American Indian has resulted in the creation of many opportunities which will assist our Indian people in obtaining their proper place in our society.

#### A CALL FOR REDIRECTED NATIONAL PRIORITIES

#### HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. SYMINGTON. Mr. Speaker, the host of foreign and domestic demands on our national resources, and the extent of public concern about these demands, constitute a mandate to the Congress and the administration to reorder our national priorities. Over the past 18 months a number of congressional attempts to redirect our Nation's resources to domestic needs have been criticized or vetoed by the administration. Our foreign commitments rise, our economy suffers, and our urban areas reach in distress for assistance that is not forthcoming. The following resolution passed by the City Council of University City well expresses the needs of communities throughout this country, and reiterates the call for redirected national priorities. At this point, I insert in the RECORD this resolution, which was sent to me by one of Missouri's most knowledgeable and dedicated mayors—Mayor Nathan Kaufman of University City:

#### RESOLUTION

Vast areas of many central cities, suburbs and older neighborhoods are suffering from an accelerated decay and abandonment as exemplified by several thousand vacant and dilapidated buildings in cities adjacent to the City of University City, Missouri.

The spreading deterioration of these urban

areas has been causing great economic losses to property owners while intensifying the deprivations of their residents and denying the opportunities for self help to many of these residents.

City governments serving areas where some 70% of the United States citizens reside have been receiving in recent years only about one-half of one percent of the Federal budgetary outlays for the hundreds of aid programs. (1)

On the other hand, in large measure the enormous Federal military expenditures (now over 70 billions annually) are among the prime causes of the inflationary cost pressures—which are strangling city services everywhere—and which are threatening to force reductions in services in University City.

This great Federal commitment to military expenditures also has caused exasperating delays in the implementation of aid programs to University City, and has curtailed heretofore promised federal aid to its programs in housing and urban renewal, as has been the case for hundreds of cities.

We believe the greatest threats to this nation's stability and security come from problems centered in urban areas, such as housing, education, employment, welfare, race, crime and pollution.

Therefore, the City Council of the City of University City, Missouri, urges the President and the Congress to immediately redirect the resources and to reestablish the priorities of the Federal Government so that far greater emphasis is placed on funding domestic needs in order to avoid a national catastrophe of American cities being destroyed by urban decay.

Adopted July 6, 1970.

NATHAN B. KAUFMAN,

Mayor.

Attest:

FRANCIS C. FLYNN,  
City Clerk.

#### QUESTIONNAIRE RESULTS, FOURTH DISTRICT OF WASHINGTON

### HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mrs. MAY. Mr. Speaker, this spring I sent a special report/questionnaire into virtually every household in the 12-county Fourth Congressional District of the State of Washington.

In response, 22,584 persons filled out the questionnaire and returned it to me, representing a sampling of approximately 10 percent of the district's adult population.

I now report the tabulated results of the questionnaire for the information of my colleagues and all others interested:

CONGRESSWOMAN CATHERINE MAY'S 1970 QUESTIONNAIRE RESULTS, FOURTH DISTRICT, WASHINGTON DISTRICTWIDE TABULATION

#### WELFARE

One of the most controversial proposals before Congress is the "Family Assistance Plan" which would guarantee a minimum income to every family. The new plan would replace the present welfare program which has often been criticized for encouraging idleness, breaking up families, and robbing people of their dignity and hope for the future. Startup costs of the "Family Assistance Plan" would be higher than the present program, but long-range costs should be less because adult family members would be encouraged to seek jobs and to train for

better jobs. Question: Should we scrap the present welfare system and begin the "family assistance plan"?

Yes, 71 percent; No, 22 percent; No opinion, 7 percent.

#### VOLUNTEER ARMED FORCE

A Presidential Commission has strongly recommended that we permit selective service to expire and return next year to the kind of all-volunteer Army, Navy, and Air Force that we have had in our country through most of our history. As incentives for voluntary service, the Commission recommends better military pay and fringe benefits. A man would have to agree to serve only as long as required to justify the cost of initial training or any advanced training received. Question: Should we follow the commission's advice and move to an-all volunteer Armed Force?

Yes, 78 percent; No, 20 percent; No opinion, 2 percent.

#### FOREIGN AID

A new approach to foreign assistance, based on the proposals of a Presidential task force, will be recommended as one of our major foreign policy initiatives in the coming years. The new program would place much more emphasis on international cooperation, with the United States acting in partnership with others, rather than going it alone. The primary aim of such new policy would be the forging of a new structure of world stability in which the burden as well as the benefits would be fairly shared. Question: Should we initiate this new approach to foreign assistance?

Yes, 87 percent; No, 8 percent; No opinion, 5 percent.

#### VOTING AGE

At the present time, voting regulations are set by the individual states and, therefore, each state has it within its power to consider the question of whether the voting age should be lowered. In the State of Washington, the Legislature has decided to submit the question of lowering the voting age to 19 to the voters on the November ballot. More recently, the United States Senate passed a bill to reduce the voting age to 18 nationwide, by direct statute. If approved by the House and signed into law, the change would become effective next January 1. Because the method utilized would bypass the state ratification process of a constitutional amendment, a court test of the constitutional validity of such a direct statute action would be a certainty. Question: Should the U.S. Senate action to lower the voting age to 18 be supported by the House?

	Percent
Yes .....	28
No .....	71
No opinion .....	1

Question: Should the Congress instead submit to the States for ratification a constitutional amendment to lower the voting age?

	Percent
Yes .....	34
No .....	49
No opinion .....	17

Question: Do you favor lowering the voting age in the State of Washington to 19, as submitted to the voters in next November's ballot?

	Percent
Yes .....	43
No .....	52
No opinion .....	5

#### DRUG CONTROL

In January the U.S. Senate passed the "Drug Control Act" to revise the federal narcotics and dangerous drug laws. Subcommittee hearings were held in the House in February, but no further action has yet been

taken. Most of the debate has centered around a controversial "no knock" provision to allow law enforcement officers to enter places without notice in order to seize drugs which would be destroyed if the officer knocked before entering. Opponents argue that the provision authorizes unreasonable search and seizure expressly forbidden by the Constitution. As the bill passed the Senate, the officer would have to obtain a search warrant and the magistrate issuing the warrant would have to be satisfied that evidence will be destroyed or life endangered if advance notice of entry is given. Question: Should the "no knock" provision be included in the final version of the "Drug Control Act"?

	Percent
Yes .....	61
No .....	36
No opinion .....	3

#### FEDERAL REGULATION OF THE TRAVEL AGENCY INDUSTRY

### HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, today I join with my distinguished colleague from Rhode Island, Congressman ROBERT O. TIERNAN, in co-sponsoring legislation to provide for Federal regulation of the travel agency industry. This legislation would protect persons who utilize the service of travel agencies and guard against any repetition of the unfortunate experiences of many students in Europe this summer, due to the financial collapse of certain travel agencies.

The following news item appearing in the Quincy Patriot Ledger calls attention to the personal tragedy of several constituents in the 11th Massachusetts Congressional District:

TOUR HAS SUDDEN END FOR FONTBONNE GIRLS  
(By Bruce W. McLain)

MILTON.—Ten girls and a music teacher from Fontbonne Academy are on their way home today from Venice, Italy—the casualties of the ill timed financial collapse of the travel agency that arranged their ill-fated European tour.

#### BAD NEWS

The mother of one of the girls told The Patriot Ledger yesterday that she had received a phone call from her 17-year-old daughter, Virginia O'Leary, of 71 Waldeck Rd., giving her the bad news.

Mrs. O'Leary said her daughter sounded "very disappointed" that her European holiday, had been cut short by the unexpected and dramatic announcement Monday that the travel agency which arranged the trip, had gone into bankruptcy.

Virginia had saved her earnings as a cashier at the Fruit Basket, Quincy, for over a year to raise the \$1000 cost of the tour.

All of the girls had been saving their earnings for some time to pay for the trip, Mrs. O'Leary said.

As if that wasn't enough of a disappointment, five of the girls were forced to drop a music course they were taking at the University of Vienna as the travel agency could not pay their fees. The agency had promised them they could receive music credits for the course at local colleges they plan to attend.

The bankruptcy of the travel agency left no funds for the continued feeding or accom-

modations for the girls least their return flight home was paid for in advance.

#### SOME BARGAIN

The students had left New York June 22 expecting to return home July 31. They had only visited France, Germany, and Austria when word came that the rest of their tour—to Austria, Italy and a side trip to Czechoslovakia for those who paid extra for it—had been cancelled.

Initially, the trip to so many European countries and for such an extended period of time for just under \$1000 had seemed like a tremendous bargain to the girls. Now, they are having second thoughts, Mrs. O'Leary said.

The local representative for the World Academy Inc., Charles E. Lowman Jr., of 19 Old Forge Road, Scituate, could not be contacted yesterday for comment on the girls' plight.

Eight Whitman and two Hanson students along with a social studies teacher at Whitman-Hanson Regional High School, who were also a part of the World Academy Tour trip, have already returned home.

A total of 3,500 students participating in the tour are now forced to return home. The first wave of them arrived in New York yesterday, some with tears in their eyes, others feeling dejected or just plain mad.

#### FONTBONNE STUDENTS

Students from Fontbonne Academy who are now on their way back home include Diane DiTullio, 211 Dudley Lane, Milton; Elaine Dolane, 27 Calumet St., Quincy; Katherine Cabral, 91 Louise Road, Canton and Rosemary O'Dea, 40 Rustlewood Rd., Milton, all juniors.

And Annmarie Mullans, 7 Hill Rd., Holbrook; Cynthia Tobin, 731 North Main St., Randolph; Yvonne Sacilotto, 41 Franconia St., Dorchester; Kathleen Kouri, 36 Mossdale Road, Jamaica Plain; and Deborah Goulart, 32 Patten Ave., Braintree, all seniors. The girls were accompanied by Sister Carmella Gambale, a music teacher at Fontbonne Academy.

#### CONGRESSMAN LOWENSTEIN: AN EFFECTIVE AND RESPECTED IDEALIST AND REFORMER

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. WALDIE. Mr. Speaker, our respected colleague, Mr. ALLARD LOWENSTEIN, in the brief time he has served in this House, has already become noted among his colleagues for his dedication to the principles on which our Nation has been built; for his intelligence in articulating the strengths of this Nation and its people; for his integrity in approaching the problems of our society; and for his unceasing efforts to represent and serve the people of his congressional district.

Congressman LOWENSTEIN, in addition to the reputation for integrity and service that he has acquired in the House, has also enlarged on a national reputation for reform and idealism that preceded his service in the House of Representatives.

Mr. Speaker, the respected national magazine, the New Yorker, recently published an article that featured our colleague, AL LOWENSTEIN, and touched in some detail on many of his activities and on many of his characteristics that have

made him the effective and respected Member that he is today.

I am pleased to include this article from the New Yorker as a part of my remarks:

#### CONGRESSMAN LOWENSTEIN: AN EFFECTIVE AND RESPECTED IDEALIST AND REFORMER

On January 3, 1969, two weeks before his fortieth birthday, Allard K. Lowenstein rose, with four hundred and twenty-nine other persons, on the floor of the House of Representatives and was sworn in as a member of the Ninety-first Congress. For the swearing-in ceremony, Lowenstein, who frequently wears a rumpled beige windbreaker, slacks, and no necktie, was dressed with more care than usual; he had on a freshly pressed gray suit and a plain dark tie, and his hair was neatly combed. This was not the first time that he had come to Capitol Hill to work. In 1949, he had been an aid to Senator Frank Graham, a North Carolina Democrat, and in 1959 he had worked as a foreign-policy assistant to Hubert Humphrey, when Humphrey was a senator from Minnesota. Lowenstein had long been interested in politics, but his appearance on Capitol Hill in 1969 was not the result of any political ambitions developed during his days as a legislative aide. It was, rather, a by-product of a campaign he had engaged in to end the war in Vietnam. In 1967 and 1968, he had led the movement to prevent President Johnson's renomination, first urging Senator Robert F. Kennedy to oppose the President, and then when Senator Kennedy hesitated, urging Senator Eugene J. McCarthy to take on that task. As an additional contribution to the reformist, anti-war movement, Lowenstein decided to run for the House from New York's Fifth Congressional District, which was once a part of the First District, then a part of the Second District, and later a part of the Third District, and which takes in most of the Southern third of Nassau County. In a sense, Republicans might be said to have held the seat from 1914 to 1964, when Herbert Tenzer, a Democrat, won the office, and now, having served two terms, he was retiring, leaving the seat vacant. The local insurgent Democratic anti-war group asked Lowenstein to run in the primary, and after several weeks of wavering he made up his mind to do so. "The most persuasive argument for running was that the direction of the country was wrong, and if we didn't have candidates who said so and won we would have no way of showing that the country wanted to change direction," Lowenstein said later. "The value of running was not just that you could do a good job if you won. It was also the fact of winning an election on the issues of the war and the reordering of national priorities—the phrase was new and sounded sort of highbrow and vague then—in a district that was supposed to be resistant to this point of view."

Lowenstein, having won the nomination by a considerable margin in the primary, defeated the Republican candidate, Mason Hampton, Jr., by 99,193 votes to 96,427 on November 5th. A few days after the election, he told me that, in a sense, he was not prepared to take the seat in Congress. "I have a certain awe about elections," he said. "The fact of being elected is high in the hierarchy of things I was raised to think of as a great honor, and I had never really seen myself as doing that. By the end of the campaign, I expected to win, but I had never sat down and thought about what would happen next. It seemed to me that that was best, because if I didn't win I wouldn't be as disappointed, and if I did—well, there would be plenty of time to think it out afterward. So finding myself in the House had something of an Alice in Wonderland quality about it—something amazing, because it was unexpected and because I felt this great awe for the electoral process."

After his first week in Washington, Lowenstein returned to New York less amazed. He came to my apartment one evening, wearing his windbreaker and a pair of baggy pants. I asked him how the week had gone, and he told me that at the end of his second day in Congress the Majority Leader, Representative Carl Albert, had made him Acting Majority Leader—a job that carries with it the right to adjourn the House. The appointment, which is made almost every day and carries responsibilities that last only for a few minutes, is one of the courtesies that the House leaders extend to their less influential fellow-representatives—a mark of recognition and a sign of welcome. Lowenstein was not as deeply impressed by the gesture as perhaps he was supposed to be until a colleague, congratulating him, mentioned another congressman who had been given a brief turn as Acting Majority Leader—in his case, only after many months in the House. The newspapers of his district—so the story went—had been so struck by this swift rise that they publicized it sufficiently to make it a factor in his subsequent reelection. Lowenstein did recognize a touch of irony in Albert's awarding him a microphone, however. It was Carl Albert who, as chairman of the 1968 Democratic National Convention, had turned off the floor mike when Lowenstein, a delegate from New York, tried to second a motion to recess the Convention while violence was going on in the streets of Chicago. Once Lowenstein had become a member of Congress, Albert made a point of telling him, "You're not a bit like they told me. You're not a long-hair-and-beard type at all." At any rate, it came about that on his second day in Congress Lowenstein spoke his first words there, and spoke them as Acting Majority Leader of the House. He was chided by his wife, Jenny, when he emerged. "How is it that when Carl Albert finally gives you a mike, all you can think of to say is 'I move that this House do now adjourn?'" she demanded. But that was the scope of the appointment, and those first words were the initial gesture in what Lowenstein came to call "the charade."

Later that week, Lowenstein attended a bipartisan briefing session for new representatives. Little was said about legislation or about the purpose and power of the House. The session consisted of a series of tips on the special political etiquette of favors that members expect from each other and should be prepared to repay, on how to get one's name on a bill, on how to impress constituents—in sum, helpful hints about how to get reelected. Lowenstein was both amused and distressed. "That's the trouble with most politicians," he told me. "The slogan that getting yourself reelected is the first rule of politics can lead to a really pernicious attitude. The notion of being elected is inherently virtuous, if you believe in it. We don't believe in royalty and inherited office, or in office as the result of trial by combat. We're raised to think democracy is the best way, and democracy means elections. But if you add the general human ambition to make the most of your own future to the state of mind of people raised to believe in elections, you can end up with a dangerous combination. There is nothing inherently immoral about trying to succeed, and in politics this society's idea of success is to get yourself elected. But once that has become the goal, all the other values and goals can be forgotten. The test of virtue becomes success, and people measure success by whether you get more votes. So why shouldn't you think first about how to get more votes? So that becomes the 'first rule' of that kind of politics. It's also what makes the whole process so much less productive and honest. If you don't want to fall into that trap, you have to say no, you won't accept that view of things. My first rule in Congress is that if I don't do more by being there about the

things I care about than I would if I weren't there, then I shouldn't be there. That rule will help make a lot of decisions much easier."

The week of the briefing session, Lowenstein went to the Democratic caucus, the organizational meeting of all House Democrats, at which he hoped to raise a question that he and a number of other representatives had discussed in the interval between the election and the swearing-in. Lowenstein and the others wanted to open the rules of the House to debate and amendment, including those on how committees function, how bills can be brought to the floor, how debating time on the floor is assigned—in effect, the very workings of the institution. He and his friends did not have the slightest expectation of winning, but they did hope to provoke a vote in the caucus on whether or not Democrats should seek a debate on the rules instead of adopting them automatically—the traditional way. When the caucus chairman brought up the question of rules, however, it was simply to say that the rules would be passed. The question of debate was never considered. Lowenstein was astonished. He and his friends hadn't even been defeated—they had just been ignored.

Next, Lowenstein attended a meeting of the Democratic Study Group, a less formal body, consisting of about half the House Democrats, all of whom profess some degree of liberal leaning. There, too, he found that nothing outside the routine happened, or, evidently, could be made to happen.

In the months that followed, I saw Lowenstein from time to time—at an airport, in a snack bar, in the corridors of the Longworth House Office Building, and even at his desk in the Longworth Building, after midnight, but he was always too busy working on his dozens of projects to provide me with any real idea of what they amounted to. He was commuting to Long Island and was also making trips to Biafra, Ethiopia, Vietnam, and Czechoslovakia, and to what seemed to be every state in the Union. By the time we could meet again for a long, uninterrupted talk, he had been in Congress for more than six months and his perspective had changed somewhat. The time for our talk became available when Lowenstein came to New York to pay a long-deferred visit to his mother-in-law, who lives in Sagaponack. I was to meet him at the Westbury station of the Long Island Rail Road one August day around noon. Lowenstein didn't come on the train he was supposed to be on, or the next one. When I went to telephone his home—he lives in Long Beach—all the booths were occupied, and I waited nearby. In one booth, a slim, distraught young woman tried simultaneously to extract information from somebody on the line, keep track of a child, and explain to a young man who was standing beside the booth that there had been a mix-up. "Al is in Albertson," she said to him after completing her call. "No one knows where that is. He's trying to get a taxi, I suppose we'd better wait here."

I guessed that she had something to do with Lowenstein, and introduced myself. The three turned out to be Jenny Lowenstein, the Lowensteins' son Frankie, who is now two years old, and Steven Engstrom, a University of Arkansas student who had heard Lowenstein give a speech at a college in North Carolina, had asked the university if he might use a foundation fellowship to spend the summer as an aide of Lowenstein's, and had eventually been accepted. Engstrom lived in the Lowenstein's house in Long Beach, helped run Lowenstein's district office in Baldwin, drove Lowenstein's car (sometimes as chauffeur), babysat with Frankie, and joined the Lowensteins in such other activities as writing speeches, washing dishes, arranging schedules, and doing research on local issues.

The four of us waited at the station, and at last Lowenstein, wearing windbreaker and slacks, arrived in a rattling taxi. He paid the driver, remarking proudly to his wife that, by a miracle, he had thought to put some money in his pocket the night before. Lowenstein explained to us that he had been delayed at Albertson, a stop on what is surely the slowest of the Long Island Rail Road's runs. We all piled into the family car, and Engstrom drove. Lowenstein and I were in the back seat, and Mrs. Lowenstein sat in front, clutching Frankie, who kept trying to wriggle from the front seat and onto his father's lap. Mrs. Lowenstein asked her husband if he had eaten. He said no, and she peeled wax paper off a squashed cream-cheese-and-jelly sandwich she had brought along for Frankie. Lowenstein ate it hungrily, remarking between bits that Albertson was near his district but, thank goodness, nobody there had recognized him. (Presumably, he was grateful to be left alone for an interval.) "That's the advantage of not looking like a congressman," he said.

We all asked at once what a congressman looks like.

"Well, sort of ponderous, I guess—in a good suit," he said. "I never think of myself as a congressman. I'm sometimes surprised when people remind me that I am one. Outside Washington, congressmen aren't a dime a dozen, and people sometimes think it's quite something to meet one. When you go into somebody's house, you have to adjust to the realization that your being there may mean something to people. I think that when you realize that, you should try to be responsive to it. If people act as though they are honored by your being somewhere, you want to try not to let them feel let down or taken advantage of. Some people want to tell you what they're doing for you, how they helped in the campaign—that kind of thing. I've had to work at overcoming a long-standing aversion to publicity. For a long time, it seemed to me that doing things with publicity somehow put the motive for doing them in doubt. When I toured migrant-labor camps on Long Island, I thought I should go alone, but that was the last thing the people who were arranging the tour wanted. They wanted to publicize the conditions in the camps. That's why they wanted me to come—to attract some press and maybe some TV coverage. Often, people who want you to do things want you to do them for the publicity, so if you agree that the cause is a good one you have to work that out and live with it. You can't do much in Congress if you aren't prepared to try to spotlight some of the problems you're concerned with. More often than not, of course, the problem is how to spotlight them effectively. Then, too, you have to get used to a lot of hostile stuff—you know, jealous or bitter people who want to hurt your reputation or get your goat by impugning your motives or inventing malicious tales. If you were to let that sort of thing bother you, you couldn't do very much else. All in all, I'm glad to be in Congress. It's a good time to be there—there's so much that needs to be done. The day-to-day work is a good test of your patience, but I'm used to the long pull—to burrowing along for a while before you can see any results. People make a great distinction between being on 'the inside' and being on 'the outside,' and now I get asked a lot how it feels to be on 'the inside.' Well, I wouldn't know, because where I am is not 'inside' very much, and it hasn't made much difference in the way I try to work. It does make it easier to be heard—at least, outside Washington."

Lowenstein doubts whether he has had much success at being heard in Washington, and, particularly, in the House itself. "My view of how to be an effective congressman has changed a lot since I got there," he told me. "The biggest single difference is that I've learned that all the tests people nor-

mally use to decide whether you're a good congressman have almost nothing to do with whether you are a good congressman. They are really tests of whether you're keeping up a good facade—things like attending roll calls, getting your name on bills and in the *Congressional Record*, appearing active in the House. If you work at the facade, it can preclude doing what you should be doing; it can determine how you use your time and energy, and even remove the incentive to do the real job. What nobody understands is that the facade is irrelevant to what Congress ought to be and what it ought to be doing. Some people who make a real effort to follow what you're doing take what they read in the *Congressional Record* as evidence of what you've done. Well, it's nothing of the kind, since almost everything that appears in the *Record* has been what is called 'revised and extended.' Or they look at your roll-call attendance, which is in large part a measure of how many times you've interrupted something you should be doing to do something pointless. It means running over to the floor and answering to your name. Which is fine if you are voting on something, but most roll calls are taken to see if a quorum is present—another part of the charade, since people leave as soon as they've answered to their names. Why would you stay to hear everybody else answer to his name? The fact is that even though the House spends more than a quarter of the time it's in session listening to everyone's name being called, there is still no clear record of how members have voted on most things that really matter. Something of great significance may be brought to the floor under what is called a closed rule, which means that you can't offer any amendments and the proposal must be voted up or down precisely as it emerged from committee. That's just plain wrong, and on basic issues like tax legislation it is outrageous. And even when a closed rule is not invoked, the House procedure prevents a recorded vote on many questions of wide interest. For instance, when most of the bills that matter are reported out to the House floor the House sits as a committee of the whole to consider them. And votes in a committee of the whole are not recorded, so on many crucial amendments there is no way to tell how anyone voted. The recorded vote on final passage often tells nothing useful, because by then the bill may have become virtually non-controversial, or may be such a hodgepodge that a simple yes or no becomes a very complicated vote to cast. The basic fault is in the way the House views itself, the way it takes its responsibilities. There ought to be a clear record of how elected representatives vote on great issues. There ought to be a way to vote separately on separate questions—that is, there ought to be a way to offer amendments. And, as far as debate or discussion is concerned, most self-respecting high-school student councils would stage sit-ins rather than operate under rules like the ones that apply a good deal of the time in the House."

Almost from the moment of his swearing-in, Lowenstein allied himself with a bipartisan group of younger members who had been working to bring about fundamental changes in House rules and customs. "It took a while to realize how bad some of the procedures are and how hard it is to change them," he told me. "It also takes a particular kind of guts to challenge what have come to be almost gentlemen's agreements—to risk the disapproval of those who control committee assignments, floor time during debates, and so on." In fact, after his motion to adjourn on the second day he said virtually nothing on the floor of the House for several weeks. "I learned a lot about how the place works," he said, "and my admiration grew for this small group of people who had thrown themselves into the effort to get changes at least considered."

The car was rolling through Suffolk County now, and Lowenstein sighed. "Of course, there would be a revolt if members had no way at all to go on record about things that are important to their constituents," he said. "So there are escape valves, such as unanimous consent that the leadership always gets, just before debate on a legislative proposal ends, for every member of the House to put in the *Record* whatever he'd like to put there, as if he had spoken during the debate. Then, there are what are called the 'one-minute rule' and the 'special order.' Every day that the House meets any member can speak for one minute on any subject. You use your minute to get up and say, 'I ask unanimous consent to revise and extend my remarks and include extraneous matter.' In the *Record*, it looks as if you'd taken on the space program, or pollution, or hunger, or anything else, but you don't have to say a word. You can just hand in a paper. If you're especially conscientious, or you feel very deeply about something, you can actually speak about it for sixty seconds, to an empty House and empty gallery. For a while, I decided never to use the one-minute rule. It seemed phony and somehow deceptive. Gradually, I came to realize that that wasn't a very sensible kind of protest, since it had no effect on anyone but me. And there is, of course, some value in getting things in the *Record*. It is read by some influential people, and it can be distributed widely. The special order is another escape hatch that eases resentments. Any member can ask for a special order to discuss anything that's on his mind when legislative business is finished for the day. This, too, has almost nothing to do with influencing the House, but the speeches go into the *Record*. You can see that, if you play the game and accept the charade, you can give the appearance of being a very diligent congressman with relatively little difficulty. Conversely, if you're doing what you should be doing, it can look as if you were doing nothing. But more important than the effect of all this on individuals is the cumulative effect on the legislative process, and on House morale."

Lowenstein paused to think. "Another thing you have to understand is that the House, in some ways, isn't very representative," he went on. "There's almost never anyone there under thirty. Think what it tells about the place that I'm considered very young! And, of course, there are only nine blacks, when, proportionately, there should be about fifty. Almost a fifth of the population of the South is black, but there are no blacks at all among the hundred-odd Southern members, and on votes that would be of greatest concern to blacks we're lucky if we pick up half a dozen Southern votes for the position the blacks would take if they were there. And this kind of built-in unrepresentativeness is made much worse by the seniority system, which gives enormous extra power to whoever lasts the longest. The people who last the longest, naturally, are the people who come from districts least affected by the two-party system and most removed from the normal swings and political pressures that affect everyone else. The degree of dissatisfaction with all this is a measure of a generation gap as much as anything. The average member now has been in for something over five and a half terms, and that is the line that tends to divide members, more than party or ideology, on questions of congressional reform. And this reminds me of a hopeful political drift in the Congress which hasn't been noticed much yet by the press. There has been a good start toward a kind of spontaneous coalition that is not the traditional conservative one of Northern Republicans and Southern Democrats. In the country at large, this coalition would be regarded as very moderate and rather middle-aged, but in Congress it passes for liberal and young. It's made up largely

of newer members from both parties, who don't have much seniority, but if it keeps growing, one of its effects could be to make seniority less significant. That, in turn, could have a very healthy effect on the workings of the committee system. As things stand now, the committee chairmen have enormous power they can pretty much decide on when committees meet, and if and on what it to hold hearings; they create subcommittees, approve members' trips, push whatever bills they want to push, and so on. Since almost everybody on a committee wants favors from the chairman, in most committees he can run things pretty much as he likes. The majority of bills that are important to a member—because they give him prestige and convey the impression that he's doing a good job for his district—are not, in fact, controversial. Out of the more than twenty-nine thousand public and private bills introduced in the last Congress, only six hundred and forty public bills and three hundred and sixty-two private ones were passed, and of those that were actually considered relatively few were fought over. Which of the non-controversial bills that are proposed get to have hearings generally depends on the whim of some committee chairman, and that often means they depend on his good will toward the sponsor of the bill."

Lowenstein went on to discuss what a congressman should be doing, as opposed to what he is expected to appear to be doing. He divided the job into four major parts, the first of which he likened to the functions of an ombudsman. "Since we don't have that kind of official—one who deals with problems that are separate from political and general issues—every elected official has to help communities and individuals with all sorts of difficulties that have to arise in a society as complicated and impersonal as this one," he said. "Some people think that an ombudsman's functions are somehow unworthy of a congressman—that they are kind of a vote-buying device, and cheapen the office. My view is that if you aren't prepared to do that kind of work for people—who should have an ombudsman somewhere—then you shouldn't run for office. Think of what can happen to individuals in a country that suffers from bureaucratic elephantiasis. Like this morning—I was on the phone about a fellow who's in the army. He was shot and hospitalized and hasn't got much of a stomach left. But instead of getting a disability discharge he's on orders to Vietnam. You can't find out why—it's the gigantic military machine grinding away. We got him stopped in Oakland as he was about to board a plane for Vietnam. Now he'll be held back for a month while they make another investigation. If they decide to send him after that you can't do anything. But holding it up this long means that there's a chance this particular absurdity won't go through, and that would be to the advantage of the Army as well as of the boy. When things like this happen—things involving a miscarriage of justice—you should be glad if you can help. Of course, people are sometimes disappointed, because they think you can do more than you really can. And if people want you to do something that is improper, you don't do it if you're working the way you should. But I've found that most of the time, when people know you're committed to a certain view of public functions they don't ask you for improper things. Maybe they're afraid you'll react by exposing them."

We were running through Manorville now, and Lowenstein paused to look out the car window at a group of children at play. Then he resumed. "One big problem is finding time. The second part of a congressman's job—it overlaps with helping individual constituents, but it's a completely separate business—is to do what you can about community problems that come up. If a bridge

collapses or some housing doesn't get built or a racial crisis develops, you have to try to help ease the situation. Sometimes that means just being there, because sometimes you can't do much more than that. Holding forums, as we have been doing in my district, can be helpful. It's important at this time in our history for people to have opportunities to express and hear different points of view about things that bother them. In Nassau County, we invite everyone to these forums, and all kinds of people come, either as speakers or just to participate from the audience. Mr. Joseph M. Margiotta, the Republican chairman in Nassau, said that Republicans mustn't come; it would 'lend dignity' if they came, he said. But he's given to making suggestions that nobody pays much attention to. We've had meetings on the war, on taxes, on the ABM, on campus disturbances, on how to finance education, and so forth. They must be interesting, because people keep coming—even Republicans despite poor Mr. Margiotta. Some Republicans come because they believe in the principle of open forums, or, at least, want to use them if they're going to happen anyway; others come because they want you to do something for them, or because they're friends. We have had some bad racial incidents in a number of towns—people beaten up and hospitalized. When something like that happens, you go to the groups and individuals who are the angriest or the most deeply offended and try to help work things out so that difficulties can be eased without further violence. Of course, where the problems cover a wider area it's harder to do anything effective about them. But the city and the suburbs, for example, do have many similar interests, and if someone were to bring people together to work regionally—to lobby in Congress, and so on—that could be helpful. However, most of the time everyone is feuding with everyone else. Politicians are afraid of potential rivals. So there's always the problem of who should lead this kind of effort.

"That gets into the question of how the parties affect government. So many of the complications created by partisanship are pointless, but I guess in our kind of setup they're natural, and maybe unavoidable. Republicans and Democrats both tend to be all for bipartisan or non-partisan efforts to do things they'll get credit for doing, and very unenthusiastic about bipartisan efforts that won't help the party, or some official the party likes. That may seem obvious, but it can make difficulties. For instance, if the Republicans are in power the Democrats will be reluctant to help the Republicans get credit for doing something non-controversial, since that may strengthen the Republicans and enable them to do things that are controversial. There's another twist to the non-partisan business. The White House is very anxious for us Democrats not to criticize Administration policy in Vietnam. Its people want us to help cool everybody down who is upset about the ambiguities and pace of the withdrawal; they say that we should give them time in Vietnam, that we shouldn't be 'partisan' about Governor Rockefeller's trip to Latin America or about the surtax, and so on. You know the argument—we've only got one President, and if we criticize his defense or foreign policy, that's partisan, and politics stops at the water's edge and anything else is not worthy of Americans, et cetera. But when we find Republicans who privately agree with us about problems that ought to be just as non-partisan, like poverty or campus disorders, the Administration all of a sudden discovers the virtues of the two-party system. So it's O.K. for them to put pressure on other Republicans not to work with us for programs the Administration doesn't want, on the ground that Republicans shouldn't be working with Democrats. I guess it's all supposed to be clever politics—to get us to support what the Ad-

ministration is doing and still try to be sure it doesn't look as if there were bipartisan support for what we're doing. What makes the whole partisan approach especially senseless now is that neither party makes enough sense as a party to justify using the traditional distinction of party label to prevent cooperation among people who essentially agree with each other. Conservatives of both parties generally seem to understand this much better than moderates and liberals. Still, as things stand today, it seems to me there's no real question but that the Democratic Party is worth fighting for. It's come a long way in the last year or so. Do you know anyone who's hankering for a restoration of Johnsonism? I feel more hopeful about the direction of the Democratic Party than I have in a long time, and more loyal to it. On matters of conscience, though, I don't think either community opinion or party should be decisive. You should follow your conscience and do what you think should be done, then try to explain it to the community, which has a right to reject you at the next election if it feels you've gone against what it wants. I get lots of mail saying that my position on the war doesn't represent the district and I should resign, and so on. I wish there were some way the public could express itself directly on a matter as preempting as the war—it would reduce that feeling of being unable to influence policy which is the cause of so much disenchantment with American democracy these days. Perhaps some kind of referendum could be worked out, or an electoral test of some kind. A year is a very long time for people to go before they have a way to say what they want to do about Vietnam and everything that flows from it. Consequently, my office sends out questionnaires periodically to try to find out how people in the district feel about things like troop withdrawals, the federal budget, the draft, student disorders, the surtax—that sort of thing. I can't promise to fit my views to the results, but I do want to know what people are thinking. Then we can discuss why we differ, if we do. Where there's a substantial disagreement between a representative and his constituency, it seems to me important for both to have the chance to rethink their positions, even though no change may result on either side."

Lowenstein leaned back and stretched. "Another thing a congressman finds he should do is attend a lot of functions," he continued. "Some people think it adds prestige to have a congressman present—or, at least, it shows that a congressman is interested. You try to attend, since people usually can't get a senator or a governor to come. That's part of the problem of time. Do you go to one more church function, one more bar mitzvah, one more meeting of a veterans' group, one more historical-society meeting? There's always more to do, so unless you deliberately set yourself to hack out little enclaves, your personal life can become nonexistent. Droopy is going to say we don't hack out enough." Droopy is Lowenstein's nickname for his wife, and also her nickname for him.

Near Riverhead, we stopped at a roadside restaurant for lunch. Lowenstein had canned vegetable soup, a hot dog, a root beer, and an ice-cream cone. "That's the way he eats," his wife said. "He doesn't even notice that it all tastes like plastic." A few minutes later, the Lowensteins dropped me off at a friend's house, and we parted for the day. As it turned out, I had to wait quite a long time to learn what Lowenstein considered the third and fourth parts of a representative's job.

The next morning, I arrived at the home of Mrs. Lowenstein's mother and found all the members of the household except Lowenstein sitting around a back-yard swim-

ming pool. He was indoors, telephoning. When he came out, he was ready to start for his district headquarters in Baldwin, and we had arranged that he would drop me off at the railroad station there. Again Engstrom was at the wheel and I shared the back seat with Lowenstein. As we rode along, the talk turned to money, which for Lowenstein is a problem second only to the problem of time. His parents once owned a series of restaurants in Manhattan, but neither he nor his family is wealthy. He graduated from the University of North Carolina and from Yale Law School, put in two years in the Army, practiced law briefly in New York, and then taught law at Stanford, North Carolina State, and the City College of New York. Now he earns forty-two thousand dollars a year, but he says that not much of his salary stays with him. "I spend a good deal more on office expenses each month than we get in allowances," he said as we drove along. "I paid my own way to Vietnam, Biafra, and so on, so even though neither my wife nor I drink or spend much on clothes, money is not our long suit. I sleep in friends' rooms in Washington to save renting an apartment there. The forums I was telling you about cost seven or eight hundred dollars every two weeks, what with the printing, the expenses of whoever speaks, and receptions before and after. I send out a newsletter every few months, so that people know what I'm doing. This costs between thirteen hundred and fifteen hundred dollars each time, and that's without anything fancy. Money is one reason most congressmen don't try to do much about many national issues. They tend to limit themselves to local questions, plus maybe one national issue they can work on through the committee they're assigned to. That's not a criticism. How much can anyone do with limited staff, and all the mail and whatnot to cope with? If you aren't independently wealthy, you can't have a staff that's capable of putting things together much beyond what you can come up with from the source available to everyone—the executive departments, the lobbies, the staffs of congressional committees, the Library of Congress. That's one reason lobbies can be so influential. They have people who are able to spend all their time collecting data on why pollution is good for River X. What congressman can match that? And what are congressmen supposed to do about explaining the intricacies of a tax bill? So most members make their peace with the situation—they get active on some issue that is big in their district and will help them there. Another thing about money. Some members bolster their income by leaving their name on a law firm. I would find that difficult. To my mind the question would arise 'How come you can do both?' If you aren't too busy in the House to maintain a law practice, then it's hard to believe you're doing all you should be doing in Congress. And if you aren't really practicing, why should you have your name on a law firm? Isn't that trading on the name of the Congress? Of course, some men would like to give up outside arrangements of this kind but are afraid that if they did they'd lose their financial independence—they'd be too dependent on staying elected or getting appointed to some political job. I'm not sure I should say all this until I have worked out specific proposals for dealing with the whole mess—conflict of interest, campaign expenses, the adequate financing of staffs, and the rest. It's not just the question of names on law firms. There's the problem of owning stock. Lots of congressmen get money out of things that Congress legislates about. But to limit conflicts of interest between proposed legislation and private sources of income you have to get into everything that is regulated by government agencies. So what should you do? Right now, I have to

find some way to meet these expenses—the office, the trips, and so on. You can use a lecture bureau, but I'd hate to wind up speaking to the highest bidder. I made a rule when I entered Congress that I didn't want to know which speech invitations were for a fee, let alone for how much. In the long run, I guess it's better to give lectures than to be in a law firm, and better to be in a law firm than to have a source of income that might influence how you vote. As you can see, this whole problem is very complicated. And it has been ignored too long."

Shortly before we reached the station, Lowenstein, who was dressed much as he had been the day before, rubbed his hand across his chin, which was stubby, and said, "I can't go into the office like this." He asked Engstrom to drop him at a barbershop for a shave, and we said goodbye.

The next time I saw Lowenstein long enough to have a solid talk with him was at my apartment on a recent Sunday night. He had told me that he had to attend one of his district forums and two other meetings that evening but thought he would be free by eleven-thirty. A little after midnight, Mark Arnold, a Dartmouth senior who had taken Engstrom's place when the summer ended, arrived to pick up Lowenstein and drive him home. I told him that Lowenstein hadn't shown up yet, and asked him to wait. At one-thirty, Lowenstein arrived. When I asked if he had had any dinner or supper, he said no, so I got some food from the refrigerator, and we settled down near a coffee table to talk about what he thought a congressman should do outside his district—the two remaining parts of the four parts of a representative's job, as he saw it. But he had something else he wanted to talk about first. Since our last conversation, he said, the "procedural horrors" of the House has made his earlier comments seem far too mild. Indeed, he seemed a great deal more steamed up than he had been during our discussions in the car. "Do you know that we were not allowed to have a roll-call vote on whether to deploy the ABM?" he asked. "And that on the Vietnam resolution the President wanted passed because it was so vital to his plan for peace, there were no hearings, and discussions was limited to four hours—which averages out to thirty seconds a member—and there was no way to introduce amendments? And we've voted on amendments to bills that appropriate billions of dollars without having amendments explained, let alone discussed. Half the votes on bills that matter occur after debates in which most of the newer members get forty-five seconds or a minute to speak. If only the country understood what goes on! But the whole procedure is designed to make that impossible." He pulled some papers out of a briefcase. "Here, I brought you a couple of statements I made in the House," he said. "They're pretty low-key, but they tell a little of what I feel."

I looked at the material he had handed me, which was from the *Congressional Record*. One statement was about the Vietnam resolution. "We mock democracy when we treat this resolution as if it were a footnote to a bill about fishing rights on Mars," it went. "If we do not have the opportunity for adequate debate and to consider amendments on this of all resolutions, we will simply subject these proceedings to further ridicule. Members not permitted to speak here will not thereby be silenced. They will be angered. We are becoming increasingly what we treat ourselves as if we already were . . . second-class citizens with dwindling relevance to the awful events that surround and soon may engulf us."

I asked him if he felt that indignation over such procedures was rising generally in the House, and he said that he thought it was—that the response to statements like

the one he showed me had been encouraging. He said that one of his most outspoken protests had come about almost by accident, because he had been recognized unexpectedly at the end of the acrimonious debate on the military-appropriations bill. By then, it was clear that no vote on deploying the ABM would be allowed. House members had begun the chant of "Vote! Vote!" that always arises when the dinner hour is approaching and a roll-call vote remains as a block to leaving the hall. Several friendly members had counseled him not to speak, Lowenstein said, in view of the mood of the House. He could put his remarks in the *Record*, they reminded him, and no one would know he had not spoken them. "But I decided to speak," he told me. "I got up and asked if anyone thought that behaving the way we were behaving would increase respect for the Congress or for the concept of representative democracy. I asked if anyone could justify rules that concealed our position on something as vital as the ABM. I ended up by saying that the House wouldn't dare to go on in its present condition—that basic procedures would have to be revised soon. I thought at the time that what I was saying would mark the beginning of a kind of ostracism in the House, but that hasn't happened. Some of the younger members were enthusiastic, and this was perhaps predictable, but the reaction of several venerable figures was most unexpected—some all but embraced me in the well of the House, and others made a point of phoning later on to congratulate me. Whatever the reason for all that, it's clear that the potential for revolt is far greater than it was a while ago. The groundwork was laid by some really good people over the years, and now it has been reinforced by concern about the war and matters growing out of the war. It looks as if we'll finally get a reform bill out of the Rules Committee sometime soon. There probably won't be much basic reform in the bill, but just getting the whole thing opened up that way will be a start, and if we can build a national awareness of what's at stake in something that sounds as dull as 'reforming Congress' we may really get somewhere eventually. I think lots of members would like to see some changes made."

Lowenstein was nibbling at an apple now, and I managed to get him to discuss the two remaining aspects of his job.

"If you simply deal with individual and local problems, you're not doing a very good job, because you've been elected to a national legislature, and that means you ought to be concerned about national needs and the national direction," he said. "That's especially true at a time like this, when very few local problems can be solved if we don't reverse the country's lockstep toward disaster. In that sense, it was particularly useful to have been elected from a Republican district after taking unequivocal positions against the war and for deep reforms at home. But how can a representative function effectively on great national questions? It's completely inadequate to say, 'Well, I'm going to vote right.' That's not the end of your obligation. It's barely the beginning. You have to be willing to take the fight outside your district, because one district isn't going to change things. You must go wherever you're able to rally support that can affect the way Congress or the President will act on these issues. About student violence, for instance—you have to go to the campuses to try to explain why it's both wrong and damaging. You could put yourself on record as opposing campus violence by denouncing it in Rotary Clubs or in the well of the House, but that would be playing out the charade again. Now, I'm not saying that giving speeches around the country makes you a better congressman. But, if you can, you ought to help to build strength around the

country against policies you oppose, so that when a related issue comes to a vote some public opinion has been aroused."

Lowenstein was now sipping a glass of root beer. "Fourth, you can also do something about things that trouble you inside the Congress itself. It can be useful to talk to members about the war and the national priorities. And you can also talk to them about things that may be more important to your district than they are elsewhere. Take jet noise—not many districts have jet airports to harass them. But the congressional custom of 'You help me on this and I'll help you on that' can be brought into play and a few interested members can build a lot of support for a bill to decrease jet noise. The best place for this kind of lobbying is on the floor of the House. One member got very big on the idea of prohibiting the sale of switchblade knives by mail, and he worked so hard lobbying one by one that he got seventy-five members to back his bill. Rallying public opinion and lobbying individual members are the greatest contributions you can make to influencing the legislative process in your first term. In the House, as elsewhere, personal relations make a great difference if you want to get things done. A member may want you to speak at some function that one of his constituents has organized, or meet a delegation coming to see him, or simply come and have a drink. Then, too, if you're going to somebody's district, you try to tell him ahead of time and perhaps chat with him about your trip afterward. A while ago, when I marched in Charleston with the hospital workers, who were on strike, I called up Representative Mendel Rivers beforehand to tell him what I intended to do. It's no great secret that our political views are about as far apart as views can get, but our relationship has remained cordial. I'm not much good at hating people, and there are lots of people in Congress—and out—whom I like a great deal more than I agree with. One of the unexpected things—to me, anyway—about the House is how affable the leadership is. For instance, Carl Albert and Speaker McCormack show a great deal of interest in the new members and are patient and helpful about the little things that confuse you at the beginning. Of course, if you have a great interest in getting a particular bill passed, you have to have the help of the committee chairman concerned."

I was somewhat surprised by Lowenstein's mention of Representatives Rivers, Albert, and McCormack, because it had seemed to me that throughout our conversations Lowenstein talked about the intimate workings of the House of Representatives as though it were composed of Lowenstein and four hundred and thirty-four nameless members. I asked him about this.

"Well, one of the common-sense customs is that you don't discuss other congressmen in a personal way," he said. "You can see how doing that would undermine the kind of relationships we've been talking about. Sometimes you may have to do it, but the general rule—and I think it's a good one—is to talk about the issue or the approach instead of about individuals."

"At least, one can assess congressmen in general," I suggested.

Lowenstein nodded. "They're more like seismographs than you'd expect," he said. "Most of them are rather timid, considering their relative eminence. There's a real desire to represent their districts accurately on major issues, but there's also a tendency to misread the country, partly because the cumulative effect of being in the House is like that of being in a rather pleasant cocoon. There's a serious underestimation of what leadership, including their own, could do. Most members see themselves as leaders only in local matters, and the result is that

that's what they tend to become individually, to the detriment of the House collectively. It's one of the sad consequences of believing the old saw that the first rule of politics is to get reelected. But even if Congress should now start to do much better—if the rules are changed and members begin to show more guts—the quality and direction of the President's leadership would still be the single most critical element at this particular turning point. When President Kennedy died, the country was in relatively good spirits and was moving forward. We had great problems, but people were hopeful, and the spirit of hope was contagious. I was in Mississippi in the summer and fall of 1963, with the civil-rights movement. Life was a nightmare, but nobody doubted that we were going to win—that America would come to the rescue of her downtrodden. America was going to be something good, and even Mississippi would come around. Who feels that way now? The awful change in the national mood is the result of something more than Vietnam and the defense budget. It is the result of President Johnson's over-all conduct as well. People in a democracy get sour if they feel they are being deceived. If the top leaders of a democratic society use words to conceal, or to mislead and divide, a mood of revulsion sets in among the people—revulsion against the government and against each other. So few people are in a position to reach the country quickly, to change this kind of mood. That's why Franklin and Eleanor Roosevelt meant so much—far more than all their specific programs and statements put together. And that's why the double loss of Martin Luther King and Robert Kennedy was so totally devastating. It's why I hoped that Nixon would do well—that he would seize the opportunity presented by succeeding Johnson. It's why I was so reluctant to criticize Nixon once he was elected. Presidential leadership could have made it so much easier to piece things together again after the nightmare of 1968. Everyone wanted to help him. If he had set the right tone and tried to move in the direction we needed to go in, the country would have moved quickly. There was really an eagerness for guidance and impetus from the top. It could have been contagious; it could have touched so many people so quickly. People wanted almost pathetically to trust a President. But Nixon seems to be frittering his moment away. He's buying popularity now at a terrible future price by promising things that are inconsistent and therefore cannot all be delivered. He has started this sad business of saying one thing and then saying another, and is thus risking the same kind of disenchantment that Johnson incurred. All this talk that Nixon can carry this state or that state in 1972 is so silly. The same kind of prophecies were made about Johnson. They mean precisely nothing three years ahead of time. People are going to judge Nixon by whether they feel that the things they are unhappy about have been changed. If he would begin, even now, to tackle the tough things candidly, to move away from the mistakes of the past, a lot of people would rally to help him. I know I would. But the impression is growing that we're all watching a juggling act—a skillful juggling act but still a juggling act—which sooner or later has to end with things crashing to a halt."

Lowenstein leaned back and became silent for a few moments, and then went on. "If the President won't lead the country toward basic change, our job is to put together a majority coalition to work for the kind of changes that will make things better. Change in some direction is inevitable. What is not certain is whether it will be in a Robert Kennedy direction or a Spiro Agnew direction. In the Depression, such enormous numbers of people were hungry or out of

work that you could put together that kind of coalition, based on the reality of the needs people felt. Now, even with the war, a majority of the country lives comfortably. The people who are unaffected over their economic situation don't come close to a majority. In a sense, this country suffers from its own great material success. The fact is that economic rights and opportunities are withheld from the people who are outnumbered. Out of the frustration of having no way to get things changed, or even to get represented adequately, the unhappy people who are consigned to a permanent minority can turn to upheaval and disruption. We have to make a new majority for change that will include them. And will include the middle class, too, which is miserable about inflation, taxes, overcrowding, pollution. We must make middle-income people understand that solving their problems is related to solving the problems of the poor. It's not the poor who are getting the money out of the middle class—it's the war, the so-called defense budget. The middle class pays a disproportionate amount of taxes not because of welfare but because of oil companies. And what is collected unfairly is spent absurdly. What the McCarthy and Kennedy campaigns were doing—and I think everyone knows this by now—was bringing together the poor, both black and white, and the lower-income middle class, and the Spanish-speaking people, and great numbers of relatively well-off Americans who are upset about the war or discontented with the quality or style of life in this country. All those people together would make up quite a majority, and that was the basis of the 1968 alliances. It was what elected me. If there were effective national leadership for that kind of alliance now, it would carry the country. But, given the urgency of our situation, I am not optimistic about where the country is headed if the President can't soon be made to realize what's going on and to try to do the things that are so desperately needed. First of all, I think we are going to come apart as a people if we don't get out of Vietnam soon, and that would mean paying for this extended national stupidity with an eternity of awfulness. What might be worst of all about that would be realizing how close we came to getting started in the right direction. You might almost say that the margin was one bullet. I wonder what would have happened to us if Franklin Roosevelt had been killed in 1933. Could we have coped with John Nance Garner and the Depression at the same time? It's frightful how much more this country needs and misses Robert Kennedy now than it did even a year and a half ago. But saying that simply underscores how much harder we must work than we have been working."

It was now nearly 4 a.m., and Lowenstein and Arnold had to go. In a few hours, Lowenstein would be back in Washington. Just before he left, he said, I don't know what I will do if the effort to bring change through electoral democracy fails. The far left thinks—really, hopes—that an explosion is inevitable. You know the line: the whole society is hopelessly sick and Vietnam is only a symptom. I think that's untrue. But if enough people came to believe that—came to feel that it no longer mattered what they said or did—the belief could lead to our undoing. The only thing I'm sure about is that we must not fall simply because we didn't try, and try with all the energy and brains we can muster. If we did fall, would I join the revolution? Would I leave the country? After all, I would be obsolete. But I don't engage in the luxury of wondering what I would do if the effort shouldn't work. I'm committed to the notion that it will work."

PENN STATE PRESIDENT'S  
FAREWELL

HON. GEORGE A. GOODLING

OF PENNSYLVANIA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, July 15, 1970

Mr. GOODLING. Mr. Speaker, today some of our youth either take for granted or do not fully appreciate the remarkable qualities and accomplishments of their parents and grandparents.

An effort to correct this situation was manifested by Dr. Eric A. Walker when he was president of Penn State University and gave addresses at the university and various other educational institutions.

Dr. Walker retired from Penn State University on July 1 after serving 14 years as president of that institution. Before retiring he spoke to a graduating high school class in Wingate, Pa., and because his remarks contain both a challenge and remainder for our youth of today, I insert Dr. Walker's remarks into the RECORD and commend them to the attention of my colleagues:

PENN STATE PRESIDENT'S FAREWELL: LEGACY  
OF THE PAST

(Note.—Dr. Eric A. Walker, 60, retiring July 1 after 14 years as president of Penn State University—(presented a challenge for the generation leaving school this month. His ideas are taken from talks he made at Penn State and to a recent graduating high school class in Wingate, Pa.)

This ceremony marks the completion of an important phase of your life. It is an occasion in which all who know you can share in your sense of pride and accomplishment. But no one has more pride in your accomplishment than the older generation.

But I am not going to tell that older generation how bright you are. Nor am I going to say we have made a mess of things and you—the younger ones—are the hope of mankind. I would like to reverse that process.

For if you of the graduating class will look into the bleachers, I will re-introduce you to representatives of some of the most remarkable people ever to walk the earth. People you might want to thank on this graduation day.

These are people you already know as your parents and grandparents. And I think you will agree that a remarkable people they are indeed. Let me tell you about them.

Not long ago an educator from Northwestern University by the name of Bergen Evans, a radio performer known to your parents, got together some facts about these two generations—your parents and grandparents. I'd like to share some of these facts with you.

These—your parents and grandparents—are the people who within just five decades have by their work increased your life expectancy by approximately 50 per cent—who, while cutting the working day by a third, have more than doubled per capita output.

These are the people who have given you a healthier world than they found. And because of this you no longer have to fear epidemics of flu, typhus, diphtheria, smallpox, scarlet fever, measles or mumps that they knew in their youth. And the dreaded polio is no longer a medical factor, while TB is almost unheard of.

Let me remind you that these remarkable

people lived thru history's greatest depression.

Many of these people know what it is to be poor, what it is to be hungry and cold. And because of this, they determined that it would not happen to you—that you would have a better life, you would have food to eat, milk to drink, vitamins to nourish you, a warm home, better schools and greater opportunities to succeed than they had.

Because they gave you the best, you are the tallest, healthiest, brightest and probably best looking generation to inhabit the land.

These are also the people who fought man's grisliest war. They are the people who defeated the tyranny of Hitler and who, when it was all over, had the compassion to spend billions of dollars to help their former enemies rebuild their homelands.

It was representatives of these two generations who, thru the highest court of the land, fought racial discrimination at every turn to begin a new era in civil rights.

They built thousands of high schools, trained and hired tens of thousands of better teachers and at the same time made higher education a very real possibility for millions of youngsters—where once it was only the dream of a wealthy few.

And they made a start—alho a late one—in healing the scars of the earth and in fighting pollution and the destruction of our natural environment. They also hold the dubious record for paying taxes—alho you will probably exceed them in this.

While they have done all these things, they have had some failures. They have not yet found an alternative for war, nor for racial hatred.

Perhaps you, the members of this graduating class, will perfect the social mechanisms by which all men may follow their ambitions without the threat of force—so that the earth will no longer need police to enforce the laws, nor armies to prevent some men from trespassing against others.

But they—those generations—made more progress by the sweat of their brows than in any previous era, and don't you forget it. And if your generation can make as much progress in as many areas as these two generations have, you should be able to solve a good many of the world's remaining ills.

It is my hope, and I know the hope of these two generations, that you find the answers to many of these problems that plague mankind.

But it won't be easy. And you won't do it by negative thoughts, nor by tearing down or belittling.

You may and can do it by hard work, humility, hope, and faith in mankind. Try it. Goodbye and goodluck to all of you.

PRESIDENT NIXON VISITS  
LOUISVILLE, KY.

HON. WILLIAM O. COWGER

OF KENTUCKY  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, July 15, 1970

Mr. COWGER. Mr. Speaker, I would like to take this opportunity to note the occasion of President Nixon's visit to my city, Louisville, Ky., yesterday to meet with the 13 Appalachian Region Conference Governors.

In return for the President taking the Government to the people, my city gave our President a warm and tremendous reception with more than 100,000 Louisvillians turning out for the occasion.

We appreciate the President's statements of high regard for our community and State. I hope he senses the strong support and esteem we have for his effort in the country's behalf.

MINI BLUEPRINT FOR A STATE  
BAR ASSOCIATION

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. PATTEN. Mr. Speaker, my friend Daniel L. Golden, president of the New Jersey Bar Association, delivered an address at our annual meeting which is really a prescription of progress for all of us and I know my colleagues will profit from reading it.

The address follows:

"A MINI BLUEPRINT FOR THE NEW JERSEY STATE BAR ASSOCIATION," ADDRESS OF DANIEL L. GOLDEN, PRESIDENT, NEW JERSEY STATE BAR ASSOCIATION

It is a great privilege to accept the position to which you have elected me.

It is also a great privilege to be a part of the New Jersey State Bar Association, long an institution of stature in the profession we hold so dearly. It is an institution one never really leaves, because its essential character and aims pervade the professional experience of all who are associated with it. The New Jersey Bar Association is alive and vital. There is an air about it that says it is unafraid and that it dares, as it should, as evidenced by events of recent years. This Bar Association cares, and this caring is the essence of this great institution.

At the outset, I want to express sincere thanks to the membership at large for its confidence in elevating me to the office of president. To have earned the respect of one's fellow professionals is a privilege and a signal honor. To my immediate predecessor, the Hon. Charles L. Bertini, I extend thanks for his devotion to the monumental responsibilities which were his burden and which he shouldered well. To my fellow officers and trustees I am especially mindful of their sacrifices in time, effort and expense, but principally I am grateful for their intellectual courage, their forthrightness, and their professional competence. To our executive director, Francis J. Bolduc, and his highly competent staff, I owe monumental gratitude for spending much of their time making my job easier.

Most of all I am grateful to all of my predecessors, whose individual contributions have served to make this Association one of the great professional groups in the nation. The fact that the New Jersey State Bar Association is considered one of the most active and progressive associations is no accident. For as far back as I can remember, each administration added something of value to the Association. Since assuming the exacting position of secretary in 1964, I have been privileged to work closely with Past Presidents Foley, Hillman, Berry, Gibbons, Wharton and Bertini, with Secretaries Lummis and Clifford, and with Treasurer Vall. Each of these men added something of himself and his philosophy to the welfare of the Association.

While each President, his staff, and his Administration might be recalled for a specific contribution, it is no less important a fact that each builds up the efforts of those who preceded him. It is also fact that it is virtually impossible to institute and complete a particular program within

the year of one's presidency. No president of this association can take credit to himself for the initiation and completion of a project; it is always the work of past, present and future administrations. The accomplishments of the Association are the results of this continuous process. Preserving that continuity is as great a challenge as the particular objective in mind.

To emphasize this continuity aspect I should like to address myself to some of the accomplishments of the Association in very recent years, as well as to areas which deserve our attention for the present and the future.

Many people are not aware of the positive leadership of the New Jersey State Bar Association as exemplified in the following areas.

1. The establishment of close liaison with the Governor's office in the judicial selection and appointment process.

Within 1 week after his inauguration Governor Cahill, through his counsel and the Attorney General, assured the officers of the Association that he would not appoint a candidate for judicial post or for prosecutor unless the Association found such candidate to be fully qualified for that appointment.

This is real progress and a far cry from the days when politicians "called the shots" while the Bar acted only perfunctorily, if at all.

2. The establishment of close liaison with the Supreme Court. Within the past two years the officers of the Association have met with the entire Supreme Court and the Administrative Director in pre-arranged sessions lasting for hours. On these occasions the Court has told us what it expects of the Bar; we have been given the opportunity to present the Bar's point of view and its problems. There has been a mutually constructive give and take, without publicity, without fanfare—and with good results.

3. The Association was the prime mover in calling to the attention of the Legislature and the public the need for meaningful conflicts of interest legislation.

4. The Association has always been the prime mover in endorsing salary increases for members of the Judiciary. It was also among the first to endorse legislation related to the removal of judges for cause.

5. The Association pioneered in obtaining a meaningful rule related to the unauthorized practice of law.

6. The Association was the first to advocate the use of full time prosecutors.

7. The Association has been a leader in bringing about, or causing to be brought about, the adoption of rules, rules changes, and legislative action in a host of areas from which the public and the profession have benefited.

8. Your Association has been the first and the most vocal in critically focusing attention on the negative aspects of the senatorial courtesy rule. Most recently we received much favorable comment from the press in having asked for automatic approval of a judicial nomination within a stated period of time if the Senate defers action under the odious courtesy practice. John T. McGovern, in the Newark News of May 3, 1970, said of the practice: "Today the Legislature is still deciding the fate of gubernatorial appointments behind closed doors, just as it did in 1776."

9. In general, your Association, more than any other professional body, has brought to its members a host of professional benefits, and has "gone to bat" for its members whenever the "chips were down".

I should now like to discuss present and future matters which deserve the thoughtful consideration of all citizens, attorneys or laymen, of our State.

1. Criminal Law Reform

There is no area in which constructive improvement is more urgently required than in

the criminal law process itself. There has been no major revision of New Jersey statutory criminal law in years. In many court houses the length of the criminal calendars exceeds and defies reason. With an ever increasing population, with the expansion of the rights of the accused, adult or juvenile, by reason of precedent shattering decisions, with unrest and disobedience all about us, one can only hope that the obsolescent body of criminal law and procedure will be replaced as quickly as possible. The problem has been recognized by the Criminal Law Revision Commission created in the spring of 1969. In an interim report dated April 15, 1970, that Commission advocated the enactment of a modern, rational penal code as essential to law enforcement. The President's Commission of Law Enforcement and the Administration of Justice drew the following conclusion:

"American criminal codes reflect a broad consensus on the appropriateness of employing the criminal law to protect against major injuries to persons, property, and institutions. But the absence of sustained legislative consideration of criminal codes has resulted in the perpetuation of anomalies and inadequacies which have complicated the duties of police, prosecutor, and court and have hindered the attainment of a rational and just penal system.

"Some examples of these substantive inadequacies are the failure in most cases to treat as crimes highly dangerous conduct which does not produce injury, whether the conduct is undertaken negligently or recklessly; the unsatisfactory delineation of the line that separates innocent preparation from criminal attempt; the absence of laws that make criminal the solicitation to commit crimes; the amorphous doctrines of conspiracy that have grown unguided by considered legislative direction; the inconsistent and irrational doctrines of excuse and justification that govern the right to use force, including deadly force, self-defensively or in the prevention of crime, or in the apprehension of criminals; and the confusion that surrounds the definition of the intent or other culpable mental states required for particular crimes.

"Legislative criteria for distinguishing greater and lesser degrees of criminality are in no less need of reexamination than legislative definitions of criminal conduct. For these criteria determine such matters as eligibility for capital punishment, applicability of mandatory minimum sentences, availability of probation, and length of authorized maximum terms of imprisonment—matters that may be even more significant issues in a particular case than whether the defendant is in fact guilty. Yet here too legislative inattention has been marked.

Our New Jersey Commission has recommended forceful action:

"The problem is particularly acute in New Jersey today. We are in an era of rising crime rates and we must be sure that we are using the law enforcement facilities available as effectively as possible. This includes both confining law to a proper sphere of activity and assuring ourselves that persons appropriately subject to a criminal sanction will not escape because of a poorly defined crime. We are in the midst of a crisis with regard to respect for law. We must be sure our criminal statutes do not add to it, breeding contempt for law and disrespect for the enforcers of it, by being anachronistic or hypocritical. Further, New Jersey has never had a comprehensive penal code. While most states have the problem of an outdated code, we must start virtually from scratch. Our statutes now only define the elements of the offenses. We have almost no statutes relating to the general part of the criminal law, i.e., those relating, for example, to principles of liability, responsibility, justification or excuse. Presently, this is found in our case law. Rationality demands that it be codified."

In short, what we need is our own "Manhattan" project in which crime prevention, apprehension, trial, sentencing, corrections, probation and rehabilitation are merged under what might be termed a "humanist" approach. No easy answer is available. Special grand juries, wire tap evidence, pre-trial detention and severity of sentencing will not provide all the answers. Society itself, with the aid of an enlightened bench and bar, must take an overall view, and prepare a program funded generously. The early consideration and adoption of a new penal code in New Jersey will be a giant step forward.

Much valued work has already been done in this direction by the American Bar Association, the American Law Institute, and of course, the President's Commission. It is for us, the practicing active members of the bar, to encourage and assist their efforts. I am, therefore, asking that our Criminal Law Section give top priority to this pressing problem. Only then, in the words of Chief Justice Burger, can we hope to "close the revolving door of crime, prison, and more crime."

I respectfully submit that a new criminal code for New Jersey with more precise standards of enforcement and sentencing—together with courage—must be a top priority for the profession and for the public. The adoption of such a code can be accomplished within every protection afforded by the Bill of Rights to an accused—while at the same time protecting the public.

#### II. LAW AND ORDER

That the meaningful participation of the Bar is essential to the maintenance of law and order is elementary. As judges, prosecutors, defense attorneys, government officials at all levels, and primarily as officers of the Court we have a solemn duty to promote the majesty of the law and the necessity for order. To do less would be derelict.

The "Chicago 7" trial, which has been called a "tawdry judicial parody", presented relatively new ramifications of the law and order problem, i.e., the deportment of litigants during the course of a trial; the deportment of their attorneys; even the deportment of the judge.

In a thoughtful article in the New York Times Magazine Section 6 weeks ago, Louis Nizer discusses this very problem. He advocates jail for the defendant who violates decorum, the removal of counsel who deliberately obstructs justice by collaborating with a client's misbehavior, the control of the practice of packing the courtroom with voluble adherents of the defendants, the suspension or disbarment of any lawyer "who engages in unseemingly conduct involving the honor and dignity of the profession", and finally the enactment of federal and state legislation making disruptive conduct in a courtroom a felony—the felony of obstruction of justice.

Mr. Nizer says, "We owe it to accused persons to preserve a trial procedure which is classic and protective . . . Can it be said that taking stronger measures to preserve the judicial system is repressive?"

"To make our democratic institutions effective, within clearly defined legal limits, is the least we can do. It is a noble task—one not to be decreed as repression."

"There is a joke about our legal system: 'This is the only country in which the defendant goes home at night, and the jury is locked up.'"

The attitude of certain highly placed public officials does not help the cause, either. Just over a month ago, the Governor of Florida defied the Federal Courts over school integration. He removed school officials on patently transparent grounds, took over the local schools, and refused to carry out the orders of the court. If a Governor does not treat court decisions as legitimate, how can other citizens be asked to do so?

Some of us try to take the phrase "law

and order" as a high ideal, meaning decorous debate about any grievance and peaceful acceptance of decisions reached throughout the processes provided by society and the law in order that grievances may be resolved. The realization of that ideal is a pressing necessity today. The Wall Street Journal in a recent editorial called it "an ideal hard enough to uphold under the best of circumstances, let alone when it is encumbered by the kind of albatross Governor Kirk fashioned for its neck."

The time is here when we must reaffirm our dedication to a system whereby grievances are resolved and decisions are rendered in accordance with a system of living law, in an atmosphere of dignity, decorum and respect.

#### III. THE LAWYER IN THE QUEST FOR WORLD PEACE

Wars, external and internal, rage on in Asia and the Middle East. Strife is found in Greece, South America, and Africa. The responsibility for these events is shared by politicians, statesmen and military men. But the real hope "for peace, harmony and the joys of life in our time in a truly civilized community lie in great measure with lawyers of the world."

The New Jersey Law Journal in a thoughtful editorial on January 2, 1969 (92 N.J.L.J. 4) stated that "Law as the embodiment of agreed-upon rules of personal and national behavior is the subject of a lawyer's training. Only by living according to adequate law, domestic and international, can there be peace at home and abroad.

"Lawyers, therefore, by training, by experience and by their aptitudes in formulating, administering, and enforcing law as legislators, executors, statesmen, advocates, consultants, advisors and draftsmen are particularly qualified and have a responsibility to promote the cause of law and peace. True, it is, they alone cannot achieve peace through law. But certainly they are better qualified than any other single profession or calling to lead the world in the age-old (but we hope, not eternal) search for peace on earth." This quest is not necessarily an impossible dream.

The American Bar Association helped create the World Peace Through Law Center now in Geneva. Our own association has an extremely active Section on International Law. Our own bar has been represented at conferences of the Inter-American Bar Association. There comes a time—and it is here now—when every lawyer must stretch his mind in making a concerted contribution to the cause of world peace through law through membership in the international associations and in national and state bar sections on the subject.

I have had the fortunate opportunity to travel to many countries under the World Peace Through Law program and under governmental auspices. These travels have reinforced my deep feelings about the contributions we all can make. Under the State Department Cultural Exchanges Program, I have been privileged to study legal systems in the U.S.S.R., Eastern Europe, the Middle East, and the Far East. From these experiences, I have found a number of attributes, common to lawyers worldwide. Lawyers speak the same language of the law, have the same problems with clients, and occasionally with judges, are ——— good advocates, enjoy adequate fees, and have a high regard for their respective systems of justice. In great measure lawyers dominate the law-making bodies of the world, and thus have the singularly important function of making law, interpreting law, and establishing criteria and mores by which their peoples are governed. If, therefore, there can be meaningful dialogue among the lawyers of the world, it follows that the difficult path to world peace can be made a bit easier to navigate.

#### V. SERVICE TO THE PUBLIC

However else historians may describe the 60's or project the 70's, one major fact which they must acknowledge is the innovative role of the lawyers and the courts. The young men and women who are entering our profession want to turn their talents loose in different and new forums. They want to serve the disadvantaged and the forgotten in new and different ways.

These same young people coming out of the best law schools are not accepting prestigious appointments nor the fat salaries offered by the larger law firms of the nation. They are seeking and accepting appointments in governmental service, in agencies which bring the message of the law to the underprivileged, or in neighborhood law offices where the pay is low but the knowledge that one is making a contribution to his fellow man is high.

It is our responsibility, as established attorneys, to help them do this, and to do some of it ourselves. It should however be noted that, with little flamboyancy and without the spotlight of the communications media, established lawyers have been rendering valuable public service for many years. In the area of civil rights, particularly, our profession must be accorded full credit for much of the past decade's progress.

Much more remains to be done for the public, however. It is not sufficient to concentrate on "bread and butter" work alone. It is not sufficient to be content with the daily tasks of closing titles, planning estates, representing plaintiffs or defendants in negligence cases, or in being exclusively this or that particular type of lawyer. We must go beyond these spheres of professional activity which provide for most of us more than an adequate livelihood. We must be contemporary. Our failure in some instances to be contemporary underlies the so-called generation gap. The young are correct in their dissatisfaction with our too passive attitudes concerning the pressing problems of the day. The public is entitled to our help in meeting the new challenges of the day, whether they be legal, political or social in nature.

To this objective I have announced in the New Jersey Law Journal my intention to appoint new special committees, among others, as follows:

- Public Health & Environment Law.
- Conservation & Ecology Problems.
- Drug Abuse & Narcotic Problems.
- Causes & Prevention of Civil Disorder.
- Housing & Urban Affairs.
- Racial Minorities & Contemporary Law.
- Consumer Education & Assistance.
- 200th Anniversary of Declaration of Independence.

Activity in these fields will make us sharply relevant to understanding the tensions that strain the fabric of our society.

#### A. COURT CALENDARS AND THE BAR

As an organization, through its various sections and committees, and as individuals, we must work with the Courts on the ever present problem of calendar congestion. Nothing confuses the lay person more than the unreasonable and unexplained delays in the judicial process. Nothing is more burdensome to lawyers.

As individuals, we can make a great contribution by the application of common sense, good judgment, effective advocacy with clients, and a less selfish approach. The plaintiff's attorney who deludes his client as to the value of a case, who makes unreasonable demands for settlement, and who is neither candid with client, adversary or the court, is to be blamed as much as the defendant's advocate who, in attempting to impress his carrier with his "toughness," fails to engage in meaningful settlement negotiations, or resorts to delaying tactics of one sort or another by unnecessary motions. In point of fact, most cases (92%) are settled prior to actual trial. If this be so, could not a franker

dialogue between opposing counsel result in the settlement of cases which seem to occupy the largest part of our calendars? I am pleased to report that our Section on Civil Procedure has met with the Administrative Director of the Courts and with the Assignment Judges during this convention to review procedures intended to deal with the congestion problem.

Innovative proposals to deal with this problem are being applied at present. In Middlesex County, for example, plaintiffs' and defendants' lawyers have initiated an Early Settlement Program. Panels of leading plaintiffs' and defendants' lawyers, to whom other attorneys submit their cases, have brought about settlement of over 50% of the cases, much in advance of trial. The Court has been cooperative in providing facilities, as have adjusters, clients and counsel in their attitudes toward settlement.

It would be helpful, too, if the Court were always mindful of the problems related to trial practice and to the practice of law generally in these times. It is the lawyer's fondest hope that every judge, notwithstanding the passage of time, will remind himself of his own days as a practicing lawyer, and that he will recognize that the practice of law today is fraught with problems which did not exist just a few years ago. Shakespeare's words in "Julius Caesar" may be appropriate:

" 'Tis common proof, that lowliness is young ambition's ladder,  
Whereto the climber-upward turns his face;  
But when he once attains the upmost round,  
He then unto the ladder turns his back,  
Looks into the clouds, scorning the base degrees  
By which he did ascend."

#### B. ESTABLISHMENT OF A FAMILY COURT

This Association, through its Family Law Section and the Committees which preceded it, has for years advocated the creation of a Family Court in New Jersey. Resolutions have been adopted and submitted to the Legislature on a number of occasions. Regrettably, little action of a positive nature has been taken to date. That our present procedures simply are not adequate for coping with the complexities of family discord has become increasingly apparent, and their inadequacy is reflected in the number of marital actions which clog the courts.

The law should be designed to promote family stability by preventing divorce where it is not warranted, and reducing its harmful effects where it is necessary. Perhaps a fresh look at the legal grounds for divorce in our State is in order.

The Family Court would have broad jurisdiction over the many faceted actions, civil and criminal, which relate to the welfare of the family unit. These would include marriage, separation, nullity, dissolution of marriage, child custody and support, alimony, division of property, paternity and legitimization of children, guardianships, and cases generally involving legal relationships within a family.

#### C. THE SELECTION OF JUDGES

The Association in recent years has had a significant effect on the election of judges. As a result of a series of meetings held with Governor Hughes and President Bernard Segal of the American Bar Association, our Chief Executive stated that he will not submit a judicial nomination to the State Senate without the clearance and approval of our Association. We are pleased to report that within five days of Governor Cahill's inaugural, a joint conference was held with the Honorable Pierre Garvin, Counsel to Governor Cahill, the Honorable George Kugler, Attorney General, and the Executive Committee of the Association. The Governor has made it crystal clear that he will not nominate any person to be a judge or a prosecutor

unless the Judicial Appointments Committee affirmatively finds such a person to be fully qualified for the position.

It is apparent that the selection of judges is a primary responsibility of the Governor. It is equally apparent that our system sometimes breaks down because the isolated instances of abuses of the "senatorial courtesy" rule. What is the public to think when a busy county, overloaded with legal cases, finds it necessary to postpone all civil matters for months simply because its limited number of judges have been, by necessity, assigned to criminal cases? What do the citizens of that same county think of the failure to appoint judges to existing vacancies only because a single senator refuses to give his blessing until or unless his particular choices are made?

Your Association has vigorously fought against the senatorial courtesy rule for a number of years. The Board of Trustees of the Association recently adopted a resolution calling for a specific time period in which the Senate must act upon a nomination of the Governor's; failure to act within that time would signify automatic confirmation. Wide and favorable publicity on this action appeared in editorial columns of the papers of this State.

Hopefully, we have passed the day and age when a judgeship was described as a "political plum." It is to be hoped, too, that those members of our State Senate who happen to be lawyers will also rise above the sometimes destructive end results of the unwritten senatorial courtesy rule, and will in fact seek only to work with the Governor in the selection of the best qualified candidates for the bench, for the office of prosecutor, and indeed for all appointments to highly sensitive positions.

#### D. AN OMBUDSMAN FOR NEW JERSEY

I suggest that the Association study the advisability of having the State create a special office required to handle citizen's complaints—An Ombudsman for New Jersey.

Millions of Americans view government as distant and unresponsive, if not hostile. Though often the targets of the resentment which ensues, government officials are usually not the cause of remoteness, but rather its victims. Improving the means by which individual citizens can voice dissatisfaction with governmental action or inaction will make for a more democratically effective society.

#### VI. SERVICE TO THE PROFESSION

I have previously alluded to some of the accomplishments of this Association.

This Association is big business. It works for you around the clock. It is responsive to your interests and desires. It is not an "establishment" in the opprobrious overtones often associated with that word. It has been said that the Establishment criticizes but never overturns—and that, incidentally, makes it different from an aristocracy which does not even criticize. Having had the privilege of serving as Secretary to the New Jersey State Bar Association for three years and having also served as Vice-President of our organization, I know what dedication lies behind the growth and stature of the Association. Leading lawyers on the Board of Trustees give of their time unselfishly, as do the committee and section chairmen. Our Association, through its officers, trustees and professional staff, has participated in or initiated over 250 meetings during the past year—meetings which dealt with problems of all lawyers. All members of the Bar are encouraged and invited to join Sections and Committees.

Were you to be as fortunate as I in having worked with these men of vision, with men of viewpoints ranging from conservative to liberal but not to extremes in either direction, from strict constructionists to exponents of change, from the outgoing trial lawyer to

the more reticent, quietly probing estate or corporate lawyer—all of whom have had some part in the destiny of your Association, you too would be proud to be part of the Establishment. Once again, I invite you to join us.

To continue our service to the profession, I intend to create several new committees to deal with the following subjects, among others:

Legal Education and Admission to the Bar.  
Professional Economics and Law Office Management.

Liaison with Colleges, Law Schools and Law Students.

State Law Revision.

Uniform State Laws.

#### A. CONTINUING LEGAL EDUCATION

We have had considerable success in continuing legal education, but our efforts must be stronger than ever. These must be geared, not only to the "how-to-do-it" activities, but also to the areas of broader professional responsibilities. Justice Thomas W. Pomeroy of the Pennsylvania Superior Court suggests "we should even expose ourselves to the occult mysteries of science, automation, and cybernetics, so that we can talk the same language as some of our clients." It was John Marshall who said that "no lawyer is entitled to the honorable and conventional epithet of 'learned' if his reading is confined to statutes and law reports."

To dramatize the main concerns of justice we must constantly strive to stretch our minds. We must get involved. To this end, I have announced the formation of new special committees, such as:

Ecology and Conservation

Electronic Surveillance

Environmental Law

The Lawyer's Role in the Search for Peace

Science and the Law

Oceanography Law

Space Law

Your participation is encouraged and invited.

Our Practising Law Institute and Continuing Legal Education programs have been appropriately cited for excellence. My own experience in attending such sessions is the pleasant discovery that one usually sees the busy lawyers present. Perhaps this is what keeps them "on-the-ball." A competent lawyer exudes confidence which is appreciated by the client. The client is then more receptive to advice, and the whole process of litigation profits by the more reasonable and conciliatory viewpoint. Confidence in the judicial process is the end result.

#### B. FUTURE LAWYERS

As a further service to the profession, and indeed to the public, I suggest a system of attracting good law students to practice in New Jersey. The problems of recruitment are known particularly to our larger firms who are in competition with even larger firms in the metropolitan areas. New Jersey practice has become somewhat overlooked as a result of the glamour packaging offered by firms in New York, Philadelphia, and Washington, D.C., on the East Coast. And yet we have in this busy state every conceivable type of practice to offer the young, interested lawyer. He can enjoy membership in a number of large firms; he can settle in a medium sized firm located in the less densely populated cities. He can pioneer with either young or established lawyers in the many rapidly growing communities of an expanding industrialized and residential state. He can enjoy the rewards of private, personal practice in the smaller communities, perhaps by himself, with the priceless thrill of being needed by many of modest or little means. In all instances mentioned above, he will find that the opportunity to make a decent livelihood is

much greater here than in most places in the nation.

How do we sell New Jersey practice to good law students? I propose the creation of teams of two or three practicing lawyers who would be available for consultation at appointed times and places at the law schools in New Jersey, in the metropolitan area, or indeed at any law school which expresses an interest. I also propose a plan which was recently introduced in Wisconsin. Here the lawyers of the Wisconsin State Bar Association work directly with the Law School at the State University, where for example active practicing lawyers have set up courses such as "General Practice." The result is a tying together of the theoretical with the practical. There has long been a need for bridging the gap between pure legal knowledge and what one does when actually engaged in practice. If nothing else occurred, the student will have had the benefit of professional instruction and practical application—long a missing link between admission to law school and admission to the bar.

#### C. THE BAR AND THE SCHOOLS

I advocate offering our services as an Association and as individuals to the public and private schools of the State, particularly at grade school levels. President Segal of the American Bar Association noted in his Law Day address that "72% of all offenders under 20 years of age are rearrested for another crime within five years after release from custody". And Chief Justice Burger has noted that the majority of all major crimes are being committed by young offenders. Perhaps a meaningful classroom program commencing at the 6th grade level on the meaning of the law, its rights and obligations, and its penalties, would be more indelibly impressed on the young mind in its formative years. These efforts are effective, as evidenced in the successful programs conducted by the Chicago and Cleveland (Ohio) Bar Associations, which have done wonderful work in those areas of their respective cities where respect for law was most needed. Most recently, the Mercer County Bar has initiated a program in the schools on education and the law relating to drugs and drug abuses.

#### D. THE BAR AND LOCAL LAW ENFORCEMENT AGENCIES

I propose a plan whereby the Bar would send lawyers as instructors to every community agency that requested them. These instructors would expose our local police forces to the proper legal interpretation, the ramifications, and the implication of some of our Supreme Court decisions such as *Miranda*, *Gault*, and *Escobedo*. The effect of such a program, I feel, must result in a better system of law enforcement.

#### CONCLUSION

At the close of the Judicial Conference held in Newark last May, the Honorable Edward B. McConnell, our distinguished Administrative Director of the Courts, presented a "Blueprint for the Development of the New Jersey Judicial System." His presentation included some of the most significant broad range proposals in our judicial history. It included, among other things, some of the items which I have alluded to in this message. His call was loud and clear "for involvement, for thought, and for action by all Justices, Judges and Lawyers." The *New Jersey Law Journal* in a fitting editorial on June 5, 1969, said, "All of his blueprint may not be implemented at one time or in a short time, but starts can be made on the transfer from his blueprint to construction. Bar Associations, perhaps led by the State Bar Association, could take Mr. McConnell's Blueprint and commence a program of action immediately on many of his ideas." As to the judges, Mr. McConnell has expressed about all that can be said for their contributions:

"The greatest single incentive that exists is each individual judge's desire to measure up to his own personal standards of excellence."

The same incentive would obviously apply to lawyers.

It was my intention, in a smaller sense, to present in this message a "mini blueprint for the New Jersey State Bar Association," for the same reasons and in the same spirit. Here, too, much time will be required. If we could but start on some of the basic projects, and at the same time continue to build upon the efforts and accomplishments of our predecessors, we shall have acted in the highest traditions of the profession.

I personally believe that a Bar Association should preserve its traditions and rely upon its past experiences in determining its manner of operation for the future. This, however, does not operate against our taking an activist position as an association of professionals when public and professional issues are at stake. We cannot afford to bask in the comfortable sunshine of the status quo. It is my hope that this Association will lead, initiate, innovate, and speak up when circumstances require positive action. It is my belief that an association is derelict if it waits to be asked to take a position in issues of vital importance to the public or to the profession. I would like to see this Association do, for example, what the Association of the Bar of the City of New York did two weeks ago when it suggested that lawyer members of Congress be restrained from practicing law. In these times we may be expected and should be expected, to take positions on the issues of the day—and there are plenty of them. The problems of race, pollution, crime, poverty, hunger, population, corruption, dissent, the right of privacy, strikes, the inadequacy of education, taxes, public indifference, archaic governmental institutions, ethics, and the general difficulties involved with the recurring violations of the dignity of human beings are present manifold today. We cannot afford to be passive. Circuit Court Judge John J. Gibbons, in his acceptance address as the incoming president of this Association, warned us cryptically and to the shock of those resistant to change, that if lawyers did not do anything about many interrelated legal and social problems of the day, somebody else would be doing it for them.

The legal profession must be concerned because the law seeks fairness, equity, and peaceful redress of grievances—these are the benefits of legal order. For many, our institutions have proved inadequate to secure the benefits of equal justice. It is for us to lead in rebutting this proof and in overcoming the failure of our institutions to respond to the legitimate needs of the public.

In these extended remarks, I am reminded of the young lawyer who said to the trial judge, after a long summation, "Your Honor, I apologize for having trespassed upon your time." To which the learned judge said, "Young man, you have not only trespassed upon my time, you have encroached upon eternity." I do hope that you will forgive me. I know that you will understand the spirit in which my talk was presented. Perhaps I could have stated everything that I believe the law is and our profession should be in a brief story about Rabbi Hillel, sage of the generation before Christ. Rabbi Hillel was challenged by an idolater one day to tell him all about Judaism in the brief minutes the questioner could stand on one foot. Hillel replied, "What is hateful to thee, do not do unto thy fellowman. This is the whole law. The rest is mere commentary."

The law is a challenge intellectually; it is a challenge ethically; it is a challenge in terms of human relationships; it is a challenge in a civic sense; and finally, it is a challenge in terms of trying to keep a peaceful world. The late Justice Felix Frankfurter ex-

pressed his view of the law in this manner: "The law touches every interest of man. Nothing that is human is alien to it. Its demands are exacting and exhilarating; the satisfactions it affords are rich and enduring. Cast thy bread upon its waters; it shall be returned to you manyfold."

With your help this might conceivably be a Golden year.

#### LOW-INTEREST LOANS FOR SINGLE-FAMILY HOME CONSTRUCTION AND PURCHASE

#### HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. LUJAN. Mr. Speaker, in introducing this bill to provide a source of low-interest loans for single-family home construction and purchase, I want to point out the need for such legislation and to explain briefly how my proposed program will satisfy that need.

Congress has for decades recognized the duty of the Federal Government to assist American families in the building or acquisition of a decent home. The many programs that have been developed to do this have helped make our country the leading Nation of the world in terms of the percentage of families who own or are buying their own homes. But most of these programs are tied to the availability of money, at reasonable interest rates, in the mortgage market. In times like today, when mortgage money is scarce and interest rates at record high levels, these programs become unworkable and the people are denied access to the capital necessary to build or buy their own homes.

Yet the need for new homes continues to spiral upward as young people marry and seek to establish themselves as permanent and responsible members of their community. It is of no value to them to learn that there are home loan insurance programs available if they can find someone who has the money to lend, because they know that less and less of available loan money is going into the home mortgage market. Nor does it help them to have VA loan programs on the books if they have to pay "points," in dollars that they don't have, in order to obtain such a loan.

Many credit-worthy families today are being denied mortgage financing on reasonable terms, not because of their inability or unwillingness to repay the obligation but because private funds needed for home financing have been diverted into other investment avenues more attractive to the lender. Such funds are available for home mortgages only at rates of interest that are all too often unconscionable. Millions of qualified potential home buyers are forced to "wait out" the tight money and high interest squeeze, and in the meantime the homes the Nation requires are simply not being built.

The bill I have introduced will resolve this dilemma by making available a revolving fund of \$10 billion to be loaned to qualified builders or buyers at a reason-

able rate of interest. The fund would be administered by a Federal corporation—the Federal Home Mortgage Loan Corporation—which is also created by this legislation.

The \$10 billion to be appropriated for this purpose would be channeled into the home construction and buying market through two separate functions of the Corporation:

First. The Corporation would advance funds to qualified private financial institutions for the sole purpose of financing the construction or purchase of new single-family dwellings. The financial institutions would pay the Government 4 percent annual interest on these funds, and would charge the borrowers an interest rate not to exceed 6 percent.

Second. The Corporation will purchase mortgage loans made by qualified financial institutions to finance the construction or purchase of new single-family dwellings. The purchase price to be paid for such mortgages will be established under regulations prescribed by the Corporation but will assure the financial institution a return of two percentage points on its investment.

Mr. Speaker, the details of how this program would operate are contained in the bill itself. At this time, I wish only to call the attention of my colleagues to the extreme urgency of this problem, both from the standpoint of our people who need homes but cannot buy them and from the standpoint of homebuilders who want to construct new homes but cannot obtain construction loan money.

The crisis is upon us. The need is now. The demand of our people for better private housing will not wait. Nor should we. The \$10 billion provided by this bill will equal only 3 to 4 percent of the presently outstanding total of mortgages on residential property, but it is nearly half as much as the total of saving and loan associations' new loans made in 1969 for home construction or purchase. If we act now, we can meet the housing crisis head on and avert its potentially disastrous effects.

**EXCESSIVE COVERAGE GIVEN  
"REVOLUTIONARIES" IN OUR  
SOCIETY**

**HON. EARL F. LANDGREBE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. LANDGREBE. Mr. Speaker, I wish to call to my colleagues' attention an article which appeared in the Indianapolis Star of July 9, 1970. It was sent to me by a constituent, Mr. Peter J. Ruden of Winamac, Ind., and is written by nationally syndicated columnist Henry J. Taylor, who comments on the excessive coverage given "revolutionaries" in our society. I urge every Member's attention to this article as well as of those officials in the television media:

TV CAMERAS FOCUS ON REVOLUTIONARIES  
(By Henry J. Taylor)

NEW YORK.—Infiltrated CBS, NBC and ABC still push on us such individuals as William Kunstler, attorney for the convicted Chicago

7, under the subterfuge, as usual, of "news." Kunstler attended an Oakland (Calif.) conference conducted by the Black Panthers. He stated in reference to the death of white policeman John Gleason in Plainfield, N.J., "The crowd, justifiably without the necessity of a trial, and in the most dramatic way possible, stomped him to death."

The William Kunstlers, et al., pushed into our nation's homes on TV, who proudly proclaim they are revolutionists, are not just hot-headed "generation gap" youngsters. They are adult mobsters with co-ordinated plans and defined goals.

Meanwhile, while criminals and their propaganda are literally featured at every turn by infiltration on CBS, NBC and ABC, the excellent, police-oriented programs, "The FBI" and "Adam 12," have been dropped.

This column has asked several times whether you think it's coincidence that anybody—literally anybody, some anonymous person who is certainly not newsworthy at all—can achieve a nation-wide TV news spot if he is condemning the United States, a university, the ROTC, any of our respected institutions, a judge in some courtroom, the American flag or the forces of law and order. Why?

The anarchy that many people are being taught on TV they are practicing. "Teach anarchy and violence to the young," said Lenin. The respected National Association for Better Broadcasting reports that the average American child during the ages of 5 through 16 is subjected to 21 hours a week under the influence of TV.

The mayhem watched is now so immense that before reaching 16 the average child witnesses some 12,000 TV deaths. In one week, in just one city, TV stations showed nearly 800 acts of violence.

How can so many among us be blind to the profound helpfulness of all this to the Communist masters?

Anarchy—monumental anarchy—is on the planning boards in Moscow. The Kremlin men know that internal demoralization plus external encirclement, reinforced by nuclear blackmail, can equal overt or covert surrender.

The explosion of the first Soviet nuclear bomb in 1949 was the beginning of a redistribution in the balance of power. The Moscow center of world wide Red manipulation has achieved a military stalemate.

Everywhere I go in the world the Communists live on the prestige of violence. Read today's dispatches from anywhere. By their conspiracies, their power grabs, their fifth-column groups, their propaganda of local terror, their clever appeals to people who do not know they are serving the Red cause, they strike at America from the inside. We are the chief target, for the United States is the only country the USSR fears.

Russia does not intend to lick America, or even to fight America. Russia does not want actual war with us. Russia does not intend to have it. War with atomic-armed America would hurt Mother Russia. They are not fools. "They have very canny brains," as President Nixon himself once said.

The Kremlin masters have a better idea. They expect us to lick ourselves. They expect us to knock ourselves out in our own gymnasium.

The Moscow planners are pursuing this idea every hour of the day and night. They know that the key to our world power is our home power. If our home power is lost our world power is lost. Everything the Kremlin masters do and say today is dedicated to cracking America's solidarity and sense of greatness.

This is why the constant, relentless TV featuring of the William Kunstlers, et al., and the steadily repeated TV violence are the greatest things that can happen for the Kremlin masters—really hitting the U.S.A. jackpot, sweeping the board of the winning stakes and breaking the bank all in one.

TV is the most powerful medium any civilization ever had. Don't the TV stations, getting a free ride on the public's airwaves, have any responsibility at all?

**SOARING: ONE OF THE WORLD'S  
FASTEST GROWING SPORTS**

**HON. RICHARD C. WHITE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. WHITE. Mr. Speaker, recently the community of Marfa, Tex., in my district, was the focus of worldwide attention as the site of the first world championship soaring contest ever held in the United States. Pilots from 25 countries participated.

Soaring is one of the world's fastest growing sports. In the past 10 years, its participants have increased tenfold, from some 1,500 to an estimated 15,000. But it is much more than a sport. Each year, it contributes sound scientific information to our knowledge of the atmosphere, and develops new techniques of utilizing that information.

The Marfa World Championship Soaring Contest was an outstanding success, due in large measure to the enthusiastic support of the people of west Texas. Last year, Marfa was host to the National Soaring Meet, and the enthusiasm grew toward the international event this year.

Among other matters, I was pleased to help arrange the necessary clearance for many of the foreign pilots, which permitted a large and highly successful competition. I was also able to assist in securing a special postal substation for dispatching mail from the soaring meet. I was greatly pleased when the President sent his greetings after I notified him of the international event.

The significance of the Marfa World Championship Soaring Contest was well told in two fine newspaper articles, one by B. Drummond Ayres, Jr., in the New York Times of July 5, and one by Bruce Bissonette, of El Paso, Tex., who spent 3 weeks in Marfa as press director of the contest, and reported his experiences in the El Paso Times, for which he is aviation editor. So that my colleagues will realize the significance of this event, I include these articles in the RECORD:

LIKE EAGLES, GLIDER ENTHUSIASTS GET 'HIGH'  
BY SOARING

(By B. Drummond Ayres Jr.)

MARFA, TEX., JULY 3.—The eagles that wheel and dive endlessly under the burning sun west of the Pecos were challenged this week.

Men have taken to the air in graceful fiberglass birds that compete on equal terms for space among the clouds.

Even by Texas standards, it has been a good fight.

The invasion of the lofty preserve of the great United States symbol came about because Marfa was chosen as the site for the 12th world gliding tournament, the apex of the sport in which motorless light planes soar about the sky on wind currents.

Few places on earth have a better combination of vertical and horizontal currents than this little cowtown that lies between the Big Bend Mountains and the great Southwestern Plains.

Pilots from 25 countries have been drawn here for the tournament, the first international gliding contest ever held in the United States.

During the past two weeks, Englishmen and Frenchmen, Danes and Chileans have raced one another repeatedly over prescribed courses, hoping to find a medal and a title at the end.

#### THE AFFLUENT SPORTSMAN

But the tournament is more than a simple manifestation of man's nagging desire to break his earthly bonds and perhaps become a world champion in the process.

It is also a testimonial to the increasing affluence of sportsmen everywhere, particularly in America.

Unlike an eagle, whose value can be computed only by the heart, the worth of a man-made glider is as clear as a starry Texas night—anywhere from \$7,500 to \$25,000.

Such an investment seems larger still given the fact that a glider has no commercial use. It is only a fun machine.

As in the equally expensive sports of yachting and auto racing, more and more people are enjoying the fun.

Fifteen years ago, according to the Soaring Society of America, the primary United States gliding group, there were only 400 gliders and 1,500 gliding enthusiasts in this country.

Today, the society says, there are about 2,000 gliders and more than 15,000 pilots and enthusiasts.

Significantly from an economic standpoint two of every three American gliders are owned by individuals. The remainder belong to club and rental agencies.

In Europe, where serious gliding started back before World War II, most of the craft are owned by clubs, mainly because of the lower standard of living on the Continent. However, to assure continued growth of the sport, many European governments subsidize clubs, and competitive meets are scheduled regularly.

At first glance, a glider appears to be nothing more than an ordinary light airplane with an extra slim fuselage. But this craft, which usually weighs less than 1,000 pounds and has a wingspan of about 65 feet, deserves more detailed inspection.

Like the eagle, it is a particularly handsome bird, free of engine nacelles, radar pods and struts.

It is also a clean bird, without streaks of soot or clouds of acrid fumes.

And most of all, it is a quiet bird. Up in the air currents, there are no throbbing engines, no keening, only the soft symphony of the wind slipping past.

#### PILOT'S SPIRITS SOAR

Such music makes the spirit soar, sometimes uncontrollably.

The other day here at Marfa, when George Moffat, one of the best American pilots, landed after a good flight, he seemed in a trance, as though part of him was still up among the clouds.

His English, which he teaches at a private school in Elizabeth, N.J., failed him. He walked away from a crowd of admirers mumbling, "Umm, umm."

(Later, after things had settled down, he told a friend that soaring was enough to make a man want to stay away from Elizabeth forever.)

Men like Mr. Moffat are purists.

The glider pilot relies on a powered plane to tow his craft into the sky but after that he stays up only by his wits and his luck. He must successfully negotiate the invisible gap between one wind current and another or he and his glider will spiral slowly but inexorably to a rough though usually safe landing miles from the nearest airport.

Early this week, a Canadian pilot competing in the Marfa championship "ran out of sky" and had to put down on a desolate stretch of range. He walked 28 miles before seeing another human.

#### DISTASTE FOR POWERED FLIGHT

An Australian glider force-landed on an interstate highway and had one of its wings clipped by a passing car.

Despite such bad breaks, people who have experienced the narcotic kick of soaring come away with a certain distaste for powered flight.

"Most of us have a hard time articulating just how gliding grabs us," said Bernald Smith, the president of the Soaring Society of America. "For myself, all I know is that I've wanted to soar ever since I knew what birds were. They love it, too, else how can you explain the eagle fooling around at 10,000 feet? There isn't any food up there."

The life style of the gliding set is as distinctive as that of yachtsmen or racing drivers.

Most are over 30 years old, apparently because of the high cost of soaring and because the ephemeral quality of the sport does not seem to attract youngsters hung up on surging horsepower and screaming acid rock.

Like yachtsmen and racers, gliding enthusiasts fall in love with their equipment and spend hours caressing it with polish or tinkering with seemingly insignificant parts.

#### CAMP FOLLOWERS

The camp followers, in flowery bikinis or low-slung bell bottoms, lounge appealingly in the background, soaking up the sun, planning the next beerblast and peering out at the world from behind huge sunglasses.

At launch time, particularly during competitive meets, ramp areas are covered with long rows of gleaming planes, most of them painted gull white. Pilots in coveralls kneel over maps spread on the steaming tarmac while ground crews in shorts, sneakers and a to-hell-with-it assortment of hats ease the craft to the starting line.

The lucky pilots are sent off into the sky with a kiss, but most just get a pat on the shoulder.

After the tow planes have done their work, the long wait begins. It is that old movie, "Twelve O'Clock High," with little of the fear.

In the air, the pilots fight with the currents. On the ground, the camp followers and mechanics begin to gossip or speed off in cars, trying to parallel the flight of the gliders, just in case one should run out of luck or air currents.

#### SEVERAL HUNDRED MILES

The flights from Marfa usually have covered several hundred miles over a specified course. Most have been completed in three to five hours at speeds of 50 to 70 knots and at altitudes ranging from 4,000 to 10,000 feet above ground level.

Gilders are capable of much better performances, however. Some have climbed above 45,000 feet, have soared more than 600 miles and have zoomed home at better than 125 knots.

Long before the first craft is due back, eyes begin to turn to the skies. It is a vain search for the first hour or so, but finally the leading bird appears on the horizon and drops in for a landing, wings whistling happily.

In Marfa at the end of such a day, one begins to sense what soaring is all about.

Old flying enemies—Germans and French or Americans and Japanese—slap one another on the back and gesticulate wildly in the common language of pilots the world over.

Everything is beautiful. No Cold War. Just a group of people exultant over having made Icarus's dream come true.

#### ONCE IN A LIFETIME

(Bruce Bissonette, aviation editor for *The El Paso Times*, is back on the job after three weeks spent at the 12th World Soaring Championships, in Presidio County, as press director. In a guest column today he tells of his "once in a lifetime" experience.)

(By Bruce Bissonette)

The 12th World Soaring Championships, the first international soaring competitions to be held in the United States, have come to an end.

George Moffat, of Elizabeth, N.J., took top honors for the U.S. team in the Open Class, the third time in the history of the World Championships for the U.S. to be declared a winner and the second consecutive winning.

Back in 1956, before there was a decided class difference, Paul MacCready won for the U.S. in the Sixth World Soaring Championships, held in St. Yan, France. A. J. Smith, Southfield (Detroit), Mich., architect, won the Standard Class in Leszno, Poland in 1968 and was defending champion this year.

From 25 nations, including the U.S. and two Iron Curtain countries, 79 men, 30 of them in the Open Class, traveled to Marfa, Tex., with their planes and ground crews to try their hands at taking home the coveted top awards.

There is no financial gain in the offing for the winners. Only a cup, that heralds the fact that they have accomplished their task, and it is theirs for only two fleeting years before being turned over to another hard working winner if they should fall in their next attempt.

For the next nine best pilots in each class, medallions, emblazoned with an emblem commemorating the event, are presented with nearly the same amount of pomp and ceremony as that accorded the champions. Smaller versions of the same medallion, struck in bronze and silver, are presented to the balance of the contestants and their crews.

#### MEET LASTS ONLY 2 WEEKS

And then it's all over. The two weeks of hard fought contest, the thousands of miles driven by the ground crews as they followed their pilots and planes by car for retrieve in the event of a landing "out," the good times enjoyed by all, become but a memory. New-found friends may be joyously greeted at some future international soaring event, or may never be seen again. But lasting friendships were made, even though all of those involved came from strange and far away places.

Perhaps that, above all, is the most important thing about an international sporting event. People of all faiths, opposed principals, varying political beliefs, entirely different ways of life, meet on a common ground with one goal in mind.

That goal is not necessarily to win. All participants fully realize there can be but one top pilot in each class. The goal, an unwritten law one might say, is to do the best you can in the art of soaring, and make friends with all the others who are here to do the same thing. Then, may the better man win.

It was a heartening experience to be press director for the championships. We made hundreds of new acquaintances, friendships which will be of a lasting value.

One touching experience, the memory of which will remain forever, occurred during the last week of the contest. On the last of the three days of rest brought on by poor soaring weather, the members of the press were entertained by Pat Ryan, publisher of Marfa's Big Bend Sentinel, who also was the sponsor of the Hungarian team festivities attending the affair.

Festivities centered around a whopping Texas style barbecue with the Hungarian

team singing folksongs in their native tongue after dinner. Later that evening, a man from Yugoslavia, long associated with soaring and well known in European aviation circles, arrived to pay his respects to the captain of the Hungarian team.

#### LIFELONG DREAM CAME TRUE

He has been in the U.S. for only a couple of days, attending an international symposium on soaring (OSTIV) being held at Sul Ross University, at Alpine. In visiting with him, we learned that this was his first visit to America. During World War II, he had flown as a fighter pilot and later served in the underground following his escape from a prisoner of war camp.

He spoke excellent English and expressed himself beautifully in describing his feelings at being a guest in an American home. A life-long dream had come true . . . at last he was in America, though for only a short stay. Two days later he walked into the press room to bid farewell. He was motoring to California with a friend, then on to Yugoslavia, his brief visit with freedom nearly concluded. He had no momento of the contest. I had little to offer but I readily gave him what I had.

A large poster, proclaiming the event, was removed from the wall and given to the Yugoslavian, together with a blazer emblem bearing the official insignia of the 12th World Soaring Championships. With tears in his eyes the old pilot accepted the token gifts, saying they meant more to him than if they had been jewels. At last he had something he could cherish, to remind him of his brief visit to the contest. Although he was only here for a couple of days, the occasion marked his continuous record of never having missed an international soaring contest.

#### OTTAWA VERSION OF AN OLD TIME CHILDREN'S TALE

### HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. SCHMITZ. Mr. Speaker, the American people would do well to learn the lesson contained in the following letter to the editor of the Montreal Gazette. It was printed in the March 26, 1970, issue of that publication:

#### OTTAWA VERSION OF AN OLD TIME CHILDREN'S TALE

SIR: I find that the philosophy upon which the Ottawa Government is basing their program is well illustrated by the following variation of the tale "The Little Red Hen."

Once upon a time there was a Little Red Hen who scratched about and uncovered some grains of wheat. She called her barnyard neighbors and said, "If we work together and plant this wheat, we will have some fine bread to eat. Who will help me plant the wheat?"

"Not I," said the Cow. "Not I," said the Goose. "Then I will," said the Little Red Hen—and she did.

After the wheat started growing, the ground turned dry and there was no rain in sight. "Who will help me water the wheat?" said the Little Red Hen.

"Not I," said the Cow. "Not I," said the Duck. "Not I," said the Pig. "Equal rights," said the Goose. "Then I will," said the Little Red Hen—and she did.

The wheat grew tall and ripened into

golden grain. "Who will help me reap the wheat?" asked the Little Red Hen.

"Not I," said the Cow. "Not I," said the Duck. "Out of my classification," said the Pig. "I'd lose my ADC," said the Goose.

"Then I will," said the Little Red Hen—and she did.

When it came time to grind the flour, "Not I" said the Cow. "I'd lose my unemployment," said the Duck.

When it came time to bake the bread, "That's overtime for me," said the Cow. "I'm a dropout and never learned how," said the Duck. "I'd lose my welfare benefits," said the Pig. "If I'm the only one helping, that's discrimination," said the Goose.

"Then I will," said the Little Red Hen—and she did.

She baked five loaves of fine bread and held them up for her neighbors to see.

"I want some," said the Cow. "I want some," said the Duck. "I want some," said the Pig. "I demand my share," said the Goose.

"No," said the Little Red Hen. "I can rest for a while and eat the five loaves myself."

"Excess profits," cried the Cow. "Capitalistic leech!" screamed the Duck. "Company fink," grunted the Pig. "Equal rights," screamed the Goose.

And they hurriedly painted picket signs and marched around the Little Red Hen singing, "We shall overcome," and they did.

For when the Farmer came to investigate the commotion, he said, "You must not be greedy, Little Red Hen. Look at the oppressed Cow. Look at the disadvantaged Duck. Look at the underprivileged Pig. Look at the less fortunate Goose. You are guilty of making second-class citizens of them!"

"But—but—but—I earned the bread," protested the Little Red Hen.

"Exactly," the wise Farmer said. "That is the wonderful free enterprise system, anybody in the barnyard can earn as much as he wants. You should be happy to have this freedom. In other barnyards, you would have to give all five loaves to the Farmer. Here you give four loaves to your suffering neighbors."

And they lived happily ever after. Including the Little Red Hen, who smiled and smiled and clucked, "I am grateful. I am grateful. I am grateful."

But her neighbors wondered why she never baked any more bread.

The Government never explains what is going to happen, or where our food will come from when they get everybody on the relief rolls.

H. M. JAQUAYS.

#### THE LIGHTHOUSE AT POINT FERMIN

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. ANDERSON of California. Mr. Speaker, in an age when more and more of our past is being buried by that relentless machine we call "progress," it is gratifying to be able to report that an effort is being made by some of the citizens in my district to save and restore a beautiful monument of America's seafaring past. The citizens are trying to save the lighthouse at Point Fermin in San Pedro, Calif.

The lighthouse, which will be a hun-

dred years old in 1974, is badly in need of restoration and it is hoped that its centennial will spur the drive to save this monument of the past.

One of the leaders of the movement, John Olguin, director of the Cabrillo Beach Marine Museum, has developed a plan which holds the promise of a bright future for this grand old lady of the sea. The effort is described in an article by William Olesen which appeared in the San Pedro News-Pilot on July 9, 1970.

Mr. Speaker, I would like to share the article with my colleagues for I feel that the effort it describes is the kind that every citizen should put forth in order that our American heritage may be preserved for future generations.

The article follows:

#### LIGHTHOUSE SHOULD BE SAVED

(By William Olesen)

Those interested in the preservation of local history and landmarks can readily look back and recount the things which have been irrevocably lost either through default or failure to recognize in sufficient time for steps to be taken for preservation.

The only thing which can be salvaged from such contemplation is the fact that it is necessary to be alert and sufficiently forthright to prevent additional inroads on what there is left to preserve. Fortunately, there seems to be quite a resurgence of interest in such matters, both locally and throughout the land.

A high priority item locally is the Point Fermin lighthouse, a fact which may surprise many, because it is rather unobtrusive and apparently well preserved; but here is a typical "sleeper" and one which should not be allowed to come day catch us aback and unprepared.

Somewhat over a year ago, the matter of a restoration project for the lighthouse was brought up at a general meeting of the 30 Year Club. It was decided that soundings should be taken to determine the depth of interest in such a project by other groups.

Whether or not this provided the spark is immaterial, but much encouragement was derived from a story which appeared in the May 20 issue of the News-Pilot. In it John Olguin, director of the Cabrillo Beach Marine Museum and a live sparkplug for many betterments, announced a plan for the lighthouse of a more comprehensive nature than the tentative proposal considered by the 30 Year Club originally.

The history of the lighthouse has been written up a number of times over the years and most recently by Banning Museum's curator Oliver Vickery. Therefore only a brief resumé is called for herein.

In his dreams and schemes for developing a harbor here, it was only natural for Phineas Banning to include a beacon for the guidance of mariners. In seeking an appropriation for a government survey of possibilities, a specific sum was earmarked for the express purpose of selecting a site and laying the groundwork for a lighthouse. Something like 25 years were to elapse before this project became an accomplished fact and the light put into operation in 1874.

Although of modest power, it had no competition in those unilluminated days and must have made a brave showing on the clear and velvety black nights so often experienced here.

The lighthouse retained its original handsome appearance until the outbreak of World War II. Very shortly thereafter the lantern housing and railing were removed, along

with the revolving lens, in order to accommodate an ugly though utilitarian henhouse type of superstructure.

It was a very hush-hush project at a time when radar had yet to prove its military advantage in the naval battles of the South Pacific. It was the first radar lookout station here, the very beginnings of what is now an elaborate installation on the crown of San Pedro hill.

Long since vacated and equipment removed, the "henhouse" serves no useful purpose but could conceivably pose a threat to the old tower because of weight and windage.

A whole generation has grown up believing the lighthouse has always looked as at present, unless otherwise informed. This impression has been further perpetuated by illustrations in magazines and brochures so that the time for taking corrective steps is really long past due.

The original structure is an architectural gem of the post Civil War period. Of the examples once to be found at Ballast Point in San Diego, Point Hueneme in Ventura county, and at Santa Barbara, this is the sole survivor; which fact further serves to emphasize its importance historically.

This has long since been recognized by the Native Sons and Daughters of the Golden West as well as the Cultural Heritage Board, but these acts alone do not assure perpetuation nor restoration. Its existence today is probably due to being situated in a city park and given custodial care by the Dept. of Parks and Playgrounds. But for this would probably have gone the way of the others long ago.

For a restoration project of the most limited proportions and expense, the hen coop should be dismantled; the wooden fence type railing replaced, as in the original, and a reasonable outline of the lantern housing erected. This is a job of such simple proportions that the writer has even considered volunteering to do it single handed.

Expanding on this basic proposal is the Olguin plan, not only to restore the lantern housing but possibly to locate and re-install the original lens and its mechanism. Certainly a most entrancing idea. More importantly, he has envisioned the housing of that wonderful collection of early photographs which were displayed under the title: "Miracle of the Mudflats" at the Municipal Building last September and treated in this column at that time.

The most difficult part about any of these proposals is to obtain consent from the various governmental agencies involved but surely the time is ripe for action in restoring Point Fermin Light.

The Olguin plan was unanimously endorsed by the 30 Year Club at the general meeting June 13 and all possible assistance offered. It is to be hoped that other civic minded groups and individuals have done, or will do, likewise. It is essential that steering way be maintained on this henceforth.

Many present day old timers fondly remember the gatherings enjoyed at the lighthouse when Captain and Mrs. Austin were in charge some 50 years ago. Having seven children of their own, they gladly made it an attractive center for many young classmates and friends.

Both parents passed away in 1925 at a relatively early age, unfortunately. Of the seven children, six are living with three still residing in San Pedro, according to information furnished by Thelma Austin Cunningham.

In 1974, the lighthouse will be 100 years old and it is reasonable to assume that at least basic corrections could be achieved by that appropriate target date.

John Olguin remarked that it might take 20 years to complete the job. If so, it will well be worth the effort but many of us can scarcely afford to wait that long, nor should it be necessary once public interest has become properly activated.

#### INCREASING THE PROTECTION OF EMPLOYEES COVERED BY PRIVATE PENSION AND WELFARE PLANS

**HON. JOHN N. ERLBORN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. ERLBORN. Mr. Speaker, the General Subcommittee on Labor of which I am the ranking minority member, has recently completed extensive hearings on legislative proposals allegedly designed to increase the protection of employees covered by private pension and welfare plans. Most of the emphasis has been on plans under which employers, either unilaterally or pursuant to a collective-bargaining agreement with a labor union, establish a pension fund to which the employer is the sole contributor, and which qualifies with Internal Revenue Service for the tax deduction which the Federal income tax law and regulations provide for contributions to such funds.

Sometimes, because of the actuarial assumptions on which the size of the employer's contribution is based, these funds are more than sufficient to pay the pension benefits to employees as they vest each year. In other words, after vested benefits are fully paid, there remains a surplus in these funds known as an actuarial excess.

Throughout the hearings the impression was plainly created, both by some members of the subcommittee and by a few of the witnesses, that when a pension plan is terminated such an actuarial excess reverts to the employer and the majority of the employees who have not met the conditions of the plan for receiving a pension, such as sufficient length of service or reaching the minimum age, are denied pension benefits they had a right to expect.

This impression is plainly erroneous. When a pension plan is terminated (the case most frequently mentioned being an employer who goes out of business), all of the employees including those who have not met the conditions of the plan, receive a prorated or proportionate benefit, and only after all of these benefits are paid or provided for, does the "actuarial excess" revert to the employer, a sum incidentally, upon which he must pay a Federal income tax.

To make certain that this was actually so, I communicated with the Internal Revenue Service for a clarification of this issue and received an extensive reply, fully confirming my own view of this particular type of situation. I should like this letter printed in the RECORD so that all may read it. The letter follows:

DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE,  
Washington, D.C., June 22, 1970.

DEAR MR. ERLBORN: In your letter dated May 22, 1970, you mention that you have participated in recent House committee hearings on proposals concerning private pension and welfare plans. In the course of the hearings questions have arisen with respect to the disposition of an "actuarial excess" remaining in a pension fund which is being finally terminated subject to the requirements for qualification under section 401(a) of the Internal Revenue Code.

To illustrate your inquiry you have offered for consideration the case of a hypothetical employer who establishes a qualified pension plan which covers 1000 employees who will be paid \$100 per month upon attaining age 65 after at least 20 years of service. Several years go by and the employer decides to liquidate the business and terminate the pension plan. The plan still covers 1000 employees but only 50 of them have reached age 65 and completed 20 years of service.

The plan has been amply funded over the years at a more rapid rate than anticipated by the actuarial assumptions and the 50 employees are provided their pensions in exact accordance with the provisions of the plan. There then still remains in the pension fund several millions of dollars which you refer to as an "actuarial excess." The question you present based on these factors is: How is this excess disposed of, particularly with respect to the 950 employees who have not met the conditions (age and service) provided in the plan, and the employer himself?

Disposition of the trust funds under such circumstances is subject to section 401(a)(2) of the Code which provides that under the trust instrument it must be impossible (in the taxable year and at any time thereafter before the satisfaction of all liabilities to employees or their beneficiaries covered by the trust) for any part of the trust corpus or income to be used for, or diverted to, purposes other than for the exclusive benefit of such employees or their beneficiaries. In addition, Code section 401(a)(7) requires that the plan of which such trust is a part provide that, upon its termination or upon complete discontinuance of contributions under the plan, the rights of all employees to benefits accrued to the date of such termination or discontinuance, to the extent then funded, or the amounts credited to the employees' accounts are nonforfeitable.

Sections 1.401-2(b)(1) and (2) of the Income Tax Regulations state that the intent and purpose in section 401(a)(2) of the phrase "prior to the satisfaction of all liabilities with respect to employees and their beneficiaries under the trust" is to permit the employer to reserve the right to recover at the termination of the trust, and only at such termination, any balance remaining in the trust which is due to erroneous actuarial computations during the previous life of the trust. The term "liabilities" includes both fixed and contingent obligations to employees.

The regulations illustrate this requirement with an example in which 1,000 employees are covered by a trust forming part of a pension plan. 300 of whom have satisfied all the requirements for a monthly pension while the remaining 700 employees have not yet completed the required period of service. Contingent obligations to such 700 employees have nevertheless arisen which constitute "liabilities" within the meaning of that term. It must be impossible for the employer to recover any amounts other than such amounts as remain in the trust be-

cause of "erroneous actuarial computations" after the satisfaction of all fixed and contingent obligations.

In applying these requirements to the example contained in your letter, the employer has already satisfied his fixed liabilities to the 50 employees who have met all of the requirements for a monthly pension by virtue of having reached age 65 and completing 20 years of employment with the company. Next the employer must satisfy his contingent liabilities to the other 950 employees in the plan at the time it is terminated. Thereafter, any funds which remain in the trust may be returned to the employer as a balance due to an "erroneous actuarial computation."

With reference to the employer's contingent liabilities to the 950 employees, Code section 401(a)(7) provides that their rights to benefits accrued to the date of termination, to the extent then funded, or the amounts credited to the employees' accounts are nonforfeitable. This requirement is amplified in section 1.401-6(a)(2) of the regulations which states that a qualified plan must provide for the allocation of any previously unallocated funds to the employees covered by the plan upon its termination. Any provision for such allocation is acceptable if it specifies the method to be used and does not conflict with the non-discrimination provisions of Code section 401(a)(4). However, the allocation of the funds contributed by the employer among the employees need not necessarily benefit all the employees covered by the plan.

Under these requirements and in answer to your question with respect to the 950 employees, the funds may be used, for example, to provide priority benefits for employees over age 60, then for those between ages 50 and 60, then for those with more than 10 years of service, and so on down to younger groups, until either the funds are fully exhausted or all participating employees have been allocated the amount of their accrued benefits. The employer will be entitled to a return of any amounts remaining in the trust because of "erroneous actuarial computations" only if any funds still remain on hand after allocations and distributions of the amount of their accrued benefits have been made to all participating employees.

We trust that the foregoing comments will be helpful to you.

Sincerely yours,

T. GOODMAN,  
Chief, Pension Trust Branch.

#### BURKE PRESENTS TESTIMONY BEFORE HOUSE VETERANS COMMITTEE

### HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BURKE of Florida. Mr. Speaker, on June 3, 1970, I was privileged to have the opportunity to testify before the House Veterans' Affairs Committee's Subcommittee on Compensation and Pension, in support of vital veterans pension legislation pending before that Committee.

The following is the text of my testimony:

Mr. Chairman, I am indeed happy that I am able to appear before this subcommittee to make this simple but deserving request that the veteran, his widow and his children, and his dependent parents receive fair,

honest and equitable treatment with respect to their pensions.

In view of the continued rise in the cost-of-living, which was recognized by the Congress when it recently boosted both Social Security and Railroad Retirement benefits, it seems long overdue to equally recognize the need of the veteran and his family. The rising cost of living today is unquestionably a heavy burden for the veteran who receives only a small pension. It certainly does not seem fair that increases in Social Security and Railroad Retirement benefits should place the serviceman in the position of having his pension entirely eliminated or his income reduced.

Mr. Chairman, you have sponsored H.R. 15911—which I was honored to co-sponsor with other Members of Congress—and we have all joined in the hope that some of the inequities might be overcome. Proper action by the Congress on H.R. 15911 will affect nearly 80% of those now receiving non-service-connected benefits or some 1,100,000 veterans and their widows. Nearly 43,000 parents entitled to dependency and indemnity compensation will also be affected. They deserve our concern also, and we should prove to them that this committee and the Congress can and will act in fairness and compassion.

I am sure I do not have to remind you that every Veteran's organization has requested the Congress to take immediate action in this matter. J. Milton Patrick, National Commander of the American Legion has stated that the American people demand of Congress "a veteran's benefits program second to none." I am satisfied that he has properly read the mood of the American people.

Ray Gallagher, National Commander of the Veterans of Foreign Wars has pleaded that no veteran who fought the enemy overseas should return home "to battle inflation here in this country." I agree and am ready to fight this problem of inflation not only for our veterans but I hope for all of us.

I am happy that the Commanders of the Disabled American Veterans, the Jewish War Veterans, the Catholic War Veterans, the Veterans of World War I, and the Veterans of World War II, along with many others, have joined in the fight for our veterans in urging that action be taken to assist those existing on veteran's pensions. I know that this committee has always strived to be fair and has recommended only that legislation in the best interest of the veteran. I would, therefore, like to commend you, Mr. Chairman, and this Subcommittee, as well as the members of your full Committee, for the very valuable legislation you have already recommended in the first session of this 91st Congress. You are indeed aware of the increasing needs of our servicemen brought about by the pinch of inflation. In this hearing you are asked by the bills under discussion to once again respond to a need that is not only critical but most evident.

For the 1,100,000 veterans and widows and their dependents, this bill would raise their monthly benefits by a little over 10 percent—a sum barely sufficient to cover the increased cost of living. In addition to the provision that would allow a \$300 increase in the annual income limitations, the bill also keeps any recipient of a non-service-connected pension or those on dependency allotments from losing their VA benefits as a result of the recent general 15 percent increases in Social Security and Railroad Retirement benefits voted by the Congress.

With few exceptions, then, no pensioner or his dependent parents will suffer a net loss in their combined VA and Social Security or other benefits.

How will this come about? Simply because of the general increase and by raising the income limitations from \$2,000 for the veteran or widow without dependents to \$2,300, and raising those with dependents from \$3,200 to \$3,500. The bill has an added feature in that it would benefit some 26,000 of the "old pension law" recipients by increasing their limitations from \$300 to \$1,900 for those without dependents and to \$3,200 for those who have dependents thereby saving their pensions for termination because of the increases in Social Security, Railroad Retirement and other payments.

I would also authorize the VA to continue to furnish drugs and medicine to the veteran who is in need of these services and attendance, notwithstanding that his pension might otherwise be terminated because of excessive income so long as it does not exceed \$500. I favor this and think this is necessary because of today's high cost of drugs as well as the need for constant care in more and more cases.

It is important to note that all of those covered by these proposals would benefit commencing January 1, 1971, which is the effective date of the most recent Social Security passed by the House.

Mr. Chairman, we are today engaged in another war abroad. Whether we like the war or not is not the question. Our interest should be for those who are committed and serving in our armed forces. I honestly feel it is incumbent that we, the Members of Congress, must, as a matter of right, let the men in our armed services know that we support them. Most of us here today have served in the armed services of our country and are veterans of past wars. But being a veteran does not mean we should abandon those who today stand in the shoes that we once wore.

The provisions in the laws which we enact for the benefit of the needy veteran and his family is only a continuation of our nation's commitment to provide for the serviceman upon his return to civilian life. Our servicemen have entrusted with us their hopes for the future of themselves and their families should they be wounded or disabled by reason of their service to our country. As a matter of conscience and not of charity, and in remembrance of our nation's commitment to her fighting men, I therefore urge the approval of the amendments to the law which are the subject of these hearings.

Congressman Burke's bill is H.R. 16392, to amend title 38 of the United States Code to increase the rates and income limitations relating to payment of pension and parents' dependency and indemnity compensation, and for other purposes.

#### A COMMENT ON WAGE AND PRICE CONTROLS

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. LANDGREBE. Mr. Speaker, because the issue of wage and price controls is of immediate concern and importance to our current inflationary economy, I would like to insert in the RECORD portions of an interesting and provocative letter from a constituent, Mr. Beryle Burgwald, who comments on this timely subject.

Mr. Burgwald's remarks indicate that not only are direct wage and price controls almost impossible to administer, that they impair important functions of the price system, and are contrary to our ideals of freedom, but they also do not provide a solution to inflation.

I urge every Member's attention to these thoughtful remarks on this important subject:

#### A COMMENT ON WAGE AND PRICE CONTROLS

"... Last week Senator Fred Harris of Oklahoma demanded that we turn back the clock and return to the days of O.P.A. He has introduced a bill, according to the *News-Dispatch* (May 26), that provides for setting up a National Economic Equity Board with the power to make voluntary price-wage guidelines, to control credit with the Federal Reserve Board, and, "if it found it necessary, to institute price and wage freezes for up to six months to halt the present inflationary spiral" that has developed.

While some mild forms of allocation made through voluntary industrial agreements might be suggested, and while I would certainly favor a bill for firm and independent control by the Federal Reserve over consumer credit, such a proposal setting up a federal bureau to freeze prices and wages for six months means price control against the producer, wage control against the working man, every kind of control over the businessman and it would mean regimenting the life of every family...

George Meany of the AFL-CIO advocated price and wage control programs a year ago as an attempt to fight inflation, and many people are willing to accept them out of a natural desire to have somebody hold down prices of those articles you and I have to buy. But I do not think that we want to socialize and regiment America. I am surely unwilling to accept the philosophy of socialism, that price and wage controls are an essential part, from time to time, of the economy of the U.S. If there had been price and wage controls in the past we would never have had a free economy or the free competition which has brought about the tremendous increase in production, and in the standard of living in the U.S. I feel very strongly that these controls are absolutely contrary to the whole theory of free economy. They have no part in a free society, and should not be made a part of our economic system. Such a measure as proposed by Sen. Harris is not progress, nor is it liberalism; it is reaction, and a step to a completely totalitarian nation. These are police state methods and would be the end of economic freedom.

Apart from theory there are some very practical objections to adopting police state controls. The American people remember the shortages and the black markets during the days of the O.P.A. They know such methods won't work. There are three reasons they don't work.

First, if controls are up against a strong trend to increase prices, we cannot avoid having black markets to meet economic conditions. The black markets spring up over night. These controls will not hold prices down if other conditions are permitted to go on forcing prices up. The truth is that Americans do not like to be regimented and ordered around by federal officials. Our experience with both prohibition and the O.P.A. prove that vast black market operations develop which the federal govt. itself is unable to control. How could the government enforce the controls Sen. Harris is now asking for without a vast army of enforcement agents—even with such an army?

In the second place, even if it did work

and these controls could be enforced, it defeats its own purpose: demands go up, while supply goes down. Wouldn't you really want to do the opposite? Prices are higher because the demand is greater than supply. Controls would stifle production instead of increasing it, when what we want is to produce more to give people what they need and want. More production will accomplish more than controls.

Finally, controls do not reflect true costs and real economic levels. There are probably a billion transactions which occur everyday in the U.S. No one knows how to fix the prices and conditions to govern those sales. In fact, industrial improvement can be bogged down by controls if businessmen have to go to Washington, D.C. in order to get approval for the purchase of new machinery or to try out new methods. General price and wage controls, with the government attempting to regulate a billion transactions a day, have been administered in an arbitrary spirit, without any interest in assuring equal justice. Whenever so-called "freeze" theory is adopted, prices go unchanged, regardless of increased costs, the destruction of many small businesses, and whether or not people in similar circumstances are given equal treatment. So, also, wages have been held on an arbitrary formula and an injustice done to those groups who do not have the political power to enforce increases...

The case against reviving price and wage fixing is summarized by the noted economist, Professor Milton Friedman of the University of Chicago, in the *Reader's Digest* in its May issue. In that article Professor Friedman writes about "the many misguided voices clamoring for compulsory wage and price controls. These controls will not work. They may for a time suppress the symptoms of inflation. But if prices are prevented by law from rising when there is pressures on them, there will be many buyers and few sellers. Result: black markets and distortion of production." Friedman says the way to hold prices down is for the government "to stick with the present policy," which includes spending less money and reducing taxes—and a "continued avoidance of price and wage control." This high-price condition is no accident. As Friedman points out, it has resulted from the policies of the Johnson Administration which resisted any attempt to cut expenses. Every cent the government spends puts more money into the buyer's side of the market.

I am well aware that prices are too high and unreasonable increases in wages may be requested, yet we do not need to surrender liberty to keep this country on an even keel. If we cannot meet problems of this kind within our system of free enterprise and incentive that has developed the greatest, most productive country in the world, then we must regiment prices and wages forever...

Today we stand at a crossroads between a free America and a planned economy. This is the last stand of the planners who think they know how to run the peoples affairs better than the people themselves can know. If this effort succeeds, there will never be a time (even in war) when an emergency can't be summoned up to justify the granting of such arbitrary power...

The issue before Congress, whose Constitutional power it is to make fundamental changes in the entire economy of the U.S. in connection with maintaining freedom in our country under Constitutional provisions, is: Shall we repudiate our heritage that has made America the greatest producer in the world—and also made it possible for us to help the rest of the world—or the police

state methods which brought those other countries as seekers of charity at our door?

B. A. BURGWALD,  
Michigan City, Ind.

#### EDITORIAL ON RECENT SENATE DEBATE

### HON. JOE D. WAGGONER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. WAGGONER, Mr. Speaker, during the recent weeks of debate in the other body concerning the rights, powers and prerogatives of the President, the *Shreveport Times* which is published in my congressional district wrote a most provocative editorial on the subject which I would like to insert here in the *Record* and call to the attention of the Members. This is the editorial:

#### HYPOCRISY OF SENATE ATTACK ON NIXON SHOWN BY FULBRIGHT, SYMINGTON

The endless tirade against President Nixon being conducted by thoroughly radical super-liberals in the Senate is purely political. It is basically hypocritical, sometimes repulsively bitter and vicious, at other times, inferentially presenting falsehoods through failure to tell the whole truth—to tell various proven facts.

The purpose is to try to hang onto President Nixon and his administration the responsibility for the Vietnam conflict and the fact that it cannot be suddenly halted now; and to blind people to the fact that everything now existing was inherited from two previous Democratic administrations. President Kennedy first sent combat troops into Vietnam. At the same time he negotiated (through Averell Harriman) an agreement for a coalition Communist-non-Communist government in Laos, which simply meant Communist control in a manner to open that nation to becoming the key link in the Ho Chi Minh trails via which North Vietnam sent troops and supplies, and combat materiel for the South Vietnam Communist Viet Cong, from North Vietnam to South Vietnam in virtually complete security.

Lyndon Johnson escalated the war to more than half a million American combat forces without trying to win the conflict. The net result thus far has been 43,000 Americans dead, close to 300,000 wounded, more than 100 billion dollars spent, a bitterly divided nation, no victory in the war and a Senate majority that moves whenever it can to handicap President Nixon in getting American troops home, whether the return is called "withdrawal" or a massive but slow retreat, which it really is and has been so designated by some of our military experts.

Senators (of both parties) Fulbright, Kennedy, McGovern, Symington, Church, Pell, Goodell, Cooper, Bayh, Gore, Yarborough (recently defeated in Texas for Democratic renomination), Percy and others have been the most vocal anti-Nixon Senators. Let's take a look at the chameleon-like changing of colors of two—Fulbright because he is the loudest and is chairman of the Senate Foreign Relations Committee which he uses repeatedly as a sounding board before TV for anti-Nixon nationwide propaganda, and Symington of Missouri because he is a past cabinet member—Secretary of Air under Truman.

In 1964, when President Johnson was be-

gining to move up American action in Vietnam, Senator Symington, Missouri Democrat, appeared before a weekly TV network panel where he was questioned by newspapermen, especially Marquis Childs of the St. Louis Post-Dispatch. To Childs' questions, Symington said:

"1. We (the U.S.) should tell North Vietnam we are tired of it invading South Vietnam from Cambodia. (This was six years before the U.S. moved against Communist troops using Cambodia as 'sacred sanctuaries.' Ending of this by Mr. Nixon is what set off the big recent and present barrage among the Senate radicals, including Symington, against him.)"

"2. If North Vietnam does not do this, we should bomb Hanoi's military installations, making Haiphong Harbor unuseable militarily, and invade North Vietnam with ground troops up the eastern Gulf of Tonkin coast, with assistance from the Navy, just offshore."

This is more extreme than what Senator Goldwater advocated at that time. It is what the military advocated. For political reasons it is too late now and Senate radicals want to make Nixon the goat.

Senator Fulbright talks repeatedly of "cutting presidential power" in all foreign affairs and of restoring the constitutional "power of the Senate." In 1961 under Kennedy, the only President with whom Fulbright has had pleasant political relations, he demanded more power for the President, more authority in more fields and in broader fields than theretofore. In a speech at Cornell University Law School in that year, now reprinted in the Cornell Law Review, Fulbright said in part:

"The source of an effective foreign policy under our system is presidential power. This proposition, valid in our own time, is certain to become more, rather than less, compelling in the decades ahead. The pre-eminence of presidential leadership overrides the most logical and ingenious administrative and organizational schemes.

"The essence of our 'policy-making machinery' and of the 'decision-making process'—concepts of current vogue in the academic world—is the President himself . . .

"It is my contention that for the existing requirement of American foreign policy we have hobbled the President by too niggardly a grant of power . . .

"The pre-eminent responsibility of the President for the formulation and conduct of American foreign policy is clear and unalterable . . .

"He possesses sole authority to communicate and negotiate with foreign powers. He controls the external aspects of the nation's power, which can be moved by his will alone—the armed forces, the diplomatic corps, the Central Intelligence Agency and all of the vast executive apparatus. As Commander-in-Chief of the armed forces, the President has full responsibility, which cannot be shared, for military decisions in a world in which the difference between safety and cataclysm can be a matter of hours or even minutes.

"The President is the symbol of the nation to the external world, the leader of a vast alliance of free nations, and the prime mover in shaping a national consensus on foreign policy. It is important to note, however, that while this responsibility is indeed very broad, his authority is often infringed upon or thwarted in practice by unauthorized persons . . .

"It is highly unlikely that we can successfully execute a long-range program for the taming, or containing, of today's aggressive and revolutionary forces by continuing to leave vast and vital decision-making powers in the hands of a decentralized, independent-

minded and largely parochial-minded body of legislators . . ."

## CAMPUS DISORDERS

### HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. DEVINE. Mr. Speaker, two items have recently been called to my attention as they relate to tragedies arising from campus disorders this spring.

In the magazine the National Guardsman an article by James J. Kilpatrick is reprinted by permission of the Washington Star syndicate entitled "Looking Behind the Triggers in Ohio." This article follows.

#### LOOKING BEHIND THE TRIGGERS IN OHIO

(By James J. Kilpatrick)

SAN FRANCISCO.—The Monday afternoon headlines here on the West Coast doubtless were typical of headlines all across the land: "Guardsmen Slay Four Ohio Students," and the impassioned reaction in California is duplicated on campuses everywhere.

Here, is impossible to keep up with the rallies, marches, confrontations and mob violence. At Berkeley, Stanford, Santa Barbara, students are striking and professors are spurring them on. Violence continues in Seattle. The turmoil escalates. "Troops Kill Four."

Let me turn around on one thought only, if I may: the responsibility for these four deaths in Ohio. Where does the responsibility lie?

The least of it lies upon the National Guardsmen whose fingers pulled the fatal triggers. These are civilian soldiers, summoned reluctantly from homes and jobs in obedience to duty. Many of them are as young as the student militants who torment them. They are performing a difficult and dangerous task; and considering the physical and verbal abuse that is heaped upon them, it is a wonder that so few have made the headlines of a Monday.

Who bears the blame for these deaths? Not the Guardsmen, who were but instruments of the state. I suggest that a terrible responsibility lies upon the heads of student revolutionaries who have kindled the wild torches of unreason. "When in doubt, burn," urges Jerry Rubin in his recent book. "Fire is the revolutionary's god. Burn the flag. Burn churches. Burn, burn, burn!" Who created the atmosphere in which this virus spreads? This is the work of the Rubins of our land.

But not of the Jerry Rubins alone. They had help. The blame for these four deaths (I speak generally, not precisely) lies also upon college administrators who failed for years to act on valid student complaints, and then reacted wrongly to them. The blame lies upon faculty members who abdicated their high responsibility to provide examples of maturity and restraint. The blame lies upon the apathetic, nonparticipating students who were too timid to stand up for their rights.

There is plenty of blame to go around. The tragedy at Kent State University, like the tragedy two weeks ago at Santa Barbara where another student died, is a direct and predictable consequence of a certain sickness of permissiveness—that infects our whole society. When old disciplines are abandoned in the home, the church and the elementary school, when big government, big labor, big industry and great courts evade the law, what should rational men expect of college students?

Let me be specific. The rottenness has manifested itself, here on the West Coast, in pornography that startles even the most sophisticated visitors from the East. Here the Chronicle reports routinely upon "the city's 30 dirty movie theatres." A certain regulatory ordinance is opposed by "leaders of the topless and bottomless industry." At the Aquarius, open 11 A.M. to 2 A.M., "you have the right (U.S. Supreme Court says so) to view any kind of film you choose." The customers choose fornication. They get it.

The same prurient fare is offered in Los Angeles. It is offered, for that matter, in New York and Boston. In the bent-glass mirrors of the crazy house, perhaps all this seems an image of "freedom," but it is freedom without restraint. Such freedom is corrupt.

It is a long way from Kent State University in Ohio to the peep-shows of San Francisco, but common symptoms suggest the same illness. The hardest task of a parent, and of those who must administer a free society, is to know when to say "no" and to mean "no." The excesses of democracy, said Polybus, lead straight to mob rule. Now the mobs form, here and everywhere, exploiting the deaths of four young people in Ohio, and it is late in the afternoon for the state to rally its wasting strength to impose belated restraints.

But not too late. I am flying home, high above the brown and green tartan of America in springtime, reflecting anew that a great country lies below. God give us the will and the grace and the wisdom to put it right.

Further, in the current July issue of the American Legion magazine a story appears entitled "The Background of the Tragedy at Kent State University." No attribution is affixed to this article; however, all interested Americans should have the benefit of this expression of viewpoint. The article follows:

#### THE BACKGROUND OF THE TRAGEDY AT KENT STATE UNIVERSITY

The Students for a Democratic Society got what it wanted on Monday, May 4, 1970, when four students were killed and eleven others injured in a confrontation with the Ohio National Guard at Kent State University. It wanted martyrs and had been seeking an event like this on many campuses, including Kent.

Though not well known nationally until May 4, Kent is a big university, the second largest in Ohio with 21,000 students. The SDS and related organizations—whose objectives follow the world Communist line to the crossing of the last tee and the dotting of the last eye—have striven to make martyrs on American high school and college campuses for many years. They were successful at Kent within less than two years of their opening effort.

Even with the spotlight on Kent since May 4, it is still a sort of well-kept secret that the Kent tragedy was the culmination of a two-year concerted effort, led by SDS, to create a "major confrontation" on the Kent campus.

On May 5, the day after the tragedy, the New York Times reported that "... until recently the school's most serious demonstration was a 1958 panty raid on two women's dormitories . . . since then, except for some rowdy Friday nights, the students, mostly middle class . . . maintained peace with local residents and in fact had a distinct reputation for apathy. . . ." The Times headline said that the shooting shattered "60 years of quiet at Kent State."

And if we can believe the New York Times' choice of witnesses and quotes, not even the sanest students at Kent seem to relate the

sad events of May 4 to the steady drive of campus and non-campus militants to bring on a violent event there. On May 11, the New York Times published a lengthy interview with eleven students at Kent who seemed to have some sense. But if one of them said that they saw any connection between the tragedy of May 4 and the two-year effort of SDS to bring it about, the Times didn't publish it. Nor, in interviewing them, did the Times report any question it put to the eleven students that related the two-year drive of the SDS at Kent to the sad showdown. The tenor of the interview seemed to point to President Nixon as the guilty party.

The Kent Stater (the student newspaper at Kent) had done better a year earlier. On April 21, 1969, it spelled out, point by point, the SDS's stated strategy for whipping the Kent students into a mob state of mind whose goal was "a major confrontation." The Kent Stater then showed the students at Kent how events that had already happened by then fitted, step-by-step, into the SDS plan for a coming violent showdown.

If anything hovers over the deaths at Kent State it is those SDS words "major confrontation." It happened at Kent and four students paid for it with their lives. In the weeks that have elapsed since the tragedy, with the country groping to understand it, there has been ample time for all the media—newspapers and major networks—to have told the public from the beginning, the carefully organized plan from the outside that led to May 4. The silence has been fairly enormous. In spite of all the words published about Kent, a country that needs to know what led up to the shooting has been pretty well shielded by its media from what is an open story.

It was on June 24th and 25th, 1969, that the Committee on Internal Security of the U.S. House of Representatives held hearings on SDS activities at Kent State during the 1968-69 school year. The hearings themselves fill a volume larger than this magazine, but in its annual report, the committee digested its Kent hearings into shorter form. Here is the digest, in full, reprinted from pages 43 to 52 of the annual report of the committee:

Students for a Democratic Society was involved in four disturbances—two of them marked by violence—on the campus of Kent State University in Kent, Ohio, during the academic year 1968-69.

The Committee on Internal Security held public hearings June 24 and 25, 1969, to receive testimony regarding the activities and demands of SDS which culminated in attempted and actual disruptions of university functions. The committee also heard testimony on the procedures followed by the university in response to those activities and demands.

Appearing as witnesses were: Dr. Robert I. White, president of the university, accompanied by his assistant, Richard A. Edwards, and Dr. Robert Matson, vice president for student affairs; Margaret A. Murvay, student who attended SDS functions as a reporter for the campus radio station; Lt. Jack R. Crawford of the university police department; Chester A. Williams, university director of safety and public services, accompanied by Security Officer Donald Schwartzmiller and Investigator Thomas Kelley; and Committee Investigator Neil E. Wetterman.

Testimony showed that SDS emerged as an organizational force on campus in the spring of 1968 when individuals who had been operating for several years under the aegis of the Kent Committee To End the War in Vietnam decided they would become "more well known" under the name of SDS.

In response to the group's petition for approval of an "innocuous" constitution that spring, the student government employed

the customary procedure in acting on such petitions by granting the Kent State chapter of SDS "provisional" status as a campus organization. This was enough to give SDS access to university facilities. (This status of temporary recognition continued until the university suspended the SDS charter on April 8, 1969.)

Although its constitution provided for a roster of officers and a membership based on payment of dues, there were no known officers and no dues payment. Local SDS'ers could pay \$5 to the national office for a "national" membership and subscription to the official newspaper, *New Left Notes*. They might also receive a membership card from the national organization, as one Kent Stater did. The Kent State chapter had no membership applications or membership cards.

The SDS membership locally, therefore, was described as consisting of (1) its leaders and recognized spokesmen and (2) a larger number of individuals who were sympathetic to the movement, supported SDS demands, and participated in SDS activities advocated by the leaders.

University officials estimated that the "hard core" of the Kent State SDS comprised no more than 15 to 25 members in a student enrollment of 21,000. However, this relatively minuscule group of hard-core activists could count on support from 150-200 students for meetings and for most of the incidents on campus. The number of supporters would fluctuate with the issues and the nature of the action. A seasonal fluctuation was also observed, with about 200 students likely to participate in an SDS-sponsored activity in the fall quarter and only about half the number in the spring quarter as "freshmen see that there are other activities on the campus besides SDS."

Members of the staff of the Ohio regional SDS, located in Cleveland, some 30 miles from Kent, also made frequent appearances on the Kent State campus. The staff was identified during the hearings as consisting of Corky Benedict, Lisa Meisel, Terry Robbins, Bobbi Smith, and Charlie Tabasko. This staff engaged in supplying "educational" pamphlets and films to chapters such as Kent's, as well as sending out mimeographed newsletters and directives aimed at getting local SDS members to carry out programs developed by SDS national officers and the national council.

During the 1968-1969 academic year, initial SDS activity revolved around "rap" (discussion) sessions in Kent State dormitories, together with rallies and film showings.

Key attraction at a public affair for which the SDS reserved the Kent State auditorium on October 24, 1968, was Mark Rudd. Rudd as chairman of the SDS chapter at Columbia University won notoriety as a leader in the seizure of campus buildings in the spring of 1968. Rudd also returned for a Kent State SDS rally and march protesting the national elections on November 5, 1968.

At least seven films, made available from the SDS regional office in Cleveland, were offered to Kent State students by the local SDS chapter. The films were among those listed in the catalogue of "Newsreel," a film company with main offices in New York City. Newsreel is engaged through several outlets coast to coast in the acquisition, production, and distribution of films propagandizing the causes of the radical minority and New Left movements. A witness who viewed two of the films—one dealing with the Black Panther Party and another simply titled "Weapons"—testified both reflected unfavorably on law enforcement officers.

The Black Panther film was effectively utilized prior to a sit-in on November 13, 1968, by the combined forces of the SDS and another campus organization, Black United Students.

In the course of several days of propagandizing, SDS had achieved an alliance with the BUS for the purpose of preventing recruiters from the Oakland, Calif., Police Department from conducting interviews on campus on November 13. On the eve of the scheduled appearance of the recruiters, SDS sponsored a meeting in the campus education building attended by members of BUS. A film on the Oakland-based Black Panther Party was shown. The presentation was highly emotional and "geared to make the police look bad," according to an eyewitness.

Oakland police officers portrayed in the film were berated as "racists" by a speaker at the SDS meeting. The speaker further exhorted the audience to action on the following day to insure that no campus recruiting would be conducted by that law enforcement agency.

On the afternoon of November 13, approximately 150 SDS supporters joined with some 200 members of BUS in occupying the student activities center. While nonviolent, the 5-hour sit-in nevertheless forced postponement of some interviews of potential recruits by the Oakland Police Department. The three demands of SDS on this occasion were: a ban on campus recruitment by the Oakland Police Department; the disarming of campus police; an administration agreement not to "infiltrate" organizations in order to keep an eye on them.

The university administration had made an unsuccessful attempt, prior to the sit-in, to establish an on-going communication with the local SDS chapter. Dr. Matson testified that the SDS leadership refused an invitation to meet in his office and demanded instead that he journey to the SDS meeting place. When the official agreed, he found that the SDS leaders had no specific concerns to discuss with him, although their sit-in occurred only 4 days later. One SDS member at the meeting, in fact, derided the official for expecting the organization to keep the administration informed of its plans.

The sit-in failed to accomplish a single SDS demand. It did, however, impel the administration to plunge "into the task of adjusting our student personnel and administrative staff assignments, procedures, and policies in dealing with major student disruptions and disorders," according to Dr. White.

Throughout the winter quarter, the president recalled, meetings were held involving the president's cabinet, the student affairs staff, and the safety and public service division, as well as outside law enforcement agencies on city, county, and State levels. The combined efforts led to the formation of "confidential emergency procedural guides" which set forth "who does what" in the event of further attempts to start campus disruptions.

Concurrently, the administration consulted with the faculty and sought to improve communication with the rest of the student body. University policy, as described by its president, was to protect dissent while rejecting coercive or violent actions and to institute change to meet legitimate student grievances. Cited by the administration in this connection was the fact that the Black United Students ended their alliance with SDS after the November 13 incident and thereafter worked with administration representatives through the normal process of consultation. The BUS has obtained administrative support for developing educational programs with particular relevance for black students.

Kent State officials were alerted during the winter quarter to expect planned disruptions during the spring quarter, which would begin officially on March 30. "The signals coming from the SDS," the president explained, "were so clear that tensions and concerns were evident throughout the entire

campus, even to the most casual observer." One of the clearest signals was a 10-page, mimeographed *Organizers' Manual for the Spring Offensive*, copies of which were piled on a table at a campus lecture sponsored by the local SDS chapter.

The manual, which was introduced as an exhibit during the committee's hearings, was an avowed attempt by the SDS regional office in Cleveland to help local chapters implement a spring program to "Smash the Military in the schools." The Ohio region of SDS claimed that its inspiration was a two-part program of the same name adopted early in February at a regional SDS conference at Princeton, N.J., with SDS National Secretary Michael Klonsky serving as one of the authors.

The manual, written by Ohio regional staffer Terry Robbins with assistance from activists in the Kent State SDS chapter, proposed issues and called for a series of escalating actions in their behalf on the campus and in the community. Proposed demands included (1) immediate withdrawal of American military forces from Vietnam and support for the Vietnamese Communist forces; (2) an end to ROTC; (3) an end to counterinsurgency and police training on campus; (4) an end to draft assemblies and tracking in high schools; and (5) open admissions for so-called Third World, black and white "working-class" people.

Demands were to be pursued through a series of "escalating actions" described in the manual as follows:

"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."

The objective of such actions was also spelled out in the manual. SDS did not seek reforms but creation of a so-called revolutionary class consciousness among students which would enable them to identify with struggles in Vietnam and Cuba while struggling against "capitalism" and "imperialism" at home. SDS members were expected to hold themselves ready "to move, to desanctify, to confront, to escalate, and ultimately to defeat the system we live under."

University officials sought to counteract the proposed SDS "spring offensive" in a number of ways. In addition to the previously described confidential guidelines for procedures in the event of campus disruptions, the university administration on March 7, 1969, issued a statement of policy which warned students, among other things, that: (1) the university would not respond to proposals for change advanced by force or threats of violence; and (2) the university would not tolerate disruptions of university activity.

During a recess at the end of the winter quarter (March 22-26) the administration conferred with State and local legal authorities and set in motion the machinery for issuance of temporary restraining orders when needed.

When students returned to class for the spring quarter on March 30, they were also informed that a new system of immediate suspensions might be applied to those who attempted to disrupt university processes. Before the spring quarter was ended, the university would have an opportunity to test the efficacy of its newly adopted procedures.

Witnesses supplied a detailed account of three disruptions of Kent State University operations planned by SDS and executed with varying effect during the spring quarter.

The first attempted disruption occurred on April 8, 1969, in behalf of demands raised only a day or two prior to the actual demonstration. The demands reflected all of the

campus issues proposed in the aforementioned *Organizers' Manual for the Spring Offensive*, with the exception of the manual recommendation on "Open Admissions."

Recommendations in the manual on the subject of the Vietnam war, ROTC, and counterinsurgency and police training on campus were reworded, and the following local SDS demands were then mimeographed in leaflet form and circulated on campus:

(1) abolish ROTC because it supplies leaders for an alleged "imperialist" American action in Vietnam.

(2) abolish the Liquid Crystals Institute. (Engaged in cancer research, the university institute also held a research grant from the U.S. Defense Department, which led SDS to charge it with involvement in a Government counter-insurgency program.)

(3) abolish the Northeast Ohio Crime Lab (an agency of the State of Ohio assigned space on campus).

(4) abolish the Law Enforcement School (a university curriculum which produces professionally trained law enforcement officers).

Events of April 8 began with a rally called by the SDS chapter to advertise the four demands. A spokesman for the university administration offered to meet with three SDS representatives to discuss their complaints, but the offer was rejected. SDS reportedly viewed its demands as nonnegotiable. Its announced intention on April 8 was to organize support for a mass march on the Administration Building for a symbolic nailing of the demands on the door to the meeting room of the board of trustees.

Following the speechmaking in front of the Student Union, 35 to 40 SDS supporters marched through various campus buildings to the chant of "Ho, Ho, Ho, Ho Chi Minh." They disrupted some class sessions as they handed to other students literature spelling out SDS demands. The demonstrators (numbering about 50) continued on to the Administration Building in an attempt to tack their demands to a door. Efforts by the demonstrators to force their way into the building were thwarted by the university police. Police officers, however, were struck by demonstrators. The 15-minute confrontation ended only after SDS leader Howard Emmer ordered the students to "quit for now." The coordinated action of the law enforcement agencies in the area thus foiled SDS's first attempted disruption in its "spring offensive."

The university reacted quickly and firmly. First, it suspended the SDS chapter, pressed assault and battery charges against six demonstrators for attacking police officers, and imposed immediate suspension upon a number of students involved. (All of the charges were still pending at the time of the committee's hearings, with exception of those against Alan DiMarco, who entered a plea of *nolo contendere* and received a fine and jail sentence.) It also obtained temporary restraining orders barring from the campus five demonstrators whom the administration viewed as leaders of SDS activity. They were students, Howard Emmer, Colin Nelburger, and Edward Erickson, and nonstudents, Jeffrey Powell and George Gibeau.

One of the nonstudents identified as being present on campus April 8 was Terry Robbins of the Ohio regional SDS in Cleveland. This marked the first of several appearances by Robbins during the "spring offensive" at Kent State. He was later joined by other regional staffers. The liaison maintained between the local and regional SDS was also illustrated by the record of telephone toll calls between the Cleveland office and the Kent residence of Edward Erickson. Erickson was identified as a Kent State student, eventually suspended for participation in the campus disorders, whose Kent home had been the base for most of the SDS activity off campus. Toll charges showed a total of 36 phone calls had been made from his resi-

dence to the Cleveland regional SDS between February 21 and April 24, 1969.

A university disciplinary proceeding on April 16, involving two students suspended after their participation in the attempted disruption of April 8, provided the issue for another, more violent SDS demonstration.

SDS had sponsored a series of rallies after the April 8 incident and engaged in dormitory "raps" in an acknowledged effort to violate "as much as possible" the administration's ban on SDS's use of university facilities. When the university set the date for its closed disciplinary hearings stemming from the April 8 affair, the SDS chapter added a fifth demand to its original four—"open and collective hearings for all those suspended"—and promised to "open up" the hearing on April 16.

Mimeographed leaflets, headed "Open It Up, or Shut It Down!" were distributed by the Kent State SDS to explain the organization's expanded demands and to solicit supporters for an SDS rally and march on campus April 16. "Open the Hearings!" and "Free All Political Prisoners!" were the slogans for the rally and march.

By the time the SDS rally had concluded, the organization had garnered some 100 supporters for its march on the music and speech building where the disciplinary hearing was underway before the student judicial council. The demonstrators stormed through two sets of locked and chained doors with the aid of such improvised instruments as a 7-foot iron bar from a dismantled coatrack. When SDS supporters reached a third-floor corridor, they were confronted by university police and sheriff's deputies who forestalled any entry into the actual hearing room. The accompanying din nevertheless served the purpose of disrupting the disciplinary proceeding.

In accordance with prearranged procedural guides, Ohio State police were summoned to the campus, at which time 58 demonstrators were arrested. Charges filed against them on the same day, which were still pending at the time of the committee's hearings, included trespass, inciting to riot, participating in riot, and malicious destruction of property. Temporary restraining orders had been lifted to permit the five SDS activists barred from campus to appear as witnesses at the disciplinary hearings. As a result of their behavior during the demonstration, they were subsequently found guilty of contempt of court and sentenced to fines and jail sentences, which were being appealed at the time of the committee hearings.

The confrontation between demonstrators and police and the ensuing mass arrests involved no injury to SDS activists, their supporters, or the police. A representative of the Kent State police testified that, in addition to breaking through the barricaded doors, there were oral threats to "kill" directed at the police by SDS members during the confrontation in the third-floor corridor.

The Ohio regional SDS was represented in the April 16 events by Lisa Meisel, who joined in the march on the music and speech building. During scuffles between the demonstrators and some of the approximately 200 students who opposed the SDS march at the door to the building, Lisa Meisel was observed to grab a student by the back of the shirt. Another outsider on campus that day was Jim Mellen, a guest speaker at the rally preceding the march on the disciplinary hearing. Mellen was introduced as a representative of the Radical Education Project at Ann Arbor, Mich., a New Left research and propaganda organization. University officials also discovered that 10 of the 58 demonstrators arrested on April 16 were not actually enrolled at the school.

Subsequently, regional and national SDS officials and other outsiders put in appearances on the Kent State campus during a series of rallies and other public events

avowedly aimed at drumming up support for additional militant SDS actions on the campus.

The organization's strategy was outlined in a pamphlet, "The War Is on at Kent State," which was circulated during campus speech-making by SDS officials, defining the organization's strategy.

The pamphlet, coauthored by Terry Robbins and Lisa Melsel of Ohio Regional SDS, explained that SDS at Kent State had shown tactical flexibility by using rallies, dorm "raps," etc., geared to "increasing the possibility" of struggle. It announced that SDS was working on more elaborate explanations of its demands because the struggle would continue despite the mass arrests of April 16.

Robbins and Mellen were on hand for an SDS rally held in a campus park the day after the mass arrests. The theme of their speeches on April 17 was the immediate need for some kind of militant action to show the university that the SDS was "strong" and was not going to be stopped by "racism," "imperialism," or "political repression." Of the 200 persons attracted to this rally, at least one half were classified as merely curious on-lookers.

Another outdoor rally and march on April 20 involved use of the services of Ohio regional staffer Corky Benedict. Benedict returned to join three national and local SDS representatives in a speechfest in Williams Hall on campus on April 28. Handbills gave top billing to Bernadine Dohrn, the organization's national interorganizational secretary, who was to discuss "repression" and SDS demands. Speakers for the banned organization obtained use of a university facility by appearing under the sponsorship of a local Yippie group.

According to testimony from a committee investigator who attended the session Miss Dohrn told the 125 individuals attracted to the meeting that SDS recognized a necessity for an organized revolution to destroy a power structure by which a wealthy few repressed the majority in America. Miss Dohrn justified violence directed at police officers and forecast that both blacks and whites fighting "oppression" would have to carry weapons for the purpose of self-defense.

Speeches by Corky Benedict and SDS member Rick Skirvin, a former student at Kent State, emphasized that they expected power to be wrested from the "ruling class" in America only through the application of force and that an element of revenge would enter into revolutionary violence.

Although the April 28 meeting marked the only known appearance of a current national SDS official on the Kent State campus, local activists maintained telephone contact with the national office in Chicago, according to an examination of toll charges from the Kent residence of the previously mentioned SDS activist, Edward Erickson. Eleven phone calls were made from the Erickson residence to the SDS national office in the period February 21 to April 24, 1969.

Also at the meeting April 28 was Joyce Cecora, local SDS activist and former Kent State student, who spoke on Kent State SDS demands. Her militant observations at another rally May 6 were publicized in the campus newspaper. This rally was sponsored by a campus committee that had been organized to protest the earlier arrests of SDS demonstrators. An eyewitness testified that the following account in the *Kent Stater* was an accurate rendition of Miss Cecora's position: "Earlier, a Students for a Democratic Society (SDS) spokeswoman called for armed rebellion on the Kent State campus.

"Joyce Cecora, SDS member, speaking to approximately the 200 persons sitting under the searing post-noon sun called for the use of arms to end what she called the 'repressive actions of the administration.' Sitting on the grass in front of the Administration

Building is not fighting!' she emphasized. As she spoke, several of her male counterparts stood beside her holding two red SDS banners aloft.

"They used guns at Cornell, and they got what they wanted," she said. "It will come to that here!"

A similarly aggressive position was taken by Joyce Cecora in a talk at a Kent State dormitory the previous February 27, witnesses informed the committee. Aroused over the arrest of an SDS activist for distributing literature on campus in violation of State obscenity statutes, Miss Cecora reportedly declared that the SDS would burn and level the campus if the university did not discontinue "politically repressing" the organization.

The strident tone of SDS speakers continued up to May 2, when another SDS rally set the stage for what was to be the final "action" in the spring offensive at Kent State.

A witness testified that speechmaking in front of the Student Union included a declaration by SDS member Rick Skirvin that: "We'll start blowing up buildings, we'll start buying guns, we'll do anything to bring this [obscenity for school]—down."

SDS was able to muster only about 15 persons, however, for the ensuing march aimed at disrupting an ROTC Review Day ceremony on the campus. The demonstrators invaded a chalked-off area on a field where the ROTC cadets awaiting review were standing at attention. Chanting slogans, they pushed their way through the cadet ranks. A university official warned the demonstrators over a public address system that they had entered the equivalent of a classroom area and were subject to university discipline as well as civil arrest. SDS supporters continued demonstrating for another 10 minutes without arousing retaliatory action on the part of the cadets and finally marched off the field.

Warrants were subsequently issued for the arrest of 15 individuals on a charge of disturbing a lawful assemblage.

The demonstration was cited as an example of the special problem which the university administration faced as a result of an influx of organizers and other outsiders. Of the group of 15 individuals who unsuccessfully sought to disrupt the ROTC review on May 22, the university president testified, five had been identified as students, five had definitely been established to be nonstudents, and the others had yet to be identified.

The university administration came to view Students for a Democratic Society—in the words of President White—as "an enemy of democratic procedure, of academic freedom, and of the essential university characteristics of study, discussion, and resolution." At the same time, SDS was classed as only one part of the problem of student unrest.

The dual approach of (1) being prepared to resist proposals for change advanced by force while (2) remaining responsive to change pursued through legitimate procedures had the following positive results, according to witnesses representing the university administration:

(a) Incidents provoked by SDS actually "de-escalated" and campus support waned in spite of an SDS program for a series of "escalating actions."

(b) Faculty, students, and citizens of the Kent community expressed spontaneous support for university policy, and all major parts of the campus commended the performance of the university's police force.

(c) Personal injury and major destruction of university property were avoided.

(d) The university completed the academic year "free and unfettered with no shameful compromise and with increased mutual respect among the parts of the campus."

Testifying on the basis of her personal ob-

servations at SDS meetings and demonstrations. Student Margaret Murvay stated that the arrests and immediate suspensions of SDS supporters on April 8 and April 16 weakened and, in fact, crippled the Kent State SDS chapter. Many supporters dropped out of SDS activity thereafter in fear of future arrests or the possibility that their parents would learn of their activity. Many other SDS members were deflected from other action by the necessity to raise bail, Miss Murvay reported.

SDS confirmed the findings of Miss Murvay. The previously cited pamphlet, circulated on campus after the mass arrests of April 16, and bearing the title "The War Is on at Kent State," acknowledged that . . . "The repression has clearly hurt us: over sixty of our people have been banned from the campus, at least 11 face heavy charges, with total bail exceeding \$120,000, and the Administration has succeeded to some extent in scaring a lot of people and obfuscating our original demands . . ."

That is the end of the House Committee digest of its Kent hearing of June 1969. It seems to end on a promising note of a restoration of the university's function to get on with teaching. No such account exists of events in the 1969-70 school year. There will undoubtedly be hearings in Congress covering agitation for violence at Kent from last September on. Since the news media seem to have no inclination to put such connected stories together the country will probably have to wait for new hearings, and then for someone with an interest in publishing them.

Obviously, the inclination of a nucleus of Kent students to precipitate mob actions with their senseless consequences did not die with the 1969-70 school year. But the public record is vague up to Friday, May 1, 1970. On that day a band of "students" (that's what the press calls them, though invariably non-students and faculty members often seem to be among the leaders) went on a window-smashing, stone throwing spree in the town of Kent, with the military campaign in Cambodia as the excuse, pretext or reason, according to how you look at it. On Saturday, May 2, the ROTC building on the Kent campus was burned to the ground by arsonists.

Students threw rocks at the firemen and chopped the firehoses. Townspeople said that college mobs had terrorized them in the weekend rioting. These events led to the calling out of the National Guard. On Monday, just before the shooting, college mobs taunted and hemmed in Guardsmen, threw large rocks at them. The Guard used tear gas until it was exhausted. One Guardsman said that some collegians had come at them with coat-hangers in their fists, hooks out. A tape recording, the Guard reports, indicates a lone shot fired some 10 or 11 seconds before the Guard opened fire. After the event, numerous arms were found on the students' premises and one gun was reported found thrown in a stream.

There you have two backgrounds at Kent State to choose from. You have the version of an idyllic, peaceful, panty-raiding campus invaded by brutal authority. Or you have the record.

#### PROPOSAL FOR A COMMITTEE FOR SIMPLIFICATION OF FEDERAL TAXATION

**HON. GEORGE BUSH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BUSH. Mr. Speaker, many of us feel that the tax structure should be simplified. I, for one, do not feel that the Tax Reform Act of 1969 did much to ac-

comply this objective. Mr. Raymond Hemming, a certified public accountant in San Mateo, Calif., has proposed that a Committee for Simplification of Federal Taxation be established. Frankly, I think the suggestion makes a great deal of sense and would hope all Members of this body will review Mr. Hemming's proposal with care. Mr. Speaker, at this time I include the proposal in the CONGRESSIONAL RECORD, as follows:

**PROPOSAL FOR A COMMITTEE \* FOR SIMPLIFICATION OF FEDERAL TAXATION**  
**WHY SUCH A COMMITTEE?**

Because no one is presently directly concerned with coordinated simplification of federal tax statutes, regulations, rulings, procedures and forms. Treasury is interested in raising the maximum amount of revenue in the least painful manner; Congress is interested in raising enough revenue to finance the various appropriations, and the Internal Revenue Service is interested in collecting taxes in accordance with the intent of Congress and the regulations laid down by Treasury.

Because, as matters stand now, the various representatives of the taxpayers in Washington are going their dedicated independent ways, but without coordination on behalf of individual taxpayers.

Because efforts to accomplish simplification are going their dedicated independent introduce complexities for another agency. Accomplishment of simplification is going to require coordinated effort.

Because a Committee whose sole focus is to be upon simplification can cut across organization lines and enter into all agencies concerned with federal taxation while leaving undisturbed the basic functions of those agencies.

Because we have had enough ad hoc, fragmented, piecemeal approaches to simplification. United, continuing, long range efforts are going to be required to accomplish simplification.

**WHY NOW?**

Because a long delay in starting may have more serious consequences than we presently realize.

Because simplification is not going to be accomplished in a short period of time; it will require a continuous long range effort.

Because the sooner we get started, the sooner all levels of government, federal, state and local will have a central repository of tried and proven data to draw upon to guide them in matters of simplified taxation.

Because our present system is becoming progressively unadministrable.

**COMMITTEE ORGANIZATION AND FUNCTIONS**

The Committee shall be organized and shall function generally as follows:

The objective, and sole focus, of the Committee shall be upon coordinated simplification of tax statutes, regulations, rulings, procedures and forms.

**Committee membership:**

*Elements of committee membership*

[Sponsoring Agencies]

	<i>Number of Members</i>
House Ways and Means Committee.....	2
Senate Finance Committee.....	2
Joint Committee on Internal Revenue....	2
Treasury Department.....	2
Internal Revenue Service.....	2
Tax Court of the United States.....	2
Public at large, attorneys.....	2
Public at large, CPAs.....	2
Public at large, Laymen.....	2
<b>Total</b> .....	<b>18</b>

\* Committee or Commission.

The Committee shall be non-partisan. In so far as practicable each representative from a sponsoring agency shall come from a different political party. Each representative shall be of sufficient stature to carry effective influence in his sponsoring agency.

For the foreseeable future, the Committee shall function on a continuing basis.

Since much of the complexity inherent in our system of taxation results from existing statutes and attempts to accomplish equity among taxpayers, the Committee shall begin with an examination of existing statutes (Internal Revenue Code Sections). Concurrently, a review and analysis shall be made of proposed legislation.

The Committee shall have two parts:

(1) A highly qualified professional staff composed of selected attorneys, Congressional staff committeemen, IRS personnel, CPAs and others. The primary function of the professional staff shall be fact finding with respect to simplification.

(2) The decision making Committee, made up of the eighteen members listed above, who shall hear the findings and recommendations of the professional staff. The Committee shall concur in or refer back the recommendations of the professional staff. Upon concurrence, the Committee shall take whatever action is required to translate the particular recommendations into action.

The Committee shall elect a chairman from among their membership.

To divide responsibility and work load and to give each element of the membership an opportunity to direct the Committee, the chairmanship shall be rotated annually.

Because of existing heavy demands upon members' time, the Committee shall meet only so often as appropriate and necessary to accomplish the objective of the Committee.

Committee meetings shall be held in Washington or elsewhere, and shall be of such duration as the Committee considers appropriate and necessary.

Each sponsoring agency shall be represented at each Committee meeting.

Minutes shall be kept of each Committee meeting.

Because of existing Constitutional requirements relating to members' elective or appointive positions, service upon the Committee shall be considered collateral to the members' elective or appointive positions.

Committee members shall report to their sponsoring agencies and to the public at large their conclusions and recommendations with respect to: existing statutes, regulations, rulings, procedures, forms and proposed legislation.

**PROFESSIONAL STAFF**

The professional staff shall be headed by an Executive Director:

He shall have substantial stature in the tax community.

He shall be simplification minded; rather for example than inclined to the accomplishment of equity amongst taxpayers, a function already well attended to by Main Treasury.

He shall have such staff as is necessary to effectively carry out necessary fact finding, reporting and other functions required by the Committee.

The professional staff shall be situated away from the political pressures, personnel shortages, and other problems of Washington, D.C. The professional staff shall be organized with several sections and subsections to deal with the review, analysis, and evaluation of:

- The Internal Revenue Code,
- Existing rulings,
- Proposed legislation,
- Forms,
- Internal Revenue Service procedures,
- New approaches,
- Assistance to States and cities (since in-

creasingly close relationships exist between Federal and State or local income taxes), and Other matters.

It is likely that the ultimate success of the committee will depend upon the quality of the professional staff, and the effectiveness of the representatives of the sponsoring agencies.

Accordingly, it is recommended that the professional staff be made up of successful practicing attorneys, congressional staff committeemen, IRS personnel, CPAs and other specialists in matters of simplification. It is anticipated that the American Institute of CPAs and the American Bar Association will assist in securing particularly competent individuals for this important work.

**SHORTAGE OF DOCTORS**

**HON. JEFFERY COHELAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. COHELAN. Mr. Speaker, it is becoming increasingly obvious to all of us that the health manpower emergency is increasing daily. I insert for the information of my colleagues two recent articles detailing the shortage of doctors.

The first by Don Kirkman from the Washington Daily News of July 7, 1970, reports that Dr. Roger Egeberg soon will ask for an extra \$150 million to help alleviate the doctor shortage. The article reports that this sum will be asked for in the 1971 budget—but we have seen no indication that this is going to happen.

The second, by Judith Randall, appeared in the Washington Star on April 23, 1970, suggesting how to train more physicians. The articles follow:

[From the Evening Star, Thursday, Apr. 23, 1970.]

**WASHINGTON CLOSEUP: HOW TO TRAIN MORE PHYSICIANS?**

(By Judith Randall)

Judging by what he often has said, Dr. Roger O. Egeberg, the assistant HEW secretary for health, has thought long and deeply about solving the doctor shortage. The question is whether the administration's approach to the problem is sufficiently incisive.

The nation now needs 50,000 doctors, and Egeberg calculates that at the present rate of population growth an additional 20,000 will be needed by 1980. With only 100 medical schools and fewer than 9,000 graduates each year, enrollment would have to double by the mid-70s to even approach this goal. The prospects are not bright.

This is not to say that attempts aren't being made. In Shreveport, the local Veterans' Administration hospital has become a teaching hospital for Louisiana State University, enabling it to open a new medical school. More such affiliations apparently are in the talking stage.

Montana, Idaho and Wyoming—all now without medical schools—are considering a tri-state effort that would combine basic science preparation in a university setting with later practical experience in community hospitals. The trouble is that such fledgling ventures, much as they are to be encouraged, are few in number, likely to be underfunded, and—as are nearly all pilot projects of some complexity—slow to get up to speed.

Clearly, then, the bulk of the new physicians will have to come from already established medical schools. In the years since World War II—largely because of steeply ris-

ing costs—such schools have come to depend on Washington for about 60 percent of their operating expenses, largely through the instrument of medical research grants. Egeberg's contention is that this has led to a needlessly lavish 1.1-1.6 faculty-student ratio.

The argument undoubtedly contains a germ of truth. But, at the same time, it must be recognized that there is a limit to how many additional students medical school instructors can take on, even if the schools, as they did in World War II, decide to stay open all year. Most students probably don't need as much exposure to research as they may now be getting. But, as Egeberg himself acknowledges, familiarity with experimental methodology is essential if a physician is to be able to assess new scientific thinking.

Besides, research is not superfluous and already has undergone heavy cuts. Given our growing population and the increasing number of people who live into old age, doctors will need all the help science can give them if access to the best which medicine can offer is truly to become a right for all.

How, then, can we turn out more doctors? One way, as Egeberg suggested, is to put teaching on a par with research and encourage educational innovation. The mere instigation of a Mr. Chips tradition, however, will not do the job. Even the most richly endowed school these days depends heavily on government dollars and it is hard to add students or faculty, or plan curriculum changes, when deans cannot be sure how much support they can expect from one year to the next. Some Washington policy mechanism is needed that will enable schools to think ahead.

Another need is coordination. Basic medical education varies little among schools, but a doctor's training barely begins when he graduates, and the typical novice physician faces both an internship and a residency.

A few specialties—notably psychiatry—have shortened the training period by eliminating the internship requirement, but postgraduate medical education, offered as it is at some 1,300 different hospitals, remains needlessly disjointed and prolonged.

If the administration cares about getting more doctors, it should seek to build in incentives that would strengthen the continuum between where medical school leaves off and postgraduate training begins.

Finally, there must be more thought given to what kind of doctors we want. Family practice recently has been dignified as a specialty in itself, and there is a good deal of talk in both government and professional circles about primary physicians. Still, only about 2 percent of medical school graduates become general practitioners, and most doctors who do so are imports from abroad, where they also are needed badly. And while we have a relative oversupply of surgeons, certain other specialists such as ophthalmologists and dermatologists are in desperately short supply.

It has been government tradition not to intentionally interfere with the design of medical education or the general practitioner-specialist "mix." Certainly, no one would wish these matters dictated from above. On the other hand, current federal health policy is as fragmented as the jerry-built system that is medicine today, and the carrot-and-stick approach has barely been tried.

[From the Washington Daily News, July 7, 1970]

#### SHORTAGE AND "MALDISTRIBUTION" CHARGED— HEW TO ASK MASSIVE AID TO PLUG DOCTOR GAP

(By Don Kirkman)

The Nixon Administration's top doctor, assist. secretary for health Dr. Roger O. Ege-

berg, soon will ask the White House for an extra \$150 million to help solve what he describes as the nation's single most pressing health problems—the shortage of doctors, dentists, nurses and other health personnel.

When he does, Dr. Egeberg undoubtedly will trigger a new round of debate on the quality and distribution of the nation's health care here—a debate that has been building for the last few years in all segments of the medical community.

Scripps-Howard Newspapers have conducted a month-long series of interviews with doctors in and out of government to find out what's wrong with the nation's medical care system and what needs to be done to correct it.

With surprising unanimity, those interviewed agreed that:

The U.S. needs an immediate crash program to increase the number of health workers, with primary emphasis on doctors.

Doctors in the U.S. are overconcentrated in suburbia and most have little desire to practice in ghettos and rural areas.

Many of the nation's medical colleges and other health education institutions are on the verge of bankruptcy.

Medical education is so costly that Negroes, the children of other minority groups and poor whites are prevented from becoming doctors or dentists.

The number of Negro and minority doctors isn't keeping pace with the increase of the nation's Negro and minority populations.

Thus Dr. Egeberg says he will urge the White House and Congress to add \$150 million to the Health, Education and Welfare Department (HEW) fiscal 1971 budget to boost financial grants to medical, dental, nursing and other health-related schools and increase the number and amount of federal scholarships and loans to medical and dental students and to trainees for nursing and other health-related professions.

Dr. Egeberg also says this would be only a down payment on a vastly increased federal program of medical education that would extend for many years.

Most health sources agree the U.S. has about 325,000 doctors, 100,000 dentists, 700,000 nurses and three million other workers in the health professions. However, it's estimated the U.S. needs another 50,000 doctors, 150,000 nurses, 10,000 dentists and thousands of additional health-care specialists.

Dr. Egeberg says he is convinced the doctor shortage is the heart of the nation's health-care problem and at least two-thirds of the additional funds he is seeking should be used to correct it.

"I don't care what Congress does with Medicare, Medicaid and all the other (health) programs," he says. "Nothing is going to improve the country's medical system until we get more doctors."

Last month, the nation's 109 medical schools graduated about 9,000 doctors, but the number should be at least 18,000, Dr. Egeberg says, if the nation is to make real headway toward providing good medical care for all Americans regardless of race, income, or ability to pay medical bills.

"If the government doesn't help the medical schools and medical students soon, we'll have a doctor shortage for the next 20 years," Dr. Egeberg warns.

Dr. John A. D. Cooper, president of the Association of American Medical Colleges (AAMC) agrees with Dr. Egeberg, but he points out that in the purest sense the U.S. actually doesn't have a doctor "shortage."

The U.S. is second only to Russia in the total number of practicing doctors (325,000 to the Soviet's 650,000), altho seven nations have proportionately more practicing doctors than the U.S. They are Austria, Australia,

Denmark, Israel, Italy, Russia and West Germany.

#### "MALDISTRIBUTION" CLAIMED

What the U.S. really is suffering from, Dr. Cooper contends, is a serious "maldistribution" of physicians within a system that permits most doctors to practice in suburbia and too few to practice in ghettos and rural areas.

In effect, Dr. Cooper says, this makes the U.S. health-care system like the girl with a curl: Where it's good, it's very, very good and where it's bad it's horrid.

Why American doctors prefer to practice in suburbia is exemplified by Dr. Donald S. Thorn, president of the Fairfax County Medical Society. A specialist in internal medicine, Dr. Thorn has a "fairly substantial practice" in a white, middle-class area that has twice the number of doctors it would have if doctors were spread evenly thruout the population.

Thruout his life, Dr. Thorn has been a member of the middle class (his father was a professor of dentistry) and he wants to continue being a part of a culture and society he was born to, raised in, and has always known.

It is also important to Dr. Thorn to be within a 30-minute drive of Metropolitan Washington with its theaters, concerts, libraries and other cultural outlets, it modern hospitals, medical schools and hundreds of specialists expert in medical problems outside of his field.

"I can't see any reason why I should take myself and my family into the middle of nowhere," Dr. Thorn said, "where I would have to work 80 hours per week, use obsolete medical facilities and inadequate equipment, and, I might add, force my kids to go to second-rate schools."

"What could anyone possibly put in the boondocks that could possibly attract me or thousands of other doctors like me?"

Dr. Thorn is equally opposed to uprooting his family and moving into a crime-ridden ghetto or even bucking traffic jams to drive into a ghetto.

The nation's medical students, tho perhaps more vocally concerned about good health care for all Americans, don't appear ready to flock into the ghettos and rural areas and right the wrongs of their elders.

Robert P. Lewis, 25, a Georgetown University medical student, covered a point Dr. Thorn left unsaid: "I think doctors of all ages simply are too frightened of the ghettos to set-up practices in them."

Mr. Lewis and Cominick Dominick Minotti, another Georgetown medical school senior, say they might be willing to be part of a medical group providing medical care for ghetto residents. But neither has ever considered practicing in the rural areas and both say they almost certainly will begin their medical practice either in a metropolitan area or its environs.

"I think it's important to enjoy the advantages of a city, its schools, culture and the rest and to be near a good medical school," Mr. Lewis noted.

#### 13 YEAR EFFORT

Both agree the 13 years the average medical student now spends learning and earning the right to be a doctor can and should be reduced and that medical students should get more financial aid than they now receive.

The 13-year apprenticeship includes four years of college, four years of medical school, one year of internship, two years of specialized medical residency, and, for most young doctors, two years in military service.

The 13-year medical apprenticeship costs a student and his family at least \$50,000 in tuition, fees, books, clothing and equipment and living expenses, they both estimate.

Dr. Frank W. McKee of HEW's Division of Health Manpower says this high cost is the

reason most medical students are the children of the middle-class. Only 2.2 per cent of the nation's medical students today are Negroes, Dr. McKee says, and that ratio has been falling steadily in recent years as the costs of medical education have increased and many medical schools have found it increasingly difficult to keep up with their escalating costs or get scholarships and loans for needy students.

Dr. McKee also points out the actual cost of a medical education runs about \$15,000 per year per student, of which \$5,000 is paid by the student and the remaining \$10,000 by funds collected by the medical schools from state and federal sources, endowments, contributions and gifts.

Dr. McKee is the principle HEW official charged with spurring the nation's 109 medical schools to increase their enrollments, though he knows every new student they add drives them deeper into debt.

Sixty-one of the 109 medical schools today are being given federal "financial distress" grants, Dr. McKee revealed, and some of the schools are on the edge of disaster.

Federal officials report St. Louis University (Mo.), Loyola of Chicago and Creighton University, Omaha, Neb., are in dire financial straits and without massive help may have to close within a year. St. Louis already has closed its dental schools and has had to dip heavily into its capital endowment funds to operate its medical school.

Other medical schools, like Georgetown, George Washington, Tufts University of Boston and New York Medical College, have only three to five years to escape bankruptcy, federal sources add.

Yet many of these schools, including Georgetown and George Washington, are expanding their enrollments in the hope the Nixon Administration will come to the rescue.

Most of those interviewed agree, however, that a simple opening of the government's purse strings won't solve the problem of encouraging doctors to practice in the ghettos and the rural areas.

#### SMALL CLINICS PROPOSED

Dr. Egeberg says the first effort to solve the doctor shortage in ghetto and rural areas should be the establishment of dozens of small clinics and a call to the nation's doctors to staff them either full- or part-time.

The ghetto clinics, patterned after the successful medical facilities established in the last few years by the Office of Economic Opportunity (OEO), should be manned by groups of private doctors or resident doctors provided by nearby hospitals or medical schools, he says.

To serve rural areas, Dr. Egeberg envisions small-town clinics staffed by nurses who could handle minor illnesses and refer serious cases to medical groups established in larger nearby communities to care for the entire region.

Even as conservative a medical voice as the AMA's new president, Dr. Walter C. Bornemeier, concedes the ghetto clinic and rural group-practice idea now have places in the American medical scene.

Dr. Bornemeier also believes the time has come for the government to provide "full scholarships and maintenance" for Negro, minority and poor white students who want to become doctors.

He says the ghetto clinics should be financed by the government and operated by medical societies, medical schools and private doctors.

"Build them on main streets, put up a good-size fence, provide good lighting and police protection and you'll get doctors to staff them," he predicts.

The new AMA president also agrees that medical students spend too many years in

undergraduate and medical school training. "I think we ought to aim at having a doctor six years after he graduates from high school," Dr. Bornemeier said. "He should be out there practicing medicine by the time he's 24 (years old)."

Many medical schools now are reviewing and revising their curriculums, Dr. Bornemeier added, and some, like the University of Illinois, already have reduced their medical school curriculum from four to three years.

Just how many doctors will volunteer to practice in the ghettos and the rural areas is the big question, however, and most of those interviewed doubt that enough will respond.

Dr. Egeberg says he's willing to give "volunteerism" a two-year test and, if the result is unsatisfactory, he may ask for a new approach that would guarantee medical educations to thousands of young medical students in exchange for an agreement to practice their first two years of medicine in ghettos or rural areas.

#### TWO-YEAR HITCH

"I think everyone who gets a medical education owes somebody something," Dr. Egeberg commented, "whether it's two years in the military or two years in a ghetto clinic."

Dr. Egeberg says the most likely way to carry out this new approach would be to expand the U.S. Public Health Service's Commissioned Corps—the government doctors who now provide medical care to Indians, seamen, and others.

The PHS Commissioned Corps now enrolls doctors after they are graduated from medical school, but under Dr. Egeberg's plan the corps would be expanded by enrolling medical students who would attend medical school, graduate, and serve two years in ghettos or rural areas. Dr. Egeberg estimates 3,000 to 4,000 fully paid government medical scholarships per year probably would provide enough doctors for these areas.

Dr. Egeberg also believes another 5,000 to 6,000 medical students not enrolled in the PHS Commissioned Corps should get increased government scholarships and loans to increase the nation's doctor supply.

"I think we've got to get this money and get started. I want to see the nation's medical schools double their student enrollments in the next two years," he said.

#### STUDENT SENTENCES

### HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. DORN. Mr. Speaker, last week my colleague and warm personal friend, the Honorable WAYNE L. HAYS, made a very timely and forthright speech to the House regarding the conviction and sentencing of eight Cambridge University students in Great Britain for their part in a violent demonstration earlier this year at a hotel in Cambridge. I have procured a copy of one of the newspaper reports of the trial and sentencing and believe that the details of this case deserve attention.

It is time that we in the United States recognize that a student is a citizen—no more and no less—with rights and responsibilities just like those of every other citizen in our country, Status as a

student does not give anyone special privileges, nor does such status exempt young people from legal responsibility for their own acts. We respect the ideas of our students and their right to peacefully express their opinions. We do not and cannot condone violence, destruction, and anarchy on the campus or in the community.

I commend the following article from the July 4 issue of the London Times for the consideration of the Members of Congress and the people of our Nation, and think that the wise and perceptive remarks of Mr. Justice Melford Stevenson deserve particular attention:

#### GAOL SENTENCES ON SIX CAMBRIDGE STUDENTS

(From a staff reporter)

HERTFORD, July 3.

Terms of imprisonment ranging from nine to 18 months were imposed by Mr. Justice Melford Stevenson at Hertfordshire Assizes today on six of the eight Cambridge students found guilty yesterday for their part in a riot.

Two other undergraduates were sent for borstal training. Two of those sent to prison, who were born in Brazil and in South Africa, were recommended for deportation.

The crowded court heard the sentences in silence. Later groups of students who had been in the public gallery gathered outside the court in a silent protest.

Mr. Justice Melford Stevenson said: "There is no more painful duty than having to deal with young men of your background and education for serious criminal offences.

"The sentences which I feel I must impose would have been heavier had I not been satisfied that you have been exposed to the evil influence of some senior members of your university, one or two of whom I have seen as witnesses for the defence."

The eight undergraduates are:

Roderick Caird, aged 21, studying oriental languages at Queens' College, who was sentenced to a total of 18 months. He was convicted of causing a riot, unlawful assembly, assaulting a policeman and carrying an offensive weapon.

Phineas Richard John, aged 20, studying English at Downing College, was sentenced to borstal training for riotous assembly and causing malicious damage.

Peter Household, aged 21, studying English at St. John's, was sentenced to nine months' imprisonment. He had been convicted of riotous assembly and assault on the police.

Richard Lagden, aged 25, studying personnel management in industry at Queens', was sentenced to a total of 15 months for riotous assembly and malicious damage.

Nicholas Emley, aged 19, studying French and German at Clare, was sent for borstal training for riotous assembly and assaulting a policeman.

Brian Williams, aged 24, South African-born, studying for his doctorate in physics at King's, was sentenced to nine months for possessing an offensive weapon, a firework, and was recommended for deportation.

Derek Newton, aged 21, studying English at King's, was sentenced to a total of nine months for unlawful assembly and possessing an offensive weapon, a stick.

Miguel Bodea, aged 21, Brazilian-born, studying economics at Christ's, was sentenced to nine months for unlawful assembly and recommended for deportation. He was also sentenced to seven days' imprisonment, to run concurrently with his other sentence, for a breach of a one-year conditional discharge given to him in December last year for failing to notify change of residence as an alien.

The students all took part in a demonstration against the regime in Greece at the Garden House Hotel, Cambridge, on February 13 during a Greek dinner and dance. The event was in connection with a Greek Week holiday-promotion campaign in the town. The students, the court was told, stormed into the hotel, terrifying guests and doing £2,000 of damage.

The judge, sentencing the students said: "I must repeat that this case has nothing whatever to do with peaceful demonstrations; still less has it anything to do with political views, however firmly held.

"They carry no penalty in this country, but violence, destruction of property and intimidation as a means of expressing political or other opinions will be followed so far as this country is concerned, by serious consequences for those who indulge in them."

He went on: "It may be that that indulgence very often flows from sudden and unexpected temptation. The fact that people such as you are vulnerable to it provides no excuse, and you, and all like you, have got to learn that lesson.

"I am sorry to say these offences are not less serious because many of you are living wholly or in part on public money."

Mr. Eric Myers, for the defense of Mr. Caird, Mr. John and Mr. Household, said: "This was intended to be a non-violent, although deeply meaningful, demonstration."

The students admitted without reservation that the demonstration got out of hand. He added: "They recognize fully that the violence ill served the cause they cherish."

Mr. Myers said the students apologized to the guests who were molested and insulted and the staff at the hotel who were intimidated.

Mr. Leonard Caplan, Q.C., for the defense of Mr. Emley and Mr. Lagden, said that what the students had done was a thing of the moment and completely out of character.

The court was told that the case of Richard Lagden was unusual. Only 10 days before his arrest for that offense both his parents had committed suicide.

Mr. Basil Wigoder, Q.C., for the defense of Mr. Bodea, Mr. Williams and Mr. Newton, said the students had acted because of their "passionate beliefs, whether these beliefs were right or wrong".

Detective - Inspector Harry Gelsthorpe, questioned by Mr. Michael Eastham, Q.C., for the prosecution, said there was a possibility that each of the defendants would be sent down from university as a result of the case.

#### SMALLEST RECESSION IN 24-YEAR POSTWAR PERIOD

### HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BURTON of Utah. Mr. Speaker, we are all concerned about the economic condition of our country, and are hoping for an early end to the inflationary prices, and recent slowdown in our economy which has resulted in the necessary steps that have been taken to combat inflation. I have been encouraged, therefore, to see indications of progress against inflation, while at the same time, keeping the economy slowdown at a minimum. In two recent articles, "The Trader," in the July 13 issue of *Barron's*, written by H. J. Nelson; and a section from "Business in Brief," published by the Economic Research Division of the Chase Manhattan

Bank, the June issue, the consensus of economists is that the business recession has been one of the least serious of the 24-year postwar period. The article follows:

#### THE TRADER GIVES HIS VIEWS OF THE MARKET

(By H. J. Nelson)

The stock market went on a roller coaster trip last week. It opened with a 13½-point drop for the Industrial Average on Monday and followed next day with a slide of 6.30 points which carried it below 670. While the two-day slump of 20 points appeared to be the product of the Penn Central bankruptcy and Chrysler heavy going, the brisk upturn Wednesday of 12¼ points resembled spontaneous combustion. Thursday brought another spurt of 10½ points. By the Friday close, the Average had recovered all of the Monday-Tuesday drop and had tacked on 11 points additional Crossing the 700 level again, the Index was at the best level since June 22.

#### BIG PENTAGON ORDERS

Most galvanizing news item was the Wednesday announcement by Governor Evans of Washington that Boeing has been selected over McDonnell Douglas Corp., to develop a new airborne electronic system to guard against enemy bombing. Although initially allotted only \$16.5 million of the first stage development costs of \$170 million, the Pentagon confirmed Governor Evans' assertion that the ultimate potential expenditure was \$2 billion. About the same time, Tenneco Inc. said its subsidiary, Newport News Shipbuilding & Drydock Co., had received a \$20.3 million addition to a previous contract from the Navy, making a total of \$70 million for construction of the aircraft carrier, USS Dwight D. Eisenhower. With both orders coming on top of the \$247.9 million of contracts to McDonnell Douglas to build new jet aircraft for the Navy and Air Force it seemed that the lagging stimulus of military contracts was being pushed to the fore at a time when cheerfulness of any sort was at a heavy discount.

Then after the close came the completely unexpected recommendation by an Interstate Commerce Commission examiner that the Chicago Rock Island & Pacific Railroad merge with the Union Pacific Railroad, and that the southern half of the Rock Island then be sold to the Southern Pacific Railroad. Competing applications by the Chicago and North Western Railway to absorb the Rock Island with the southern part slated for the Sante Fe Railroad was summarily rejected. Fearful of a news leak, the ICC issued the brief summary in advance of a lengthy report due soon. Nothing would help the needlessly distressing railroad problem more than prompt proceedings with the Rock Island-Union Pacific merger.

Some optimistic earnings statements appeared that were sufficiently constructive to dispel the fear that the second quarter earnings, normally due on a large scale by early August, might be dimly below the first-quarter showing. For that period, after-tax corporate profits of \$46.5 billion compared with \$49 billion in the previous quarter and with \$51.7 billion in the opening period of 1969. International Telephone, in reply to stockholder queries, said that second-quarter earnings were above those for the year-ago period, that sales for all 1970 would exceed \$6 billion against \$5.5 billion in 1969, and that earnings would substantially exceed the \$234 million, or \$2.90 per share, of last year. Finally, ITT emphasized it was in a "strong financial cash position."

#### TELEPHONE OPTIMISTIC

To emphasize the improving picture and the costs and difficulties of a wage-cost spiral, Chairman Romnes of American Telephone told Dow Jones that efforts to catch up with the rapidly rising demand in such

troubled areas as New York City, Boston and eastern Florida, would require the Bell System companies to spend a record \$7 billion on construction this year, as against a previous 1969 spending peak of \$5.731 billion. The \$7 billion figure, \$500 million over earlier estimates, reflects the impact of inflation on construction costs.

Disappointed over earnings gain of only 1% in the first quarter to 98 cents per share, and 1.3% to \$1.03 per share in the second quarter, Chairman Romnes declared the impact of inflation on all operating costs was likely to result in new filings by Bell companies to state commissions to seek higher telephone rates and might even force petition for some interstate rate advances. Noting that several states have approved rates of return on invested capital above 8%, Mr. Romnes stated his belief that the company is justified in seeking a 9% return.

Notwithstanding the gloomy atmosphere in investment circles from the date of the Penn Central bankruptcy on June 21 to last midweek, the consensus of economists is that the business recession has been one of the least serious of the 24-year postwar period. The June issue of "business in brief," published bi-monthly by the Economic Research Division of the Chase Manhattan Bank, comments: "The decline in business activity continues to be a relatively mild one. Production and profits have fallen, and unemployment has increased. But the extent of these developments, unwelcome as they are, . . . has fallen far short of the experience during World War II recessions. Industrial production has slipped about 2½% from last July's peak. In 1957-58—the worst postwar recession—the nine-month decline was five times as great. In the mildest postwar recession, 1960-61, industrial production dropped by 4.2% in nine months. The decline is concentrated in durable goods, especially automobiles. Production of many other types of goods has either slipped very little or is still rising."

#### PLANT SPENDING FALLS

The First National City Bank July "Economic Letter" emphasizes that deflated investment plans of corporation for plant and equipment spending are an important new factor in the economy. The point is made that though businessmen in November and December indicated to the government survey that they intended to spend at an annual rate of \$81 billion in the first quarter, by January and February, the projection had dropped to an \$80 billion annual rate. When the quarter closed, actual spending turned out to have been only \$78.2 billion, nearly \$3 billion below the indications of the late 1969 survey. The decline in domestic machine tool orders on a seasonally adjusted basis in May to a level nearly 80% below the April 1969 peak, is another development that was stressed.

Although capital spending may be falling, it is only in the manufacturing field because public utilities, try as they may, are unable to carry out the expansion plans that will ensure a normal reserve supply of electricity this summer to prevent brownouts and restriction of supplies, possibly, to certain consumers. Yet, where an opportunity exists, it is readily seized, and the best example is DuPont, which is planning a multimillion-dollar expansion of its New Johnsonville, Tenn., plant that will increase production of titanium dioxide white pigment by more than 20%, when completed in late 1971. Less than two months ago, DuPont announced a 50% expansion of its Florence, S.C., polyester plant to be completed in 1971 and a \$20 million plant abroad in Luxemburg to base.

#### BIG BOND MARKET

For the fourth week, the rally in bond prices was a feature of financial markets as new issues sold out at declining yields and

even advanced to premiums above the offering levels. J. C. Penney set a new pace on Tuesday with an offering of \$150 million 8% debentures at a yield to investors of 8.93%, or 27 basis points lower than the preceding bond issue of similar quality. So attractive was the 99½ offering level that the issue was quickly fully subscribed and advanced by the afternoon to 101¼ bid, where the yield had dropped 22 basis points to 8.71%. Star performance was the jump in the \$100 million Jersey Bell Telephone 9.35s, sold June 16 at a price of 100 for a 9.35% yield, an all time investment high for Bell System bonds. By Tuesday the price had jumped to 105¼, which meant the yield had dropped from an original 9.35% to 8.89%.

The Big rally in bonds has led to the widespread belief that it is only a question of time when credit is made easier. Salomon Bros. & Hutzler maintain that "if adverse economic trends permit a significant bank credit expansion in the second half year," the treasury will have no difficulty in financing a possible \$11.7 billion in net new securities. In their July 2 "Comments on Credit," the firm repeats an earlier prediction that "the Fed may well resort to a reduction in reserve requirements." The rate in the growth of money supply is still receding from the high of early April. The average for the four weeks ended July 1 showed a decrease to \$203.5 billion compared with \$204.1 billion average in the four weeks ended June 3. But Chairman Arthur F. Burns of the Fed, in a speech July 2 at Tokyo, on the difficulties of getting inflation under control, stated: "We must also be careful to insure that the economic slowdown, which began last fall, does not become more pervasive or continue much longer."

Chief hope for the early revival of business activity still appears to center on the introduction of new automobile models. July schedules will run close to 450,000 cars, up some 5% from 427,000 a year earlier, and the biggest increase in monthly production since last September. So strong are sales, however, notably with General Motors, that the industry expects to enter the 1971 model year with several hundred thousand fewer old models in dealers hands than the year before. Ford will begin building its two new small cars, the Pinto and Mercury Comet in August, and General Motors will initiate production of its new small car, the Vega, this month with possibly 4,000 to 5,000 units.

#### FALL PICKUP LIKELY

The big increase in consumer income from the July 1 abolition of the surtax and the raising of individual tax exemptions from \$600 to \$650 is another plus for the coming months. It is conceivable that once wheels of industry are actively turning by fall—new cars will be introduced September 14—the high rate of saving may decline and translate into the normal buying which always occurs when consumer apprehension subsides. Highest-grade stocks and bonds are both still cheap, although plenty of problems exist, and the only question is whether the aggressive move has not already begun. The broad steady surge last week in the stock market speaks for itself in its forward look.

#### BUSINESS IN BRIEF

Current economic commentary reflects an unusual amount of disagreement about the underlying trend of business. No doubt, Cambodia and student unrest—each with economic consequences that are difficult to foresee—have contributed to the confusion. But the result is a wide range of forecasts, and a similarly wide range of policy recommendations.

Forecasts of the 1970 gross national product made by reputable analysts range from

\$960 billion to more than \$990 billion. And this extreme disparity exists even though more than a third of the year is over, and the GNP figures for the first quarter are already known.

There is fear in some quarters that a severe recession may be under way. This is a condition that would ordinarily call for monetary and fiscal ease. Yet continuing inflation has brought demands for some variety of wage and price controls and for tax increases, which would hardly be appropriate during a recession.

The recent set-back in the stock market is both a source and a consequence of all this confusion. There is a widespread tendency to regard the market as an appropriate proxy for business activity.

On the record, however, the stock market gives about as many false signals of business trends as it does true ones. Perhaps more important, the actual level of market indexes is rarely an accurate indication of the level of business activity, present or prospective. Overstatement is one of the most reliable characteristics of what the stock market says about general business conditions.

The market has correctly indicated the direction of economic activity for the past year. But the extent of the market decline bears no resemblance to the degree of business slowdown that has occurred or that seems likely.

The decline in business activity continues to be a relatively mild one. Production and profits have fallen and unemployment has increased. But the extent of these developments, unwelcome as they are to the individuals and companies that have suffered them, has fallen far short of the experience during post-World War II recessions.

Industrial production has slipped about 2½% from last July's peak. In 1957-58—the worst postwar recession—the nine-month decline was five times as great. In the mildest postwar recession, 1960-61, industrial production dropped by 4.2% in nine months.

The decline is concentrated in durable goods, especially automobiles. Production of many other types of goods has either slipped very little or is still rising.

A significant part of the over-all weakness reflects reduced defense production. And, while lower military procurement does mean lower profits and employment in the affected areas, it obviously does not stem from general economic trends. In the longer run, of course, reduced defense spending will have the positive effect of helping to relieve inflationary pressures.

The economic evidence now available points to some further weakness but not a serious recession. And there is reason to believe that gradual improvement in production and employment trends should appear within the next few months.

The standard leading indicators have behaved in a manner that points to continued mild slowdown, but they have not signaled a sharp decline. In addition:

Recent statistics indicate that industry has already made major progress in cleaning up excess inventory. Without a large overhang of inventories, a severe recession is unlikely.

Increases in government pay and Social Security have added about \$7 billion annually to the income stream, with retroactive payments in addition. These increases, along with the further tax relief due in July, should help consumer spending to perk up in the second half of 1970.

Whether it is desirable or not from the viewpoint of the battle against inflation, the Federal budget has moved into deficit and

will remain there until renewed economic growth brings in higher tax revenues.

Monetary policy is also geared more toward expansion than it has been since last 1968. Such policy shifts operate on the economy was a considerable lag; they should stimulate growth later in the year.

On balance, these considerations imply a gradual upturn in economic activity, perhaps beginning in the third quarter. At the same time, there is no sign that this renewed growth will be vigorous. And in view of the continuing wage and price inflation, less than normal growth may well be desirable until well into 1971.

#### AID FOR THE AGED

### HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. LOWENSTEIN. Mr. Speaker, with the recent extension of the vote to 18-year-olds, this body recognized that our young people have much to offer our country, and that we must do all we can to end their alienation and weave their contributions into the democratic fabric.

Today I would like to talk about another group of Americans who are alienated from the main stream of American life by a subtle, unconscious policy of polarization.

Our older citizens, some 20 million persons over age 65, make up 11 percent of our population—the same percentage of persons whom we have recently enfranchised with the 18-year-old vote. These 20 million persons are being pitifully disenfranchised from productive participation in this society. Although our population of older citizens has increased seven times what it was in 1900, we have been extraordinarily inept at socially advancing to cope with the growth.

To resolve the problems of the aged, the Congress must address itself to two general questions. How do we insure the economic security and personal dignity of our older Americans? How do we elicit what is best from them and best utilize it to meet the gaping needs of this society?

To meet the need of economic security, a series of Federal programs has been established to provide a minimum level of income and health and social services. But existing social security laws, such as old-age, survivors, and disability insurance provide woefully inadequate benefits and tend to enforce a certain level of poverty and indignity. In some cases, the maximum a person may receive from work and benefits is still below the poverty level. In many respects the standards used under the act are unfair and tend to benefit those with higher incomes rather than lower incomes. But the real issue concerning the scheme of laws we have devised is whether or not we will help provide a decent standard of living for our older people—or will we insist on maintaining them at a subsistence level? Unfortunately, Congress has

all too often in the past opted for minimal support. That is no longer a tolerable solution.

Earlier in this session I introduced legislation which would provide two 20-percent across-the-board increases in social security benefits, which would eventually raise the minimum benefit to \$120 a month. The bill also would provide across-the-board increases in most other categories as well as an automatic adjustment of benefit amounts annually for cost-of-living increases. This increase is a step toward catching up, but itself cannot begin to meet the fundamental economic needs of the aged. In February I also cosponsored legislation which would reduce air fare for senior citizens, so that fixed low incomes will not prevent them from visiting friends and relatives. Hopefully, this measure will help alleviate the terrible isolation that traps so many of our older citizens.

Today I am introducing a bill which would amend the Older Americans Act of 1965, to provide older Americans with low cost, nutritionally sound meals served at strategically located places such as senior citizens centers, schools, community centers, and other appropriate institutions. This bill would authorize Federal grants to States for first, programs to assure older persons one hot meal daily; second, centers for nutritional programs; third, training of personnel to operate nutritional programs for the elderly, and fourth, outreach services to assure maximum participation of eligible persons.

It is my hope that this legislation not only will promote better health among older persons, but will also provide additional opportunities for social contact.

Besides fundamental income needs, the desperate problem of housing for older persons on a fixed income must be solved. For example, Nassau County, N.Y., has estimated it will need 9,000 units of public and publicly assisted housing for the elderly by 1985. In fact, approximately 3,500 units were already needed in 1968, when there were only about 500 units either in operation or under construction. To date, there are 4,000 persons on waiting lists for senior citizen housing. The costs of building and renting housing are skyrocketing. And senior citizens—caught in the trap of rising inflation and rising property taxes while on a fixed income—are probably hurt the worst. Unlike young people, old people spend much of their time in their homes. The economic trap thus becomes a physical one.

Apart from meeting the economic needs of our senior citizens we must insure their personal dignity. Presently, the National Council on the Aging is operating the senior community service project, to develop challenging and innovative jobs to utilize the skills and experience of our older citizens. A sample of these pilot programs includes:

Nineteen aides assigned to community action agencies in nine of the "hunger counties" in Maine worked in surplus food certification and distribution. Some 38,000 people were certified for surplus

food in areas where there had been no such program before. This effort is being further strengthened by a plan to train senior community service aides in nutrition counseling, in order to insure the proper use of surplus food.

Bilingual teacher aides. Eight older persons have been assigned to the inner city elementary schools as bilingual teacher aides.

Homemaker assistance for the elderly aides helped other elderly to maintain themselves in their homes thus sparing many from institutional care.

Home repair program. The workers made repairs so that other elderly unable to do the work themselves could stay in their homes.

Under the Older Americans Act of 1965 there are 1,300 operating projects in 46 States and in four territories. More than 900,000 elderly are being served. A sampling of these programs include:

The retired senior volunteer program which provides for the reimbursement for transportation, meals, and out of pocket expenses when doing volunteer work for the elderly.

Operation Mainstream. Participants are offered employment opportunities that are intended to improve the social and physical environment of their communities or where they can serve in a social service capacity. Under this program, Project Green Thumb has improved or built more than 350 roadside parks, planted more than 1 million trees, flowers, and shrubbery, and helped to restore and develop several historical sites. Operation Mainstream also has a community senior service program. Participants work 20 hours a week in a variety of social service positions such as delivering meals to homebound aged persons, acting as escorts to elderly, serving as teachers in Headstart programs and helping to implement the food stamp program.

These programs have received favorable evaluations from all sources affected, including the participants. Some of their comments: "I have been turned down so often when I asked for a job, but now I know that I can work. I really feel like I'm being useful again." Unfortunately, the number of applicants far exceeds the number of positions made available through these programs.

Therefore, in order to expand these programs and services, today I am introducing a bill to establish an older American community service program to foster and promote useful part-time work opportunities in community service activities for unemployed low-income persons who are 55 years old or older and who have poor employment prospects. The bill would authorize \$35 million for the fiscal year ending June 30, 1971, and \$60 million the following year.

The legislation I am proposing today will by no means put the aged on easy street. It will, however, be a key step toward insuring that those who have contributed so much to our country will not have to endure the indignities of poverty and indifference along with the passing of the years.

## SHOELESS NEW ENGLAND?

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to bring to the attention of my colleagues in the U.S. Congress an excellent and well-written analysis of the shoe import problem in the New England area. The following article appearing in the Economist is written by someone well versed in the subject of footwear imports.

[From the Economist, June 27, 1970]

### SHOELESS NEW ENGLAND?

With the breakdown in the negotiations with Japan, it seems almost certain that Congress will impose mandatory quotas on textile imports, from that country, at least, whatever the Administration may decide to recommend. Congressmen are almost as anxious to check imports of shoes; in an effort to counter this pressure, the President set up a special task force to report on non-rubber footwear. On Wednesday, after reading this report, Mr. Nixon offered help but little sympathy to the ailing industry. There will be another deeper study, this time by the Tariff Commission. Then there will be schemes for retraining shoe workers, for bringing new industry to the shoe towns and for modernising the industry. The task force found that the problem had complex origins and that much of the shoe industry, like a tired wife, had let itself go to the point where it could not meet any kind of competition. Europeans will be interested that one of the flaws detected was that American manufacturers make shoes in a greater variety of lengths and widths than the consumer really demands.

*The recommendations will bring little joy to New England. Our correspondent in Massachusetts explains why.*

Once upon a time, the landmarks in small New England towns were the white-steeped church and the shoe factory. Now both are disappearing. Many of the towers have been toppled by hurricanes; the shoe factories have been hit by another kind of whirlwind—the rush of imported shoes which, in the first four months of 1970, accounted for one out of every three pairs on the American market.

In 1960 only 4 per cent of shoes sold in the United States were made abroad. During the decade, however, imports increased dramatically every year so that by 1969 the proportion was 25 per cent. Moreover, the deepest inroads made by imports have been on the market for women's dress shoes and men's better shoes, varieties which the New England industry, with Massachusetts in the lead, had made its specialty. Pennsylvania which has concentrated more on children's shoes, has not suffered as much through the competition from imports.

This is why legislators like Representative James Burke of Massachusetts have been pleading for the imposition of quotas to restrict shoe imports to the levels of 1967 and 1968. Mr. Burke complains about the flooding of "our market with cheap shoes made by people who work for less than 14 cents an hour." But it still has not been established that the American shoe industry as a whole is in jeopardy, nor that New England's troubles are not owing in large measure to antiquated plants, high costs of production and a general change in taste which makes Americans prefer the southern European and Oriental products.

The haranguing in Washington about the undesirability of restrictions on foreign trade does not interest many people in Massachusetts. They see only that the local factory is shut and that there are no new jobs for those turned off. The shoeworkers are a relatively old labour force—their average age is 45—and their skills are not easily adaptable to any other industry. They are reluctant to move away from the small towns and ethnic concentrations formed by their immigrant fathers who were drawn to the shoe factories 50 or 60 years ago. And in general the New England Shoe Manufacturers' Association reports that "the majority are not getting new jobs. They have gone on relief."

The decline of the shoe industry means also the decline of related industries, such as the manufacture of shoe machinery and the processing of leather. The estimates of how many shoe jobs have been lost altogether varies: the shoe workers' trade union puts it at around 50,000 for the whole country. But the main fact is that the factories have been small—a shoe plant with 500 employees is considered large—and they have often been the main source of work in their towns.

It is premature to say that New England will lose its shoe industry altogether just as it has lost its textile industry. There are several hundred shoe plants still operating in the region and a big shoe city like Brockton, Massachusetts, still has seven or eight of them open (although often the workers have to put in short 35-hour weeks which, considering their relatively low wage of about \$2.70 an hour, hardly keeps them prosperous). But the trend is ominous. In Massachusetts in 1967, six shoe factories closed, throwing about 1,000 people out of work; in 1968, 15 were closed, making another thousand jobless; by 1969 there were 15 more closings, but the factories were bigger with 4,045 put out of work.

It is astounding to see once-humming shoe towns like Middleboro, Massachusetts, now with no shoe industry at all. The owners of the last company to shut simply packed up their machines and lasts and took them to Europe. They now make the same shoes to the same style and send them back to the United States. "They took everything except the people," someone said. One

of the company's executives, one of the rare immigrant's sons to rise to the top now finds his Italian surname a positive asset in his frequent trips abroad; the trouble is that, like good second-generation Italo-Americans, he does not speak Italian.

RESULTS OF QUESTIONNAIRE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. QUILLEN. Mr. Speaker, the results of my 1970 legislative questionnaire have been tabulated and a copy of the results have been sent out to some 150,000 postal patrons in my congressional district, the First District of Tennessee. I would like to submit a copy of this report for the RECORD for the benefit of its readers:

CONGRESSMAN JAMES H. QUILLEN REPORTS FROM WASHINGTON

DEAR FRIENDS: I am happy to send you this special Report from Washington on the results of my 1970 legislative questionnaire.

This year's questionnaire went in the mail to some 150,000 postal patrons in the First Congressional District. A total of 25,800 was returned—a response of 17.2%. I am extremely pleased with this percentage of returns.

For the first time, I included on the questionnaire a "His" and "Hers" column to record the person's "yes" or "no" vote. I received 22,860 returns from husbands and wives, 1602 questionnaires from men reporting only for themselves, and 1338 returns from women reporting only for themselves.

The question which received the highest level of unanimity of opinion was number eight—"Should the Federal Government refuse grants or loans to students actively engaging in unlawful disorders?" The results revealed that 92.8% "His" and 92.5% "Hers" believed the Government should cut off funds for these students.

An almost identical response was received for question number one with 92.4% "His" and 92.5% "Hers" opposing busing schoolchildren to achieve better racial balance.

President Nixon's Vietnamization plan of gradually withdrawing U.S. troops and replacing them with South Vietnamese forces was favored by 86.0% "His" and 86.5% "Hers."

However, I received no clear-cut majority of opinion to question number four—"Regardless of how you answered the previous question (on Vietnamization), do you feel that the withdrawal of troops is the best means of eventually ending the Vietnam war?" The results revealed that 45.4% "His" and 47.5% "Hers" believed the withdrawal method is the best means of ending the war while an almost equal number, 47.9% "His" and 44.9% "Hers," believed otherwise. It is apparent that opinions on this subject are still in the formative stage because of the number of blank and undecided answers—6.7% "His" and 7.6% "Hers," the highest for any question in the survey.

Almost three-fourths of the responses—74.3% "His" and 77.2% "Hers"—favored imposing wage and price controls.

The question of whether a balanced Federal budget should be given top priority for fiscal year 1970-71 was favored by 74.0% "His" and 70.5% "Hers."

Returns also showed that 78.2% "His" and 77.0% "Hers" were for returning a percentage of Federal tax money to the States to use as they see fit.

The President's comprehensive plan to fight air and water pollution received an affirmative response with 86.3% "His" and 85.9% "Hers" favoring the proposal.

The responses from husbands and wives were tabulated separately but not included in the "His" and "Hers" overall District results which are tabulated below. It was interesting to note that husbands and wives generally agreed with each other. Differences were evident in question number two (wage and price controls) and question number four (troop withdrawal). On question number two, 4.4% of husbands and wives expressed direct disagreement and on question number four, 5.9% disagreed. On the other questions, there were no great differences of opinion.

OVERALL DISTRICT RESULTS

[In percent]

	Yes		No		Undecided			Yes		No		Undecided	
	His	Hers	His	Hers	His	Hers		His	Hers	His	Hers	His	Hers
1. Do you favor busing schoolchildren to achieve a better racial balance?	6.7	6.5	92.4	92.5	0.9	1.0							
2. Should wage and price controls be imposed to stop inflation?	74.3	77.2	22.3	20.0	3.4	2.8							
3. Do you approve of President Nixon's plan of gradually withdrawing U.S. troops from Vietnam and replacing them with South Vietnamese forces?	86.0	86.5	11.9	10.7	2.1	2.8							
4. Regardless of how you answered the previous question, do you feel that the withdrawal of troops is the best means of eventually ending the Vietnam war?	45.4	47.5	47.9	44.9	6.7	7.6							
5. Do you think a balanced Federal budget should have top priority for the next fiscal year (July 1970 to June 1971)?	74.0	70.5	20.6	20.8	5.4	8.7							
6. Do you favor returning a percentage of the tax money collected by the Federal Government to States to use as they see fit?	78.2	77.0	16.7	17.7	5.1	5.3							
7. Do you favor President Nixon's comprehensive plan to fight air and water pollution?	86.3	85.9	7.1	6.5	6.6	7.6							
8. Should the Federal Government refuse grants or loans to students actively engaging in unlawful disorders?	92.8	92.5	6.7	6.6	.5	.9							

I want to extend my sincere thanks to each and every one who responded to my questionnaire. I also appreciate receiving the many hundreds of letters from those who wished to clarify and expand their views on the questions.

Your opinion and the views of the other citizens of the First District are of great value to me in representing you.

Sincerely,

JAMES H. QUILLEN.

CXVI—1561—Part 18

CAPTIVE NATIONS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mrs. GRIFFITHS. Mr. Speaker, this week the Congress observes Captive Nations Week and joins with concerned

citizens throughout the world giving voice to the aspirations of 100 million people of East and Central Europe for freedom. For the past 25 years, the once independent countries of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Rumania, Latvia, Estonia, and Lithuania have been oppressed by Communist domination, with its people suffering the harsh physical, political, cultural, and

spiritual repression that comes with the denial of man's most basic rights.

A great portion of America's heritage stems from the Old World of east and central Europe and the many of its people who came to our shores seeking a new and better life. Indeed, we know well their strength and courage as well as their steadfast dedication to the cause of justice and liberty. Therefore, let us take this occasion to remember the fate of those behind the Iron Curtain and their unwavering struggle for national self-determination. And, let us take this occasion to demonstrate the bonds of solidarity that unite mankind everywhere for freedom.

#### HOUSING AND THE VOTERS

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. EDWARDS of California. Mr. Speaker, for nearly 2 years I have been gravely concerned about the housing shortage in the San Francisco Bay area and particularly in San Jose, which is in the heart of the Ninth Congressional District. As in other metropolitan areas of the Nation, the private housing industry in this area has been unable to meet the demand for new housing, particularly for low and moderate income families. Consequently, hundreds and thousands of families have been forced to live in conditions that are disgraceful by modern standards. Yet efforts to relieve this situation with public housing have been thwarted by an anachronistic State constitutional amendment which requires voter approval for public housing development. That law is now being challenged in the highest court in the land. In the following excellent editorial, Louis S. Simon, area vice president of KPIX channel 5 television, defines the issue and its significance for my district:

#### THE RIGHT DECISION

Two years ago, San Jose voters rejected low rent housing in their area. After that election, Federal legal agencies received complaints about a lack of adequate housing. The agencies took up the case and filed suit in Federal Court.

A landmark ruling followed. The court struck down a section of the State Constitution that required a majority vote of a community before public housing can be built.

The court said the voting requirement denied low income groups equal protection under the law.

The court noted that California law makes it tougher for state agencies to get Federal Housing assistance for the poor and the minorities. But at the same time, the court said, other state agencies can get Federal funds to build highways, colleges and hospitals. But no one votes on this aid.

Why then require an election for public housing?

We believe the court's decision recognized the unfairness of a statute that's been on the books ever since California approved the voting requirement twenty years ago.

The point is . . . where do people with low incomes turn when a community rejects public housing? In San Jose, the Housing Authority has 500 emergency applications for

low income housing, and another 1,200 on a waiting list. It can offer understanding, but not housing.

The dispute over the voting requirement is now before the United States Supreme Court. Its decision is profoundly important.

At stake is the chance to give low income families greater hope to live in a better environment.

#### THADDEUS MACHROWICZ

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. PUCINSKI. Mr. Speaker, the recent death of U.S. District Judge Thaddeus Machrowicz has deeply saddened all of his colleagues in the Congress, and deprived the American people of a brilliant jurist.

Ted Machrowicz, who served with such distinction in the House of Representatives, was a man of many interests and talents. But his insatiable drive for justice and dignity for his fellowman, and his enormous contribution to social legislation adopted by the Congress, constitutes one of the most splendid records of one man's achievements in this country's history.

Ted's contribution in the field of social justice deserves just as much attention. He was one of the leading forces in establishing a congressional committee which investigated the bizarre Katyn Forest massacre in 1952 where more than 15,000 Polish army officers were murdered by the Soviet NKVD and dumped into mass graves in the Katyn Forest.

This monstrous crime shook the moral conscience of the free world, and since the discovery of the graves in 1944, the Soviet Union has stubbornly denied that it was responsible for this massacre, and in a most clumsy way has tried to blame the Nazis for this crime.

The House of Representatives established a select committee, in 1952, to investigate the Katyn Forest massacre, and our distinguished colleague, the gentleman from Indiana, Congressman RAY MADDEN, was its chairman. Ted Machrowicz was one of the most forceful members of that select committee, and through his skill and penetrating prodding, he was able to piece together an indescribable chain of evidence which proved to the entire world that there could be no further doubt about Soviet guilt in committing this monstrous crime.

The select committee conducted extensive investigations throughout England and Europe, and through all the hearings, both in England and the European continent, it was the rapier-like questioning of Ted Machrowicz which brought out indescribable testimony of Soviet guilt.

It was my great privilege to serve as chief investigator of that select committee, and I can testify to the House of Representatives today that all sorts of pressures were placed on our committee to tone down our investigation and save the Soviets.

It was Ted Machrowicz, along with Congressman MADDEN and other mem-

bers of the committee—both Democrats and Republicans—who refused to yield to these pressures and insisted that the full bizarre details of this massacre must be brought to world attention, and the guilt for this horrendous crime, firmly fixed by indisputable evidence.

Ted Machrowicz had built a lasting monument to his determination by his valuable contribution to the work of the select committee. He was able to bring out the fact that the Soviet Union murdered 15,000 Polish military officers who were driven into Eastern Poland by pursuing Nazi forces in 1939 and placed in three camps near Smolensk, Russia. The Soviets transported these 15,000 Polish officers on the pretext that they were going to regroup the Polish forces and help Poland's struggle against Nazi invasion.

Only after the Polish army officers were taken to the three camps near Katyn, did the monstrous plot against Poland began to take shape. It became apparent that the Polish officers were brought to Russia for the express purpose of being massacred so that they could not rise again in postwar Poland. The Soviets, even then, had a master plan to plunge Poland behind the Iron Curtain and destroy every resistant element within the country that might seriously threaten the new Russian regime.

It was Ted Machrowicz who stubbornly pursued every piece of evidence after piece of evidence to show how the Polish army officers were taken to the Katyn Forest near Smolensk, Russia, murdered there by the NKVD and dumped into mass graves.

His untimely death is an enormous loss to humanity.

Mrs. Pucinski joins me in expressing a continuing sorrow to his widow and family.

#### A NEW FARM PROGRAM

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. FINDLEY. Mr. Speaker, the deliberations for a new farm program to replace the Agricultural Act of 1965 broke off in the House Committee on Agriculture June 2 in a dispute over program provisions.

Interest in resuming the discussions was revitalized last week when the Senate approved a limit of \$20,000 on individual farm program payments. This is the same level which the House approved twice during 1969.

Opponents of limiting giant farm payments suddenly see the handwriting on the wall and are willing to compromise for a payment limit of \$165,000 (\$55,000 per crop maximum, for participation in each of three basic farm programs) per producer annually. This level of "limitation" makes a mockery of the idea.

Today I have written the 224 Members of the House who on May 27, 1969, supported limiting payments at \$20,000. Several Members of the House have called my office recently indicating their

support of a \$20,000 limit on payments, even though they opposed the idea last year. For their reference I include here a copy of my letter:

A proposal is being actively promoted from both ends of Independence Avenue to establish a farm program payment limit at \$165,000 per person annually (\$55,000 maximum for each of three crop programs) rather than at the \$20,000 per person level which was approved last week in the Senate and has twice, with your vote, passed the House.

The House should not—and need not—accept a limit one penny higher than the \$20,000 Senate version.

The Department of Agriculture and some Members of the House have, commendably, been actively seeking a point of compromise on payment limits which could help assure passage of a new farm program. Payment limits are one of the major unresolved issues facing the House Committee on Agriculture. But the compromise at \$165,000 is not really a compromise at all. It's a clever last-ditch effort to side-track the campaign for a responsible limit on farm payments. To me, and I hope to you, a limit of \$165,000 is unacceptable.

A payment limit at that level would be an empty victory. The USDA earlier this year (analysis supplied 1-28-70) said a \$330,000 limit (\$110,000 per crop) will yield savings to the taxpayer of \$13 million to \$52 million a year, depending on effectiveness of administration. This suggests how modest would be savings at the \$165,000 limit. A \$165,000 limit would do little to stop the trend under which joint farming interests use big government payment checks to buy up smaller family-type operations.

Some Members may be tempted to accept the \$165,000 limit out of conviction that the Congress must pass a farm bill this year at any price. I must disagree. A minor cosmetization of this program without major reform is too high a price for the nation, the farmer, or a political party to pay.

The Agricultural Act of 1965 is a wasteful, high cost, ineffective program that is seriously damaging American agriculture. Feed grain and cotton programs could be drafted in time by the new Congress and wheat growers are scheduled to vote in the next two weeks on their 1971 program.

A limit of \$165,000 per person can hardly qualify as major reform. Surely, there are national priorities which must come ahead of \$165,000 a year payments to gigantic farm operations.

Sincerely yours,

PAUL FINDLEY,  
Representative in Congress.

A SALUTE TO CAPT. WILLIAM KESLER, JR., U.S. COAST GUARD

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. GARMATZ. Mr. Speaker, on July 15, 1970, after 3 years as Chief of Legislative Affairs Division for the Coast Guard, Capt. William Kesler, Jr., was transferred to the U.S. Coast Guard Station, Governors Island, N.Y., to be captain of the Port of New York. In terms of ability and qualifications, the assignment is a wise one. "Bill" as he is known on the Hill has demonstrated an uncommon ability to get along with and work with people. He can disagree without

being disagreeable. Although confident, he is not enamored with his own ability and wisdom. He listens to others and does so genuinely, accepting advice and counsel whenever it can advance the Coast Guard.

He has the courage to make tough decisions and it may have been this ability, which he demonstrated on the Hill, that won him the new assignment.

Upon Captain Kesler's transfer, Adm. Chester R. Bender, Commandant, U.S. Coast Guard awarded him the Coast Guard Commendation Medal. The citation reads:

For meritorious achievement in the performance of duties as Chief, Legislative Affairs Division, Office of Public and International Affairs, U.S. Coast Guard Headquarters from June 1967 to June 1970. Captain Kesler has distinguished himself by his persevering attention to legislation important to the Coast Guard. Through his keen foresight and initiative, he has anticipated the problems incident to the introduction of bills and, by his efforts, has been largely responsible for their expeditious handling. His frequent contacts with members of Congress, their staffs and Department of Transportation officials have been characterized by his aggressive leadership and unhesitating assumption of responsibilities, however great, to accomplish the discharge of his assignments. The highly effective relationship existing between the Coast Guard and legislative officials is testimony of his outstanding loyalty and abilities. Captain Kesler's skill and diplomacy in carrying out a most sensitive assignment have won him the respect and admiration of all those with whom he has been associated. His initiative, diligence and unwavering devotion to duty are in keeping with the highest traditions of the United States Coast Guard.

My colleagues on the Merchant Marine and Fisheries Committee join me in wishing Captain Kesler success in his new assignment.

#### MAKING HOUSE VOTES ON THE RECORD

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. FRASER. Mr. Speaker, action by the House of Representatives to reform its procedures is long overdue. We want to get on the record the votes on amendments which are crucial to the welfare of this country. The House of Representatives follows the practice today which is borrowed from the British and they, in turn, had adopted the practice of secret or nonrecord votes several centuries ago in order to protect the members from retaliation from the King.

But 140 years ago the British reformed their system to put their votes on the record. When we put our votes on the record on important amendments such as the ABM, the SST and many other important matters, we will have brought the House of Representatives into the 20th century. This reform is long overdue.

#### EDUCATIONAL FREEDOMS AND RESPONSIBILITY—IN PRINCIPLE, IN PRACTICE

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. McCLOSKEY. Mr. Speaker, in this time of criticism, much of it justified, directed at college administrators, I think it is appropriate to include in the RECORD a recent memorandum submitted by one administrator who has earned the confidence and respect of his community. Clifford G. Erickson, chancellor-superintendent of the San Mateo Junior College District, encompassing three junior colleges in San Mateo County, Calif., has set forth an excellent description of administrative action taken under crisis conditions. I hope it will provide some hope to skeptics that there is considerable positive leadership being offered by many of our educational administrators.

The memorandum follows:

#### EDUCATIONAL FREEDOMS AND RESPONSIBILITY—IN PRINCIPLE, IN PRACTICE

OFFICE OF THE CHANCELLOR-

SUPERINTENDENT,

San Mateo Junior College District,

May 13, 1970.

To: Faculty Members, Students and Administrators, Canada College, College of San Mateo, Skyline College.

From: Clifford G. Erickson, Chancellor-Superintendent.

Following is the text of a statement which I presented as an information item last night to the Board of Trustees at its meeting at College of San Mateo:

#### IN PRINCIPLE

There are a number of freedoms which must be preserved in higher education in the American open democratic society—among them, the freedom to teach, the freedom to learn, the freedom to dissent peacefully. Each of these freedoms brings with it responsibility for objective scholarship, for extending equal rights to others, and for maintaining the dignity of and respect for all participants in debate.

In times of stress, some advocates of a particular freedom may become inclined, consciously or unconsciously, by reason of the urgency of their cause, to overlook the other freedoms. The advocate of the freedom to dissent may seek subversion of the freedom to teach and to learn, in order to encourage others to dissent. Or he may deliberately turn to violence to create trauma in the system, rather than using the established channels of participation to convey his views.

The advocate of a particular political position may urge the college to embrace his view as an official position, thereby destroying the role of the college in a free society as a marketplace of ideas. Those who advocate college sanction of a particular philosophy may forget that the college can and has become an instrument of government in a non-democratic state. In Germany in the 1930s, the college faculty members and students lost their freedom of dissent, as have students and teachers in the Soviet Union in that and some other decades.

It is important, therefore, that the college community in America remain a place of freedom to teach, to learn and to dissent, rather than a place for indoctrination in particular orthodoxies. In a word, the college

should be nonpolitical as an institution, but it should encourage rational study and discussion of great public questions, as well as the communication of individual views on political and social questions within the established structure for participation and representation in the democratic system.

## IN PRACTICE

There are a few who, at this time, advocate closing of classes to devote all of our resources to the study of current international affairs. But the overwhelming majority of faculty and students wish to continue teaching and learning in law, nursing, mathematics, and a hundred or more other professions and fields in order to serve society and the nation more effectively in its future days of peace or stress. These people are mindful of our trust for stewardship of public resources granted for educational purposes (in this district, about \$86,000 per class day for the three-college system).

The Board of Trustees has developed a body of policy over the years which is consistent with the statements above. The Board has welcomed participation in its deliberations by students, faculty, administration and community. It has listened attentively and made its decisions on policy after weighing all viewpoints.

In the past week, the students, faculty members, and administrators of our three colleges have shown their commitment to the principles above by the following:

1. When, in accord with Governor Reagan's request, classes were cancelled May 7 and May 8, educational symposiums were held to discuss, in a responsible way, matters of national concern.

2. Private funds have been raised to send a delegation of representatives to Washington to convey the petitions and resolutions from students, teachers and the Board directly to Congress and to President Nixon.

3. Classes were resumed on May 11 on a normal basis. Further symposiums on the matters of public concern have been held outside of classes, with attendance optional.

4. The college presidents have declared the right of teachers and students to follow their individual conscience with respect to class teaching and class attendance, with the understanding that teachers will not be paid for sessions they do not conduct and students will be graded in accord with normal academic standards.

In short, the colleges of this district are meeting their responsibilities by:

1. Continuing instruction of excellence in the many fields developed by the faculty, approved by the Board, and elected by the students;

2. Providing opportunity for discussion on great social and political questions;

3. Assisting students to improve their communication in a participatory democratic process;

4. Protecting the rights to teach and learn and the right to dissent with equal vigor; and

5. Allowing each according to his conscience to withdraw, if he must, from the classroom, with the usual consequences for those who do not meet academic and institutional standards.

## MAN'S INHUMANITY TO MAN—HOW LONG?

## HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

## UNIVERSITY CITY, MO., ASKS FOR NEW PRIORITIES

## HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. CLAY. Mr. Speaker, many of my colleagues in the House have addressed themselves to the question and the import of changing the national priorities of this Government. I count myself among them.

We have stressed, spoken out, and voted for a policy whereby the resources of this Nation might be allocated in accordance with the crises which bear down upon our people and which threaten the security of the country.

Many of my colleagues in the House and Senate have taken positions to curb military spending. I count myself among them. We have noted the domestic needs of American citizens, the conditions of our cities, the division among our populace.

This concern for new priorities is not a concern of partisan politics. It is a concern of American citizens.

I call to the attention of my colleagues the following letter and resolution from the mayor and city council of University City, Mo. I call particular attention to those members of the Appropriations Committees who will sit in conference to resolve funds for vital domestic programs and urge that they allocate maximum funds.

The letter follows:

OFFICE OF THE MAYOR,  
CITY OF UNIVERSITY CITY, MO.,  
July 9, 1970.

HON. WILLIAM CLAY,  
House of Representatives,  
Washington, D.C.

DEAR MR. CLAY: Enclosed you will find a Resolution adopted by the unanimous vote of all members present at the City Council meeting of July 6, 1970.

The wording of the Resolution fairly expresses the feeling of the Council members as to the desperate need for changing national priorities and spending patterns.

Sincerely yours,

NATHAN B. KAUFMAN,  
Mayor.

## RESOLUTION

Vast areas of many central cities, suburbs and older neighborhoods are suffering from an accelerated decay and abandonment as exemplified by several thousand vacant and dilapidated buildings in cities adjacent to the City of University City, Missouri.

The spreading deterioration of these urban areas has been causing great economic losses to property owners while intensifying the deprivations of their residents and denying the opportunities for self help to many of these residents.

City governments serving areas where some 70% of the United States citizens reside have been receiving in recent years only about one-half of one percent of the Federal budgetary outlays for the hundreds of aid programs. (1)

On the other hand, in large measure the enormous Federal military expenditures (now over 70 billions annually) are among the prime causes of the inflationary cost pressures—which are strangling city services everywhere—and which are threatening to force reductions in services in University City.

This great Federal commitment to military expenditures also has caused exasperating delays in the implementation of aid programs to University City, and has curtailed heretofore promised federal aid to its programs in housing and urban renewal, as has been the case for hundreds of cities.

We believe the greatest threats to this nation's stability and security came from problems centered in urban areas, such as housing, education, employment, welfare, race, crime and pollution.

Therefore, the City Council of the City of University City, Missouri, urges the President and the Congress to immediately redirect the resources and to reestablish the priorities of the Federal Government so that far greater emphasis is placed on funding domestic needs in order to avoid a national catastrophe of American cities being destroyed by urban decay.

Adopted July 6, 1970.

NATHAN B. KAUFMAN,  
Mayor.

Attest:

FRANCIS C. FLYNN,  
City Clerk.

Year	Total direct Federal aid to all 20,000 U.S. city governments (millions) <sup>1</sup>	Year	Total Federal budget outlays (billions) <sup>2</sup>	Aid to cities as a percent of Federal outlays
1965-66...	\$601	1966	\$134.6	0.45
1966-67...	803	1967	158.2	.51
1967-68...	941	1968	178.8	.52

<sup>1</sup> City Government Finances in 1967-68, series GF 68-No. 4, U.S. Bureau of the Census, p. 5.

<sup>2</sup> The Budget in Brief, Executive Office of the President, fiscal year 1971, p. 72.

## CAPTIVE NATIONS WEEK, JULY 15, 1970

## HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. CONABLE. Mr. Speaker, each year America proudly celebrates the fourth of July, our national independence day. We are reminded of our good fortune to be living in a free nation, protected by constitutional guarantees. Unfortunately, for the past 11 years, we have also participated in another celebration during July: Captive Nations Week. We are sadly reminded of the subjugated peoples of several Eastern and Central European countries who do not possess the rights of free speech, petition, press, or religion. Rather political imprisonment is widely known and few dare to rise in criticism of the Government.

These brave people, the Hungarians, Poles, Lithuanians, Latvians, Estonians, Ukrainians, Bulgars, Czechs, and Slavs refuse to accept these conditions. They continually rededicate themselves to the causes of freedom and independence despite the brutal reaction to such stir-

rings in Poland, Hungary, and Czechoslovakia.

It is only appropriate that the United States, a country which cherishes the preservation of individual freedoms and encourages constructive dissent, join with other nations of the free world in denouncing the oppression of the captive nations and in expressing our sympathy and support for their struggles to exercise the right of self-determination and to guarantee basic national liberties to their people.

#### BRITISH ARMS SALES TO SOUTH AFRICA

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BINGHAM. Mr. Speaker, I am greatly concerned that the already grave situation in southern Africa will further deteriorate if the new government of the United Kingdom carries out its announced intention of resuming arms sales to South Africa.

I include herewith an article dated June 25 from the Observer Foreign News Service by Colin Legum, an acknowledged expert on Africa:

#### BLACK AFRICA'S WORRIES ABOUT CONSERVATIVE PLANS

(By Colin Legum)

The new British Conservative Government has started off on the wrong foot in Africa. Its pre-election promises to resume arms sales to South Africa and to reactivate the Simonstown naval agreement to defend the Cape route in the South Atlantic have created the impression that British-South African relations are likely to improve—an impression which Mr. John Vorster's *apartheid* regime is doing its best to promote.

This prospect has immediately raised the anger and suspicions of many African States, vociferously led by Zambia's President, Dr. Kenneth Kaunda. He fears that the arms sale and the Simonstown agreement are only the first of a number of other crucial British decisions that may be taken in southern Africa.

Even while Mr. Wilson's administration was in office, Dr. Kaunda was anxious about the possibility of a deal over Rhodesia with the rebel regime led by Mr. Ian Smith; now that the Tories [Conservatives] are in power his suspicions are much stronger. He is also concerned about the future of Anglo-Portuguese relations in connection with the two Portuguese colonies, Angola and Mozambique, where guerrilla warfare has been on since 1960.

There are three aspects of these relations which most deeply concern Zambia's President. The first is over the naval blockade of Beira, the main Mozambique port through which the Rhodesians operate their sanctions-busting operations. If the Conservatives were to end the blockade—as they promised to do when in Opposition—he would see this as the thin end of the wedge in further weakening the international sanctions campaign against Rhodesia.

Secondly, he is watching to see whether the new British Government will rescind the Labour Government's discouragement of British firms participating in the £170 million Cabora-Bassa hydro-electric project in Mozambique which, in his view, is designed

to strengthen the economic and strategic interests of Portugal, South Africa and Rhodesia.

This project has been designed by the Portuguese, in cooperation with the South Africans, to achieve a number of objectives: to strengthen Portugal's economic hold on Mozambique in its struggle with FRELIMO, the leading Mozambique liberation movement, by creating an important new industrial base which will enable the Lisbon Government to fulfill its ambition of sending another one million Portuguese settlers to strengthen its present 100,000 settler population in the territory, and to supply additional electric power to South Africa and Rhodesia.

Apart from Barclays Bank DCO, which is involved in the project through its South African subsidiary, two other British firms have indicated a keen interest to participate in the development of Cabora-Bassa—English Electric and Guest, Keen and Nettlefold (GKN). The Wilson Government advised English Electric that participation in Cabora-Bassa might lay it open to charges under the sanctions laws against Rhodesia; as a result of this warning they withheld their participation. GKN has subsidiaries in South Africa and Rhodesia, as well as holding a controlling interest in a company registered in Zambia.

There is every likelihood that if British firms were to be given the green light at Cabora-Bassa Zambia and other African countries would consider taking action against firms who become involved, as well as against their associates and subsidiaries.

The third aspect of President Kaunda's anxieties is the possibility of Portugal becoming involved with Britain and South Africa in a naval agreement centered on Simonstown.

As the neighbour country to Rhodesia, as well as to the Portuguese territories and South Africa, whose northernmost military base is located in the Caprivi Strip—his country is directly exposed to any increased pressures that might build up in Southern Africa. Hence his concern about British policies in that part of the world.

He has become increasingly concerned about the military vulnerability of Zambia, and on his recent European tour held discussions with various leaders about his future defence needs. The Yugoslavs are known to have offered their help. The Italians are already engaged in helping to train Zambia's air force.

President Kaunda is today the most influential African leader in Southern Africa. His country is economically strong and one of Britain's most important African trading partners. Even after the recent nationalisation of the copper industry, the two copper mining giants, American Metal Climax and Mr. Harry Oppenheimer's Anglo-American Company, have a large stake in the country's copper wealth.

Relations between Zambia and Britain cooled considerably even under the Labour Government, and as a result President Kaunda has been trying to diversify the range of foreign firms engaged in developing his country's resources. Any further deterioration in Anglo-Zambian relations could be greatly damaging to British interests.

Nor does President Kaunda stand alone; as chairman of the 14-nation East and Central African Region he is able to play an important leadership role within a group of African countries extending southwards from Ethiopia and Somalia, through East Africa and the Congo, down to Botswana on Zambia's southern flank.

He is also a highly respected and influential member of the Commonwealth of Nations, which is due to hold its next meeting in Singapore next January. His Ambassador at the United Nations has already been given instructions to take an initiative in helping

to mobilise the 42 African member-States to challenge British policies at a special meeting of the Security Council.

The very last thing Mr. Heath's new Government could wish for is to start its career by an open confrontation at the United Nations with the African members and their supporters, with its inevitable fallout at the next Commonwealth meeting.

Therefore the task facing Sir Alec Douglas-Home as the new Foreign Secretary is how to fulfil the Conservatives' pro-election pledges to South Africa without creating a new crisis of relations between Britain and the rest of Africa and the Commonwealth.

#### GONE—BUT NOT FORGOTTEN

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. DERWINSKI. Mr. Speaker, the district that I represent in south suburban Cook County is crisscrossed by many of the Nation's greatest railroads and I remind the Members of the fact that the Chicago area remains the railroad capital of the Nation. An extremely pertinent and penetrating editorial in the Blue Island, Ill., Sun-Standard, Thursday, July 9, emphasizes many local factors which apply properly to problems of railroad passenger service across the country. It follows:

#### GONE—BUT NOT FORGOTTEN

What's in the future for American railroad passenger service?

That question is of interest to residents of Blue Island for this city has been a "railroad town" since years prior to the Civil war.

Old timers of Blue Island have sadly watched crack passenger trains, which for years ran between Chicago and the West Coast, disappear from the scene.

Some 30 to 40 years ago there were a dozen or more passenger trains operating each way on the Rock Island through Blue Island. Today that number has shrunk to where there are now but two inter-city trains operated on the Rock Island.

The Peoria Rocket, put into operation in the early '30s with great fanfare still makes its daily round trip between Peoria and Chicago.

The Rocket leaves Peoria, primarily for the convenience of shoppers and businessmen, in the morning and moves out of the La-Salle street station in Chicago's loop on the return trip in the early evening.

The only other inter-city passenger train operated by the Rock Island makes a round trip each day between Rock Island in the western section of the state and Chicago.

The latest casualty among intercity trains on the Rock Island was No. 7 which was due westbound in Blue Island at 9:58 a.m., bound for Council Bluffs, Ia.

This train ceased operation on May 31 of this year. The case of No. 7 is still pending before the Interstate Commerce Commission which has been conducting public hearings at points along the Rock Island including Chicago, Joliet, Rock Island, Des Moines and Council Bluffs.

Gone forever from the Rock Island passenger trains are the crack trains that thrilled young and old for years as they roared along the rails.

For many years the long string of passenger cars, mail coaches and Pullmans were pulled by giant, shining black, coal fired steam locomotives.

In the latter years of their operation they were hauled by brilliantly colored modern diesel locomotives which, though less picturesque, did away with the tiny cinders which were thrown up from the squat stack of the steam locomotives.

Gone, but not forgotten by the older residents of the area, is the crack Chicago to California flier—the Golden State Limited. This was truly a prestige train. Those named to its crew, be they engineer, fireman, conductor, flagman or porter, considered their assignment a post of distinction and honor. The Golden State made its last run in 1968.

Another crack flier operating on the Rock Island was the Rocky Mountain Limited which made the run between Chicago and Colorado Springs. The Rocky Mountain passed from the scene in 1966.

The average Japanese, not possessing funds for ownership of an automobile, looks to the railroad when he wants to make a trip to visit that cousin in the country. The same is true for the average European. He too is dependent on the railroad for any traveling he has to make.

The factor that really "broke the camel's back" of the American railroads passenger service was the diversion by Uncle Sam of mail carrying contracts from the railroads to other modes of travel—particularly the airlines.

These mail contracts were lost to the railroads in 1967-68. The mail car, long a familiar sight on the fast passenger train is no longer seen. Long haul mail now goes by air. Inter-city mail is carried over shorter distances by truck "star" routes.

What does the future hold for the railroads so far as passenger traffic is concerned? Is there any possibility these trains will be revived?

We are doing a bit of research into this subject and will try to come up with some answers in future issues of the Sun-Standard.

The New York Central's (now Penn-Central) crack Chicago-New York passenger train, the 20th Century Limited, was taken out of service several years ago.

The list of name trains which have ceased operation on the North Western, Burlington, Chicago and Eastern Illinois, Mobile and Ohio, and other lines would make a list longer than your arm.

There are, however, a few crack trains still struggling along in service. The Baltimore and Ohio still has its famed Capital Limited in operation and the Santa Fe Chief trains still run to the west coast.

Just why have these trains dropped out one by one as passenger traffic fell away?

The answer is simple—the private automobile today carries 92 per cent of all inter-city passenger travel.

That leaves only eight per cent of all inter-city travel available to the competing means of transportation—airlines, railways and buses. There has been intense competition among these three for what little inter-city travel business is available.

The airlines, because of their speed, have a big edge in the long haul business. The rail lines have been forced to give up many short hand passenger trains because of heavy operating losses as travelers take to their privately owned automobiles.

You might ask—how come rail lines in Japan and Europe are operating successfully in the passenger trade?

Here's the answer—In Japan there is but one automobile to every 35 persons. In Europe there are 17 persons per privately owned car. In the United States there is an automobile for every 2.5 persons.

RODNEY E. DONALDSON

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. GOLDWATER. Mr. Speaker, naturally, the crisis on our college campuses concerns each of us; however, whenever I can, I like to present the viewpoints of responsible young Americans and their feelings about our great Nation.

Late this past spring, I had the honor to address a national meeting of the Boy Scouts of America in Denver, Colo. Six young Americans were selected and awarded the 1970 Young American Award. They came from a group of thousands of young people, from ages of 18 to 22.

One of those six award winners was Rodney E. Donaldson, Jr. Rodney, now 19 years old, was the youngest member of the National Board of the YMCA at the time that he won the award and is still the youngest member. He is a political science major at the University of Texas.

I believe his address to the national meeting of the Boy Scouts is an excellent contrast to the violent rhetoric coming from the radicals on our college campuses.

Rodney is now a member of President Nixon's Youth Advisory Board on the Draft and in 1969, he was the youth governor of Texas.

Therefore, I would like to take this opportunity to present the text of his address to my colleagues:

ADDRESS BY RODNEY E. DONALDSON OF SAN ANTONIO, TEX.

Lord Chesterfield once wrote: "You must look into people as well as at them." As a representative of the youth of America, I would like to pass on to you an often unpublished message which comes from the real future leaders of this nation.

When I received a recent letter, I noticed on the envelope a stamp bearing a picture of the American flag and inscribed with these words: "Our Flag: Love it or Leave." This simple yet poignantly plain statement is a fitting watchword for the high school and college age youth who will in a few short years assume the responsibilities of guiding this land of ours. A few Americans are concerned about the character and morals of today's youth; every day in the newspapers we read of draft-card burning, of irresponsible violence on our campuses, and of a number of other examples of falling youth. Just this past year, a leader of some of these poor examples admitted, and I quote: "Our primary objective is to build a Marxist-Leninist revolutionary movement."

These are our American youth, supposedly. These youth, in their several years of existence, have done much to achieve their goal. They have also performed such "beautiful" tasks as clubbing then-Defense Secretary McNamara when he spoke at Harvard and, to reach the apex of absurdity, even demanded that Duke University reinstate all those students who had flunked out the year before. But most significantly, and most pathetically, these people have burned and defiled the American flag in the name of the

free speech and assembly that the Constitution of this country grants them, always concluding their demands with the words "These demands are not negotiable!"

But I can tell you from experience that for every one or two of these no-backboned, violence-bent demonstrators, there are one hundred good, firm-believing, freedom-loving American youth you never read about. And what's even more important, these youth see the fallacies of their demonstrating counterparts.

The campus demonstrator is rebelling for license, not freedom, and the difference between the two is incalculable. History warns us that when the freedom Americans desire most is freedom from responsibility, then this beloved land will fall, and its people will grovel in the slime and stench of failure and despotism.

But while quelling the rebellion for license, we must at the same time never cease to rebel against all oppression of man's essential, God-given liberty, whether it be on foreign shores, or ultimately, God help us, on our own. The freedom so dearly won for us again and again in the past two centuries does not lie idly stagnating; rather, it is a vital, vibrant thing presenting to its possessors challenges unsurpassed in depth and sacrifice by those of any quest in the history of mankind.

You don't make freedom, in fact you don't make a nation, with the flick of a pen. Our freedom is the most valuable and priceless possession on this earth. It was bought with muscle, sweat, and blood by men with an intense love of God and an infinite respect for the individual—men who toiled, bled, and died that later men, like us, with a similar love and respect might dwell in the ecstasy of that precious something we so simply term freedom.

These men dared to stand up for what they believed; they dared to live for an ideal. This is the greatest of freedom's challenges—daring to live for an ideal. What our leaders do, what our various branches of government do—none of this is so important as that which you and I do to keep the dream, the hope, the ideal that is the United States of America a reality. We must stand up for what we believe no matter how overwhelming the opposition. We must dare to defy the crowd, heeding only the voice of the duty that drives deep into the heart of and mind of each individual soul, the duty of making America what it *must* be.

There can be no doubt that peace is one of the most blessed of all life's gifts. But there is something that the youth of America, and all Americans, prize much more highly than peace—the God-given liberty that rightfully belongs to every human being on this earth. If there is anything for us to fight for, in fact if there is anything which the intrinsic truth of our convictions demands we fight for, it is this God-given liberty. It seems that the primary aim of our foreign and domestic policy the last few years has been to make all people and nations love us. Well I think it's high time we stopped looking for love and began seeking a more tangible and realistic commodity called respect. And that respect will be ours only when we make it clear that our one unshakable fundamental policy is that we will die before we will surrender our rights or our freedom. And so strong must be this determination to preserve our freedom at all costs that the world, instead of hearing the whimpers of a few cowards crawling on their knees to some enemy sworn to obliterate their freedom, will hear what the determined and uplifted voices of a people who

really know what they're fighting for, and what they so desperately need to keep fighting for.

Yes, we're still fighting wars even now; it seems that there are always some groups hungry to take our freedom away from us. But, speaking for the youth of America, I say "by Heaven just let them try!" To be born a free man is an accident, yes, but to live a free man is a responsibility, and to die a free man a solemn obligation. And that responsibility and that obligation refer to far greater struggles than war, also. Right now our enemies are in the midst of a massive attempt to divide our nation's people into separate and irreconcilable factions, on the grounds of the morality of a war, the difference of race, and of the freedom of speech and simple right of authority on college campuses.

The task before us is almost insurmountable. Never has there been such a need for a generation of strong moral fiber, of determination, of character. Never has so much been demanded of a single generation. Never has the yoke of responsibility been heavier. The burning question is whether the young generation will accept that challenge, meet that need, and shoulder that responsibility.

One of the most profound yet simple pieces of advice ever given came from the man who said "Have a purpose in life, and having it, throw such strength of mind and muscle into your work as God has given you." The youth of America have such a purpose, a determination to devote all of whatever capabilities we might possess to keeping the United States of America the respected, God-fearing land I pray it will always be, rather than some antiquated idealism conceived by a fading blur of "old-fashioned" flag-wavers.

If, as the future backbone of our America, we the youth can but further this, our determined and very deeply-felt goal, then I pledge to you with all the faculties granted to us by God and our convictions, that we will. And there is solid proof of this pledge. More young Americans are entering public service in government than ever before, and the day is coming soon when the evils of apathy will be fully realized, and the American people will once again make their freedom their first and full-time business. And as the voice of American youth, I say to everyone who might hear these words: "If you subversives of my generation like Russia, Red China, and Communist Cuba as much as you say you do, then get out of America and stay out! We're not about to let you do to this country what you did to Czechoslovakia. That's not just a piece of cloth; that's our precious and blood-splattered symbol of freedom, the flag of our America! Love it or Leave!"

My fellow Americans, there is nothing these sick people can say or do that will make me ashamed of our land. Oh yes, we have our problems and deficiencies, but they can be corrected and they *will* be corrected—not by destroying America, but through hard work and understanding on the part of each and every one of us. I believe that America still holds the greatest hope for liberty and for mankind. I believe that America is the freest and most livable of all nations. I believe that Americans have the greatest potential of any people on this earth. And I believe that even the humblest of us are born with a privilege that places us ahead of anyone else, anywhere else: the privilege of living and working in America, of repairing and renewing America, and one more privilege no one seems to get much fun out of lately—the *privilege of loving America*.

Thank you.

## IS CAPTIVE NATIONS WEEK STILL RELEVANT?

### HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. CUNNINGHAM. Mr. Speaker, this is Captive Nations Week, a rallying point for all who love freedom and defend human rights. President Eisenhower issued the first Captive Nations Week proclamation in 1959. It has become a symbolic manifestation of the solidarity of free people in the United States and elsewhere with their East and Central European brethren living under Communist rule.

Captive Nations Week came into being with a unanimous resolution by the U.S. Congress, passed in June 1959. Known as Public Law 86-90, it designates the third week in July as Captive Nations Week and authorizes and requests the President to issue a proclamation to that effect. After President Eisenhower, Presidents Kennedy, Johnson, and Nixon, as well as scores of Governors and mayors, have brought Captive Nations Week to public attention by calling on the citizenry to initiate, and join in appropriate observations.

The question is: Captive Nations Week may well have been relevant in 1959, but is there a need for such an observance today? Is it not merely a remnant of the cold war? Are the people of East and Central Europe still captive?

Twenty-five years ago this May, the war in Europe came to an end. Yet today its legacy continues to pose a threat to European security and world peace. The once independent countries of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania remain under Communist domination—ruled by regimes representing a dictatorial minority. The sovereign Baltic States of Estonia, Latvia, and Lithuania have been forcibly incorporated into the Soviet Union.

The true sentiments of these peoples have been dramatically brought forth in the 1956 Polish October, the Hungarian Revolution of the same year, and the "Czechoslovak Spring" in 1968. In each and every instance, only strong Soviet pressure—outright military aggression in the cases of Hungary and Czechoslovakia—prevented the Communist domination from being swept away by a people clamoring for self-determination.

It was not the free world or the captive people that had initiated the cold war. This ideological confrontation, which is part of the legacy of World War II, has its roots in the declared objective of communism to impose its system of government on other nations of the world. In the Communist orbit, the regimes continue to wage a war of spiritual and moral attrition on the people over whom they rule. Abroad, Communist subversion and infiltration remain one of the instruments of Communist policy

in general, and that of the U.S.S.R. in particular.

Expressing solidarity with the captive peoples during Captive Nations Week is, therefore, not an artificial revival of yet another phase in the cold war, since the cold war was not of the captive peoples' making. Captive Nations Week observance simply offers dramatic proof that the plight of the 100 million East and Central Europeans has not been forgotten by their more fortunate brethren in the free world. This kind of uplift, symbolic though it may be, is of vital importance for the progressive and reformist forces inside the Communist orbit that are striving for a greater measure of freedom.

Moreover, world public opinion has long condemned all forms of colonialism. It would be inconsistent to call for self-determination for the former territories of the colonial powers while passing in silence over the neocolonialistic policies practiced by the Soviet Union under the provisions of the so-called Brezhnev doctrine. Surely the nine East and Central European countries, with their rich heritage and past contributions to world civilization, are fully entitled to chart their own destiny without outside interference or intervention.

The observance of Captive Nations Week is thus a moral obligation for all who profess their belief in freedom, equality, and equal opportunity—both on national and individual levels.

But, some may ask, are these east and central European countries truly captive? After all, the Stalinist era is long past. Have there not been meaningful improvements, more internal freedom?

There is little doubt that Communist rule in east and central Europe today is less oppressive than during the times of Stalin. This, however, is no reason for abandoning the demands for a full measure of freedom. To a man who is captive of a system, it makes only marginal difference whether he is 100-percent captive or only 80-percent captive. The latter is, of course, preferable, but only as the lesser of two evils.

When can a country or people be considered captive?

When people cannot exercise freely their right to national self-determination, then they are captive of the system that prevents them from doing so. None of the Communist-ruled states in east and central Europe have a truly independent foreign policy. Most of the east and central European nations are traditionally western-oriented, yet they are forced to remain within the mythical Socialist Commonwealth—against their wishes and contrary to their national interests.

When fundamental human rights are violated or suppressed, then people living in such a state are its captive. Violations and outright suppression of fundamental human rights—as set down in the 1948 United Nations Universal Declaration of Human Rights—are a way of

life in east and central Europe and have been fully documented in many authoritative reports.

When a minority denies the vast majority the right to express disapproval through bona fide opposition parties, persecutes and prosecutes dissent, new ideas and creativity—then people subject to the rule of such a regime can be considered captive. There have never been free, unfettered elections in any of the countries under Communist domination. Regime censorship and punitive measures against nonconformist writers and poets remain in force.

In short, whenever people with a long tradition of democratic institutions are being summarily stripped of their right to individuality, personal dignity, and free choice, these people are indeed captive, since they live under a totalitarian, regimented system of government.

All this applies to today's East and Central Europe.

Captive Nations Week enables Americans, East-Central Europeans, and other men and women cherishing freedom to demonstrate their support for the captive people of East and Central Europe with conviction. Those people in the Communist orbit are truly captive, and it is incumbent upon us all to manifest our concern and deep commitment with their plight.

Mr. Speaker, to do less would be unthinkable for anyone who prides himself on his dedication to humanitarian ideals and justice for all.

#### CAPTIVE NATIONS

### HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BROOMFIELD. Mr. Speaker, once again this month as we have done in the past, this Nation marks the anniversary of the captive nations. It is a reminder that the peoples living today under totalitarian Communist rule are still very much captive and now are numbered in many millions. We wish to pay special tribute to the peoples of some 23 Iron Curtain countries who long ago were robbed of their inherent and inalienable right to share with the captive peoples a common bond of belief in certain basic principles of mankind.

In this Nation we believe in freedom and self-determination. It is because of these beliefs that we celebrate the captive nations anniversary, with the hope that at some date in the near future, these captive peoples, in free and open elections under democratic procedures, will be able to join with other free nations in the world in celebration of true independence.

At this time, we salute those nations which courageously resist Communist domination, and we rededicate ourselves to strongly supporting their just aspirations for recovery of their liberty and independence.

#### OCCUPATIONAL HEALTH AND SAFETY

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, in order for the Members of the House to be aware of the serious weaknesses and deficiencies of H.R. 16785, as reported recently by the House Committee on Education and Labor, I want to call the attention of my colleagues to the minority views on this legislation, as follows:

#### MINORITY VIEWS ON H.R. 16785

We had every confidence that in this session of Congress we would see the enactment of effective Federal legislation to bring about safe and more healthful working conditions in this country. That confidence was born of the fact of President Nixon's having recommended this legislation in three separate messages to Congress, including a special one devoted exclusively to the urgent and unique problems of job safety and health.

Our hope was sustained over the months by clear indications from majority members that while reasonable men might differ, any differences could be worked out so that we might achieve the goal of enacting a genuinely effective law to reduce job hazards. These indications of apparent willingness to overcome differences even led us to offer a completely new bill as a substitute for the Administration's original bill. And we were willing to reach further accord with the majority up until the final moments before the Committee reported out its bill.

Unfortunately, our efforts were in vain. In retrospect, the majority's willingness to work out disputed points proved to be illusory. In sum, the Committee had rejected the original Administration bill which had been carefully drafted to take account of the harsh but well deserved lessons learned from the 90th Congress' experience with occupational safety and health legislation. The Committee then rejected the Administration's substitute; and finally, spurning even our eleventh hour endeavors to produce a viable piece of legislation, the Committee reported out a bill which we had to vote against.

The measure as reported by the Committee is unacceptable because in rejecting the concept of an independent Board to set standards, the bill would create a monopoly of functions in the Secretary of Labor. Such a monopoly not only ignores the element of fairness to those required to comply with the Act, but also fails to resolve the jurisdictional division between HEW's responsibility for health and the Labor Department's for safety. In addition, the Committee bill does not overcome the widespread objection to permitting an inspector to close down a plant in imminent-danger situations. We regard this as a serious shortcoming. Lastly, the Committee bill contains a sweeping general duty requirement that employers maintain safe and healthful working conditions. This broad mandate is grossly unfair to employers who may be penalized for situations which they have no way of knowing are in violation of the Act.

#### I. GENERAL DIFFERENCES

The single most important difference between the Committee bill and the substitute is where and how, each would place the prime responsibility for providing safe and healthful working conditions. The Committee bill follows the stock approach of placing all responsibility in the Secretary of Labor. He would set standards through a time-consuming

and complicated procedure involving *ad hoc* advisory committees; he would enforce the standards, prosecute violations before Labor Department hearing examiners; and he again, would be the one to issue corrective orders along with assessing civil penalties.

The substitute bill, on the other hand, refocuses responsibility for job safety and health by distributing these functions. In an effort to stress the importance and non-partisan nature of occupational safety and health, the substitute bill would create a new, top-echelon independent National Occupational Safety and Health Board to set standards composed of five members who would be appointed by the President solely because they are high-calibre professionals in the field of occupational safety and health. The members would serve at the pleasure of the President so that the independent Board does not become the captive of any special interest and remains responsible to the President.

The fact that the proposed legislation is concerned with working men and women is not sufficient reason for placing the standard-setting function under the Department of Labor. The Federal Mediation and Conciliation Service, the National Mediation Board, and the National Labor Relations Board, for example, are wholly concerned with matters pertaining to labor—nevertheless, they are entirely independent of the Department of Labor. Thus, there is ample statutory precedent for our proposed independent Safety and Health Board.

But even more significant is this. The members of the Board will not be appointed because they are Democrats or Republicans, pro-labor or pro-management, an approach which unfortunately has too often been followed in the making of appointments to Federal positions. The problems to be dealt with are not political, they are not primarily economic, they do not involve issues where there are deep differences concerning policy. To the contrary, these problems are almost entirely technical and technological. The appointment of an independent Board whose members must be highly competent professional experts in a field where the subject matter is almost wholly objective and susceptible to genuinely scientific and technical analysis, judgment, and decision, would inspire the utmost confidence in every segment of the American public.

And finally, the creation of a Board of this kind would more than meet the recommendations for such a Board itself, which were made by the leading professional organizations in the safety and health fields, such as the National Safety Council, the American Industrial Hygiene Association, the American Academy of Occupational Medicine, the Industrial Medical Association, the American Society of Safety Engineers, and several of the State health or industrial safety agencies which testified in the hearings held during the present or immediately preceding Congress.

Aimed at providing both fair and uncomplicated procedures, the substitute bill would thus have the Board set standards, simply using the familiar procedures under the Administrative Procedure Act (APA). The Secretary of Labor would conduct inspections, and in violation cases, he would seek enforcement in the Safety and Health Commission created by the substitute and United States appellate courts in accordance with procedures which would provide appropriate equity remedies and assess civil penalties.

#### II. SPECIFIC SIGNIFICANT DIFFERENCES

##### 1. Standards

The Administration's substitute bill provides very simply that the Board set standards according to the formal procedures of the APA. This means that a full hearing will be held so that a wide variety of views can

be aired; and standards will be based on substantial evidence with an opportunity to cross-examine.

However, the substitute bill also recognizes that out-of-the-ordinary situations will arise in which the Board has to act quickly and should not have to go through a hearing before it can respond to these situations. Therefore, section 6(b) of the substitute bill provides that where it is essential to protect the health or safety of employees, national consensus standards or established Federal standards can go into effect immediately on publication in the Federal Register, and they will remain in effect until later superseded by standards promulgated through formal APA hearings.

Also, section 6(l) of the substitute bill provides that where employees are exposed to grave danger from exposure either to toxic substances or to hazards resulting from new processes, then the Board may issue new "emergency temporary standards". These too would go into effect immediately on publication but would remain in effect until superseded by standards promulgated pursuant to formal APA proceedings. The substitute requires the Board to start formal APA proceedings by publishing the temporary standard as the notice of proposed rule making, as soon as the emergency temporary standards are published. The Board is required to promulgate such standard within six months after the publication of the temporary standard.

The substitute bill provides that where an applicable national consensus standard, or an established Federal standard exists, then the Board would begin with those standards as the proposed rules for the hearings used to set permanent standards. If the standard as finally promulgated by the Board differs from the original proposed rule, then the Board must state its reasons for departing from the original.

The Committee bill would also set permanent standards through formal APA hearings, but before these hearings even begin, it would be necessary to go through an intricate maze of procedures involving assorted advisory committees. Whenever the Secretary wanted to set a standard under the Committee bill, he would have to appoint an advisory committee. This advisory committee has up to nine months to submit its recommendations to the Secretary and the Secretary may not begin any hearings until he has afforded the advisory committee the prescribed time to submit its recommendations. Although the Secretary may shorten this period, the Committee bill also provides that he may lengthen it; but there is an outside time limit of one year and three months.

After this excessive length of time, the Secretary has an additional four-month time period before he is required to hold a formal hearing on the advisory committee's recommendations.

If the committee does not submit recommendations on time (bearing in mind this can be up to well over a year), the Secretary may wait up to four more months before he has to schedule a hearing; the hearing begins 30 days after scheduling.

By simple arithmetic, we compute that under the Committee's bill, the Secretary of Labor might well have to wait close to two years before a formal hearing begins. This means that it may take him all that time just to catch up to the starting point of the Board's standard-setting procedure under the substitute bill.

It is understandable that the Committee bill would have to provide these excessive preliminary time lags. After all, it is going to take time to set up an array of *ad hoc* committees and more time still for each of them to undertake and complete their required assignments before they will be in any position to make their recommendations. However, no such time periods are needed

under the substitute bill since a fulltime, top professional National Board would be continually involved in standards-development and therefore needs only to commence a formal APA hearing when it seeks to set permanent standards.

### 2. Enforcement

The Committee bill's enforcement provisions are as complicated as its standard-setting procedures, but the enforcement provisions present uniquely serious problems because due process is a matter of grave personal concern where enforcement is involved.

Under the Committee bill, the Secretary of Labor conducts inspections, holds hearings before Labor Department hearing examiners, and it is also the Labor Department which issues corrective orders and assesses civil penalties.

Unlike the Committee bill the substitute provides for an effective and fair method of enforcement. The Secretary of Labor would continue to be responsible for making inspections and investigations. However, a special permanent three-member administrative Occupational Safety and Health Appeals Commission would be appointed to conduct formal hearings on alleged violations which were discovered by the Secretary; and the Commission would issue any necessary corrective orders, as well as assess penalties. The Commission would utilize hearing examiners whose decisions would become final unless an appeal is made to the Commission.

### 3. General safety and health requirement

We strongly object to the Committee bill's sweeping general requirement that employers furnish safe and healthful working conditions. This was one of the first provisions which this Committee struck when it reported an occupational safety and health bill in the 90th Congress. Why it has not done so again is beyond our comprehension. The argument used in support of the Committee bill's general requirement is that a similar provision is found in the Walsh-Healey Act, the Service Contract Act, the Maritime Safety Act, and in the laws of some 35 States. This argument does not persuade us.

The Walsh-Healey and Service Contract Acts deal with the duties of those who contract with the Government. If a person freely contracts with the Government, then he assumes the responsibility for maintaining safe and sanitary working conditions as provided for in those two-procurement-related statutes. While the language of the requirement in those two laws may be general, its application could hardly be described as "general" since coverage under those Acts extends only to those circumstances to which the supply and service contracts themselves apply. Moreover, we understand that the general safety and health requirements of those two Acts have never been enforced in the absence of specified standards.

In the case of the Maritime Safety Act, the term "general" safety and health requirement is also a misnomer. The Maritime Safety Act applies to a single industry, so by force of circumstances, that Act does not contain a so-called general requirement like the one in the Committee bill which would apply to the whole spectrum of American industry.

States also do not have general safety and health requirements in the same sense as the Committee bill does. Not only do none of the States provide the wide and varied coverage of the Committee bill, but many State laws apply only to limited areas of activity such as boiler and elevator safety.

The objection to the very broad general safety and health requirement is not, of course, that there are no valid arguments to justify it. The offensive feature of such a provision is that it is essentially unfair to employers to require compliance with a vague mandate applied to highly complex industrial circumstances. Under such a mistake, the employer will simply have no way of knowing

whether he is complying with the law or not, nor will the inspector have any concrete criteria, either statutory or administrative, to guide him in finding a violation.

On the one hand, the Committee bill recognizes this industrial complexity by providing for specific standards to be developed through the use of any number of advisory committees and public hearings. But the Committee does a turnabout, and requires the employer to follow a mandate which is almost as broad as "do good and avoid evil." We seriously doubt that the Committee bill could be enforced on the basis of this broad requirement; but if it could be, we would be faced with the serious problem that there would be no incentive to develop any standards where such a broad mandate exists.

We recognize, however, that specific standards could not be fashioned to cover every conceivable situation. We would be remiss in our duty, if any worker were killed or seriously injured on the job merely because there was no particular standard applicable to a dangerous situation which was apparent to an employer. Hence, in addition to requiring employers to comply with the specific standards promulgated by the Board, and applicable to them, the substitute bill also requires each covered employer to furnish his employees employment and a place of employment which are free from any hazards which are readily apparent and are causing or are likely to cause death or serious physical harm to his employees.

### III. CONCLUSION

Despite our criticism of various provisions of the Committee bill, we do not wish to convey the impression that we object to the bill in its entirety; quite the contrary. Many provisions of the Committee bill are in large part, satisfactory and comparable provisions are found in our substitute. Some examples are the State grants section, the provisions for State participation through the submission of plans, the carefully circumscribed employer-exemption provisions, and the Federal employee safety program. A few provisions, in addition to those discussed herein, are more questionable. Several other provisions of the Committee bill would be acceptable if they were modified.

However, we regard the establishment of an independent Board to promulgate standards and due process as essential provisions which cannot be omitted from any bill which genuinely purports to have the best interests of employees and employers as the basis for its enactment. Hence, we intend to offer our own proposal, which was rejected by the Committee's majority, as a substitute for H.R. 16785 as reported by the Committee.

WILLIAM H. AYRES.  
ALBERT H. QUIE.  
JOHN M. ASHBROOK.  
JOHN N. ERLBORN.  
WILLIAM J. SCHERLE.  
JOHN DELLENBACK.  
MARVIN L. ESCH.  
EDWIN D. ESHELMAN.  
WILLIAM A. STEIGER.  
JAMES M. COLLINS.  
EARL F. LANDGREBE.  
ORVAL HANSEN.  
EARL B. RUTH.

### POLISH AMERICANS MARK AN ANNIVERSARY

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. EILBERG. Mr. Speaker, this weekend the Polish National Alliance, the largest Polish fraternal organization in America, will observe the 90th

anniversary of its founding. Appropriately enough, the ceremonies will be conducted in Philadelphia and its suburbs. For it was in Philadelphia, which I am proud to represent in the Congress, that the Polish National Alliance was founded 90 years ago.

And today, as we in the Congress remind free men throughout the world that many nations still endure bondage, I think it is fitting that these ceremonies be brought to the attention of my distinguished colleagues.

Scheduled for Friday, July 17, is a meeting of the board of directors of the Polish National Alliance; wreath laying ceremonies at the Liberty Bell and a civic ceremony in historic Congress Hall.

On Saturday, July 18, wreaths, blessed at a 10 a.m. Mass for deceased PNA members at St. Laurentius Church in Philadelphia, will be placed on the graves of PNA founders and PNA leaders. This will be followed that evening by a 90th anniversary dinner to be held at the Benjamin Franklin Hotel.

The highlight of the 3-day affair will be the ceremonies on Sunday at the American Czestochowa outside Philadelphia in Doylestown, Bucks County. The day will be devoted to the observance and commemoration of the 90th Jubilee Anniversary of the Polish National Alliance and to the many contributions that the Polish National Alliance has made to America and to the cause of Polonia.

Aloysius A. Mazewski, president of the Polish National Alliance and Polish American Congress, and the Very Reverend Michael M. Zembrzowski, O.S.P., vicar general of the Pauline Fathers and Brothers in America and founder-director of the Doylestown Shrine or honorary cochairmen for PNA Day at the American Czestochowa.

Also serving as honorary members of the PNA Day Committee are the national board of directors and officers of the Polish National Alliance. Significant contributions are being made by the commissioners of the PNA districts in the eastern part of the United States.

Included in this group are commissioners of district 1, Jan Siderski of Lynn, Mass., and Alicja Nahornek of Chicopee, Mass.; Commissioners of district 2, Jozef A. Zduncyk of Plantsville, Conn. and Ewelina Gavalis of Torrington, Conn.; Commissioners of district 3, Leopold K. Bibirecki of New York City and Helena B. Piotrowska of Schenectady, N.Y.; Commissioners of district 4, Jan E. Nowak and Joanna Kowalska of Buffalo, N.Y. Also commissioners of district 5, Eugeniusz Zegar of Somerville, N.J., and Janina Kozmor of Jersey City, N.J.; commissioners of district 6, August Gorski of Philadelphia, Pa., and Leokadia Misiora of Baltimore, Md.; commissioners of district 7, Ludwik Sliwinski of Kingston, Pa., and Zofia Wojcik of Wilkes Barre, Pa.; and commissioners of district 8, Franciszek Lysakowski of Pittsburgh, Pa., and Anna Jasionowska of McKees Rocks, Pa.

PNA Director Hilary Czaplicki has emphasized that never before has the

attention of the PNA and its entire national membership been so strongly focused on the contributions of PNA districts, lodges, and councils in the eastern part of the United States.

Among the many distinguished citizens and leaders of the Polish American community who will be present at the Sunday ceremonies will be His Eminence John Cardinal Krol, archbishop of the diocese of Philadelphia; Dr. John A. Grounouski, former U.S. Postmaster and U.S. Ambassador to Poland and now dean of the Lyndon B. Johnson School of Public Affairs at the University of Texas; President Mazewski of the Polish National Alliance and the Polish American Congress; Dr. Walter L. Dworakowski, censor of the Polish National Alliance and Vicar General Zembrzowski.

Cardinal Krol will celebrate the 12 noon commemorative PNA Mass in the upper church of the Shrine of Our Lady of Czestochowa and will preside with President Mazewski over the day's activities. The Mass will be sung by the Pulaski Choraleers of Philadelphia.

Dr. Grounouski will be the honored guest and keynote speaker for the day.

The program for PNA Day on Sunday, July 19, will be divided into two parts, morning religious ceremonies and afternoon civic and ceremonial rites.

A procession will precede the 12 noon Mass and will proceed from the monastery of the Pauline Fathers to the upper church of the Basilica. The procession will be led by Cardinal Krol, Vicar General Zembrzowski, PNA chaplains, President Mazewski and the national board of directors of the PNA. Also participating will be distinguished guests and leaders of the PNA youth and cultural groups in Polish dress and costume.

Following the 12 noon Mass, a luncheon honoring the cardinal, Dr. Grounouski, and the board of directors of the PNA will be held in the private Shrine banquet room.

From 2:30 to 3 p.m. the 76-piece Central Bucks East High School Band under the direction of Mr. Charles McNally will perform.

The formal afternoon program will begin at 3 p.m. with the playing and singing of the American and Polish Anthems by the band and the Pulaski Choraleers. President Mazewski will act as master of ceremonies. Following the invocation, PNA Director Czaplicki, acting as coordinator of PNA Day at the American Czestochowa, will give the official greetings.

President Mazewski, honorary co-chairman of PNA Day will then speak and introduce Dr. Grounouski.

Closing remarks will be made by Vicar General Zembrzowski, and the afternoon's festivities will end with the band and the Pulaski Choraleers playing and singing "God Bless America" and "Boze Cos Polskie."

PNA Day at the American Czestochowa and the events in Philadelphia on Friday and Saturday are being coordinated by the commissioners of host district 6, August Gorski and Leokadia Misiora, assisted by PNA Director Czaplicki.

I congratulate the Polish National Al-

liance and Polish Americans in Philadelphia and throughout the country on this historic anniversary and wish them *zdar* this weekend in Philadelphia.

#### STUDENT REVOLUTION COULD LEAD TO TYRANNY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BOB WILSON. Mr. Speaker, Dr. Jan Rosciszewski, a distinguished scientist and naturalized citizen, was educated in Communist Poland and is, therefore, particularly well qualified to comment on the ramifications of campus unrest on our Nation's campuses. I know my House colleagues will find his recent letter to the editor of the San Diego Evening Tribune of particular interest. The letter follows:

STUDENT REVOLUTION COULD LEAD TO TYRANNY

EDITOR: I think everybody is concerned about the way of thinking and behaving of our students. Without reasons, students are fed up with the war in Vietnam which consumes so much of our national resources and human lives, and is dragging on so long.

Artificial rules of the game set up by civilian authorities over the military made it what it is, such a striking contrast with Israel's six-day victory over Egypt. This is the black side of the coin and our students overreact and want not only to get out of war, but to stop our defense research, and disarm ourselves.

To achieve this, some of our students are trying to impose their views on the rest of the Americans by organizing violent protests, etc.

In California, the students and the faculty members are almost entirely supported by taxpayers' money which is now not being used for education as intended, but for political activities. I think it is time for the taxpayers to demand that their money be used for education only.

Let's look on the red side of the coin. Unfortunately, we live in the world where this side exists and we cannot keep our heads in the sand.

Being educated in a Communist-controlled country, I mention only one drastic case where my friend, a top student, privately called the head of the Polish military, who was previously a Russian marshal, "our imported marshal." He got five years in prison and was released after one year, having contracted tuberculosis.

Russia is building up its missile and naval force to exceed ours. Why? I am sure they are not afraid of us now. We had atomic monopoly at one time and we did not attack them. The only logical answer is: To take over the rest of the world and to impose a system like in Poland or Czechoslovakia where students have no chance even to open their mouths. The action of our students, without question, is just helping the Soviets to achieve their goal.

There is no question in my mind that Soviets like the slow bleeding of this country in Vietnam, and will do everything to keep it going as long as possible to create more internal trouble, which they like even more.

I hope our students are intelligent enough and will think twice before following professional agitators playing into red hands and taking part in a "spontaneous violent revolutionary activity" which could lead fast to the opposite effect than the one that they

are fighting for. History of the Russian revolution and pre-Hitler Germany are the best examples of how violent revolutionary activity leads to a tyranny.

Dr. J. ROSCISZEWSKI.

### CAPTIVE NATIONS WEEK

## HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. ROSTENKOWSKI. Mr. Speaker, at this time, I should like to thank my friend and distinguished colleague from Pennsylvania, DAN FLOOD, for the efforts he has made over the years concerning the commemoration of Captive Nations Week.

We have been observing Captive Nations Week since 1959, when Public Law 86-90 was enacted. I am happy to note that with the succession of these observances, the amount of sympathy and fervor that has been expressed by the American people for our imprisoned brothers in East and Central Europe has increased significantly.

My district in Chicago is comprised of a large amount of Polish-Americans. We are especially aware of the many difficulties imposed on our friends and our relatives in our Mother Country. We are also cognizant of the work which the Assembly of Captive European Nations has done to make these problems known to the free world. This organization has kept the Congress as well as State Governors and mayors abreast of pertinent matters overseas. For this and for their many other noble activities, this assembly deserves our greatest gratitude and commendation.

It must be pointed out, however, that the captive nations include nine different countries. I found much merit in the second of the aims and principles of the Assembly of Captive European Nations, arrived at in 1954. It states:

We are resolved to remain united in the service of mankind's greatest values: the dignity of man, basic human rights, national independence, and freedom. There will be no possibility of co-existence of the two antagonistic camps in our fold until the true meaning of and respect for these supreme values has been secured everywhere. The experience of the 20th century has shown that no just international order or lasting peace can be established until nations cease to be objects and again become subjects of international life.

In a country such as the United States, we are not given, but we merit certain rights such as freedom of choice and freedom of assembly. We should never let anything infringe upon these rights. The peoples of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania have been living in the Orwellian world for a long time. The big brother who watches them is the Secretariat of the Communist Party in Russia. Mr. Speaker, the specter of facism has not vanished. It exists, and will continue to flourish like a parasite for as long as these European nations remain closed behind the Iron Curtain.

In the ninth session of the Assembly of Captive European Nations, held in 1962, there was much said about how the Soviet Union dealt with dissent in the captive nations. I include one such report:

In 1945 and 1946, the leader of the Polish underground government, Jan Stanislaw Jankowski, Christian Labor Party, and his deputy, Stanislaw Jasiukowicz, National Party, were murdered by the Soviets; the Chief of the Polish Home Army, General Leopold Okulicki, died in a Soviet prison; former President of the Polish Council of National Unity in the underground movement and leader of the Polish Socialist Party, Kazimierz Puzak, the leader of the Polish Christian Labor Party, Reverend Zygmunt Kaczynski; and a leading personality of the Polish Peasant Party, Stanislaw Tabisz, died in prison; Boleslaw Scibiorek and Wladyslaw Kojder, prominent members of the Polish Peasant Party, were murdered.

Faced with murder, prison, and harassment, it is a wonder that our brothers have continued to survive. It is surely a miracle that they continue to hope. Let us hope too, and wait for the day that we may be able to say that the entire world is free from the menace of communism.

### UNTYING THE GORDIAN KNOT

## HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. BUTTON. Mr. Speaker, we are all aware of the scope of our Nation's health-care problems which range from spiraling costs of hospitalization plans to shocking inadequacies in caring for our hospitalized veterans. Fortunately, as recent national publicity on VA hospitals and the subsequent action by Congress testifies, awareness of a problem usually begets earnest attempts for solutions.

Thus, today I hope to bring attention, interest, and action to bear on a little-noticed, but vexing situation, in which America's women doctors find themselves. I would like to bring to the attention of my colleagues an excellent article detailing the difficulties of the physician-mother whose practice suffers because she cannot obtain household help and care for her children to free her for her life-saving duties.

As the article emphasizes, the shortage of household help has been caused, in part, by recently issued stricter regulations by the Department of Labor on immigrants seeking entry to the United States as domestic workers.

Accordingly, I have written to Secretary of Labor Hodgson requesting that he review the possibilities of relaxing these restrictions which are indirectly affecting the time which the physician-mother can devote to her practice.

The article follows:

HOUSEHOLD HELP—THE WOMAN DOCTOR'S GORDIAN KNOT

(By Mathilda R. Vaschak, M.D.)

One casual question, buried in a mailing about the recent Medical Women's International Association Congress in Australia, has brought an unexpected avalanche of replies.

They range from succinct expletives to long dissertations. They reveal a household help problem of extensive proportions and varied dimensions among women physicians. In view of the country's pressing need for more physicians—and patients' need for the attention of these doctors distracted by home complications—this situation must be considered tragic. Solutions must be found.

What many doctors said in many ways is summarized by the one who stated:

"Household help is, in my opinion, a woman physician's greatest problem. All the rest are minuscule by comparison."

The immediate and overwhelming response to the household help problem caught members of the AMWA Medical Education and Research (ME&R) Committee by surprise. Although they have been working on this matter for some time, they were unaware of its extent and the intensity of doctors' feelings about it.

Furthermore, the question had every appearance of an afterthought, placed at the end of a letter from Laura E. Morrow, M.D., then President of AMWA. The reader had to scan a substantial amount of information about programs and travel before discovering it.

The question was simple, a metaphorical finger to test the wind:

"Have household help problems interfered with your medical practice?"

Provision was made for checking "Yes" or "No" and space for a brief comment was available. Of approximately 1,000 doctors responding in some way to the mailing, 788 made identifiable comment or reference to the household help problem. A few additional have been received since the tabulation was completed. Some letters and reports on the subject ran to several pages of detail about the writers' experiences. Every one has been examined and analyzed by a member of the ME&R Committee for whatever light it might shed.

Committee members turned with special interest to those 274 replies of doctors who responded "No," that they had had no serious household help problem. Here they hoped to find insights which could be passed on to those who have been unable to find any solution.

This expectation was disappointed. From those who commented negatively, the only conclusions reached are that, to avoid the help problem's interfering with one's practice, one should remain unmarried—or at least childless, or be "lucky." The latter are sometimes almost apologetic for having "an understanding husband and housekeeper" or a mother or maiden aunt who acts as substitute in the home. They appear quite aware that other women doctors are less fortunate.

Even the physician-mother who manages to continue practicing full time may be aware that the quality of her practice suffers when home and family responsibilities do not allow her sufficient time for study. Some speak of foregoing opportunities for residencies in specialties because of inability to employ enough good help to relieve them in both regular and off-hours as such appointments require.

From its beginning, when Rosa Lee Nemir, M.D., was chairman, the ME&R Committee has been acutely aware that some women doctors have struggled with the conflicting claims of family and medical profession; that to some extent this was due to the difficulty of finding, employing and keeping substitute homemakers of skill and dedication who would relieve their minds of worry in order that they could concentrate on their patients' needs.

Lacking evidence of the extent, nature, complexity and seriousness of the problem, they have found it difficult to recommend solutions that might lead to action. Women physicians who have taken the trouble to answer this question have removed all doubt

about the need, or about whether unmarried as well as married women are concerned.

From 514 women physicians came emphatic "yeses", that they had encountered interference with their medical practice from difficulties in employing adequate help at home. Proportionally, they represented almost 2 to 1 over those who replied "No." Most notable were the strong feelings of those who answered affirmatively. To paraphrase one physician:

Society is not best served when housework deprives a physician of her study time, or when economic pressures force her to hire cheap, inadequate help or to pay good domestics less than their worth.

As a result of such comments, the ME&R Committee has been proceeding with plans for a scientific survey to secure facts and statistics. These can be used to persuade foundations, government and others with sufficient resources to back constructive measures for solving the help problem. With the assistance of Sandoz Pharmaceuticals, Inc., a pilot questionnaire, constructed in accordance with approved research methods has been completed and will shortly be tested in three selected counties.

If this pilot study is effective, it is hoped that financial means will be found to extend the survey to all U.S. women physicians, revealing not only the nature of the problem but the specific areas in which it is the most acute.

Although the question which has already been certain tentative conclusions can be reached, subject to confirmation by the nation-wide study:

1. The problem appears to be nation-wide with the possible exception of some southern areas where multiple generation families still exist.

2. The most extensive problem is that of mothers with small children. For such, finding competent help is not only difficult but as one doctor puts it "almost prohibitively expensive. Either two full-time persons are needed or various unsatisfactory compromises have to be made. At \$2 per hour the cost is enormous—instead of scrubbing floors, a physician could perform a service more valuable to society."

3. For many doctors, however, floor-scrubbing-help is not as hard to find as are people trained for more difficult and responsible tasks. Especially, they say, competent, reliable people to whom they can entrust their children with confidence are the most difficult to find. Some suggest a training program is needed on a national basis.

4. Although to some extent all types of professional women share the household help problem, it is particularly acute for women doctors because, as some replies suggest, long hospital hours and the needs of patients in off-hours do not lend themselves to picking up youngsters on schedule from day nurseries. One medical woman found that, in order to continue practice, it was necessary to place her daughter in a boarding school. She reports the financial burden is almost more than she can carry.

"I am completely at the mercy of the health status of my children, plus my maid, plus her eight children," reports another. "My maid is extremely responsible and as reliable as conditions allow her to be."

One Maryland doctor who has always managed to work full time, but "with great difficulty," says her bill for domestic help runs to \$8,000 per year and she is still without full coverage.

5. Difficulties with household help are not confined to working mothers. Unmarried as well as married doctors find mothers or other older relatives in good health are valuable assistants on the home front. But when ill and unable to care for themselves, adequate household help becomes a major problem,

especially in areas where adequate nursing homes are unavailable. Doctors with helplessly ill or crippled husbands are often in similar predicament. More than one doctor has given up practice under such conditions.

6. Recent Immigration Service regulations appear to have intensified the problem. Maids from Europe, some say, made excellent household managers and child-care personnel, although turnover was a problem. One doctor states that her maid has been with her five years, but she expects her to leave soon because "she is getting no younger and has no opportunity to meet eligible men" in a small-town location. Under the new stricter immigration rules, she despairs of finding a suitable replacement.

7. In some areas even ordinary domestic help is difficult to find. "Where are those unemployed?" asks a New Jersey physician. Homemakers seek factory jobs because they have more opportunities to associate with other people and can command greater wages and generous benefits.

From a study of the doctors' replies, it becomes apparent that:

1. Relaxation of immigration rules for domestics is needed.

2. Training programs are required for professional homemakers who can take over management of the household, maintenance of appliances, preparation of meals and supervision of children. Says one physician, "A woman doctor needs a wife."

3. In order for a woman doctor to be able to pay trained domestic help wages comparable to their skills and responsibilities, she needs to be able to compete, at least financially, with business. Like businesses, she needs to be able to take such expenses as tax deductions—a cost of doing business.

"I can practice medicine without a secretary, without a nurse, but not without a housekeeper," maintains one physician.

Says another:

"I can practice medicine only because my husband subsidizes me heavily."

On these three points women physicians with homemaker problems appear generally to agree. It is the committee's expectation that other solutions may also be indicated when, and if, a comprehensive nation-wide scientific survey is finally conducted.

## REPORT TO CONSTITUENTS

### HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. WYDLER. Mr. Speaker, in my capacity as a Congressman, I report to my people and try to keep them informed of my activities. To those people who move into my district for the first time I send a report giving them my background and some of the congressional services that are at their disposal. The latest edition of this report has been prepared and follows:

REPORT FROM YOUR CONGRESSMAN JOHN W. WYDLER TO THE FABULOUS FOURTH CONGRESSIONAL DISTRICT

#### MY POLITICAL OUTLOOK

Basically, my political outlook is "dynamic." I have endeavored during my eight years of service in the House of Representatives, where I am the senior Congressman from Nassau County, to remain responsive to the needs of my constituents. I am not unduly concerned with political labels on legislation although I am a member of the Republican Party leadership in the House.

I have, on occasion, joined my colleagues on the other side of the aisle to vote for measures I felt merited bi-partisan support. I have also voted negatively on bills that had the endorsement of my own party if I could not conscientiously support them. A recent analysis of my voting record published in the "Congressional Quarterly" documents the fact that in the 90th Congress, only 56% of my votes were cast along what might be called "party lines," giving me the most independent voting record on Long Island.

Each time I have run for Congress I have achieved larger pluralities until in the 1968 election, I received 70% of the entire vote. This demonstrates, I believe, the accepted bipartisan nature of my political outlook. Label it independence, integrity—whatever word you choose. I like to "call 'em as I see 'em," always bearing in mind the best interests of the District I represent as well as the good of the country as a whole.

#### MEET CONGRESSMAN WYDLER

My family background . . . I was born in Brooklyn. My father was an immigrant. Our family moved to Long Island and I attended Long Beach High School. My college education at Brown University, which I was attending on a scholarship, was interrupted by World War II when I enlisted in the U.S. Army Air Force as a private. After serving in a chemical warfare company in the China-Burma-India theatre, I was discharged as a staff sergeant at the end of the conflict. I returned to Brown University on the G.I. Bill of Rights and was elected to Phi Beta Kappa in my junior year. At the end of that year, I was accepted for transfer to Harvard Law School, where I won Law Forum honors.

After being admitted to the New York State Bar in 1950, and practicing law, I served for six years in the U.S. Attorney's office, prosecuting both civil and criminal cases. In 1959, I headed up a probe of New York City school construction irregularities for the New York State Commission of Investigation. Later that year I returned to the private practice of law in Nassau County. In 1967 I became part of the firm of Wydlers, Balin, Pares and Soloway in New Hyde Park.

My wife is the former Brenda O'Sullivan and we have three young children, Christopher, Kathleen and Elizabeth. Mrs. Wydlers is active in St. Joseph's Rosary Society and I am a charter member of the Bishop's Men at the Episcopal Cathedral of the Incarnation in Garden City. Our son attends a neighborhood public school.

Insofar as we can, Mrs. Wydlers and I have participated in local community-centered affairs. I am a member of the American Legion, the Veterans of Foreign Wars, the Hempstead Elks, the Masonic Lodge of Garden City and the Order of AHEPA. I am proud to be a founding member of the U.S. Capitol Historical Society as well as a sponsor of the Adelphi Octet and of the Pro Arte Symphony Association of Hofstra University.

Over the years, my efforts on behalf of my constituents have been recognized by testimonials and awards from a significant cross-section of organizations. Among the awards which have meant a great deal to me are the Commemorative Medal from the Assembly of Captive European Nations; the citation for the advancement of science and astronautics from the American Institute of Aeronautics and Astronautics; the Torch of Liberty Award from the Anti-Defamation League; and an award from the Elmont Center Civic Association for my fight against jet noise.

My Congressional Committees . . . In Congress I serve on the Science and Astronautics Committee, including the sub-committees on advanced research and technology and oversight, plus the Government Operations Committee (frequently called the Congressional "watch-dog") with responsibilities on the

sub-committees dealing with consumer matters and military operations.

#### MY DISTRICT OFFICE

I maintain a local office for the convenience of my constituents. It is located at 150 Old Country Road, Mineola, New York 11501. The telephone number is CHapel 8-7676. This office is equipped to supply information, handle certain types of problems and set the wheels in motion for action by my Washington office when this is indicated. Please do not hesitate to communicate with me via my district office. Every telephone call and every letter is conscientiously called to my attention for appropriate action or referral. And you'll like my staff!

#### WELCOME TO WASHINGTON!

Washington is a wonderful place all year round, and if you're planning a trip with the family, why not spend several days in the Nation's Capital? If you will get in touch with my Washington or District Office in Mineola (try to give us two to three weeks notice), we'll arrange for special tours through the White House, the FBI, the Voice of America, and similar places. We can send you a detailed map of the Washington area.

If Congress is in session, I'll be glad to supply special passes to the Galleries in both the House of Representatives and the Senate. And, of course, I hope you will stop at my office and say "hello." Keeping in touch with his constituents is one of a Congressman's most important assignments.

#### COMMUNITY DAYS

Communication has to be a two-way street and although I like to hear from you, I feel my job as your representative involves going out into the community to meet my constituents in person and to hear their problems first-hand. I have instituted what I call "Community Days" in the various areas in our Congressional District. These get-togethers are held in local post offices on Saturday mornings and are publicized well in advance through civic, fraternal and educational organizations as well as through the local weekly newspapers.

It's kind of like the old-fashioned days when everyone knew his representative by sight and there was an informal give-and-take in the political field. Be sure to watch for the announcement of the "Community Day" for your town and tell it to me "like it is" when we meet each other.

#### LEGISLATIVE BOX SCORE

I have taken every possible legal step to force the FAA to curb jet aircraft noise.

For eight years I have worked for the passage of a bill which has just become law that creates a commission to streamline the defense department in the executive branch of the government—stepping up efficiency and lowering expenditures.

I have led the legislative fight to channel education funds into programs directly related to the poor.

I have co-sponsored major legislation to create a commission on early childhood education and development which will assemble the necessary facts for intelligent problem-solving in this area instead of continuing the present "grabbing at straws" approach.

Six years ago, long before the postal strike, I proposed relating postal wages to local high-cost-of-living areas instead of to an unrealistic national scale.

I have consistently voted for conservation measures and have been effective in the preservation of our local wetlands.

I have urged repeatedly that social security payments be tied directly to cost-of-living levels and this was just passed by the House of Representatives.

I have supported consumer protection legislation and have been instrumental in calling Congressional hearings on inflated meat prices.

My proposal to create a cabinet level department on environmental affairs to fight pollution has had favorable reaction from the White House.

As a member of the Science and Astronautics Committee of the House of Representatives, I have been able to keep my eye on the moon program and on our local space craft industries as well.

My bill to prohibit the sending of pornographic materials through the mails to minors has been adopted as the Administration's position.

#### THE "FABULOUS FOURTH" CONGRESSIONAL DISTRICT

Points of Interest Include: 1. Belmont Park. 2. Valley Stream State Park. 3. Hempstead Lake State Park. 4. St. George's Episcopal Church (a national historic landmark). 5. Roosevelt Field. 6. Roosevelt Raceway. 7. Nassau County Museum. 8. Eisenhower Park. 9. Nassau County Children's Shelter. 10. Adelphi University. 11. Hofstra University. 12. Nassau Community College. 13. Friends' World College. 14. A. Holly Patterson Home. 15. Meadowbrook Hospital. 16. Messapequa Park.

#### FABULOUS "FOURTHERS" ARE "WEALTHY AND WISE"

Residents of the "Fabulous Fourth" Congressional District have every reason to claim this title for themselves. Figures obtained from the Census Bureau of the U.S. Department of Commerce reveal that "Fabulous Fourthers" have higher incomes, more education and less unemployment than the national average.

In relation to the rest of the nation, the median level of years of schooling completed for residents of this Congressional District who are over 25 years old is 12.1 years compared with a national figure of 10.5 years. Four or more years of college have been completed by 11.7% of "Fabulous Fourthers" over 25 years of age in comparison to the national figure of only 7.7% of the population. The national median income (approximately \$4000) is only half of the median in the Fourth Congressional District (slightly over \$8000). Unemployment on the national level is hovering around 5% of the working age population while in the Fourth Congressional District the percentage is about 2.5%, a figure with which your Congressman is not satisfied even so!

The highly diversified commercial, industrial and mercantile activities which characterize this District today are a far cry from the plain "sixteen miles long and four broad, upon which grows very fine grass," described in 1870 by Daniel Denton, first town clerk of Jamaica.

Eighteen public libraries serve the residents of the "Fabulous Fourth" plus two full-scale universities and two community colleges. Cultural resources include everything from concerts, ballet and little theatre groups to art galleries and lectures on international affairs.

A quick check-up with the Welcome Wagon hostesses confirms our own impression of the area. Newcomers are "delighted" they moved here and find this "the friendliest place" they have ever lived.

#### CAPTIVE NATIONS WEEK

#### HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. RHODES. Mr. Speaker, I would like to join in the 12th annual observance of Captive Nations Week by speak-

ing out in behalf of the natural alliance for world freedom that exists between the United States and the over two-dozen captive nations under totalitarian Red rule. Between July 12 and 18, the American people again dedicate themselves in support of the aspirations of the peoples of Eastern Europe for freedom and self-determination. Captive Nations Week was inaugurated in 1959 by a joint resolution of the U.S. Congress—Public Law 86-90—and the late President Dwight D. Eisenhower was the first Chief Executive to issue a Presidential proclamation to that effect. This week provides a fitting opportunity for the American people to manifest their continued concern with the plight of the 100 million East and Central Europeans under Communist rule.

Twenty-five years ago this May, the war in Europe came to an end, but for these people in East and Central Europe, Nazi domination has been replaced by harsh Communist rule and Soviet hegemony. The Polish October of 1956, the Hungarian Revolution of 1956, and the "Czechoslovak spring" of 1958 dramatically confirmed the yearnings for freedom among the victims of Soviet imperialism and neocolonialism. The Soviet Union met these challenges to its domination with a brutal determination.

The artificial division of Europe—a legacy of World War II—remains a potent deterrent to any initiative for a lasting peace in Europe. There can be no genuine trust in the peaceful intentions of those who will not hesitate to use any means available to perpetuate themselves in power and keep their own people in bondage.

Expressing solidarity with these peoples—who cannot exercise freely their right to national self-determination—offers dramatic proof that their situation has not been forgotten, and that we are concerned and have a deep commitment with their plight.

I believe a reiteration of U.S. support of the universal application of human rights and national self-determination during Captive Nations Week would serve as an effective answer to all those governments which use force to limit or deny these rights to the people under their rule.

HON. CLIFFORD DAVIS

#### HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mrs. HANSEN of Washington. Mr. Speaker, it is with sorrow and a deep sense of personal sadness that I join today my distinguished colleague, the gentlemen from Tennessee, to pay tribute to my former colleague and friend, Congressman Clifford Davis.

I shall never forget the many courtesies and kindnesses extended to me by Congressman Davis when I first came to the House of Representatives 10 years ago, and when I appeared before his subcommittee on innumerable occasions.

I also have had the pleasure of visiting Congressman Davis' State while he was a Member of the House and I shall never forget his courtesies prior to my trip there. Congressman Davis was a delightful human being, a splendid and conscientious Member of the House of Representatives, a distinguished citizen of Tennessee and of our Nation. We have all lost a great friend.

My deepest and sincerest sympathy to his beloved widow, his family, and friends.

#### TRIBUTE TO GLOUCESTER COUNTY COLLEGE IN NEW JERSEY

### HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. HUNT. Mr. Speaker, it is indeed a pleasure for me to recognize and commend the trustees, administration, faculty, and student body at the Gloucester County College in New Jersey's First Congressional District for the fine reputation the college has achieved in its first 2 years of operation.

Indicative of the quality of student Gloucester County College has attracted and provided an educational opportunity is Ramesh Kapur, the student speaker at the commencement exercises for the first graduating class. Mr. Kapur's address reflects the refreshing appreciation of an educational opportunity in an academic community where in the communications gap is bridged by the kind of personalized relationships among the faculty, administration, and student body that reject anonymity and encourage individual initiative and accomplishment. I am pleased to include his remarks at this point in the RECORD:

President Apetz, platform guests, faculty, parents and friends of Gloucester County College.

On behalf of the Class of 1970, I would like to express our appreciation and thanks to those people who have assisted us in reaching this goal of graduation.

There are three groups we, the graduates, owe special thanks. I would like to address myself specifically to each of those groups.

First, our families. I feel this debt of gratitude deeply since I have been separated from my family while attending Gloucester County College. Our families have provided us not only financial assistance but more importantly, years of guidance, years of support, years of stimulation and years of motivation. While we, like most youth, have not often enough openly showed our thanks, for the Class of 1970 I now say thank you to our families.

Next, the Class of 1970 wishes to recognize the help given to us by the college board of trustees. Serving as the directors of Gloucester County College is generally a task not fully recognized. These people, however, are dedicated to youth, dedicated to community, and dedicated to the importance of education in the democratic society. We, the Class of 1970, thank the board of trustees for this dedication.

Next, let me offer our appreciation to the administration and faculty. Their intellectual stimulation, their personal interest, their sincere desire to help us in our pursuit of knowledge can never be forgotten. Let me only ask the administration and faculty to

always stay as close to the student body as you were in our experiences. To the administration and faculty of Gloucester County College, we say "well done" and thank you.

Now I would like to compare Gloucester County College with a large university I attended in 1967.

Most of the activities in this midwestern university were administration oriented. They made rules and they carried them out. But at Gloucester County College I found students holding an important voice in the policies of the college. When the issues of controversy were raised, President Apetz sought advice of the students.

The assembly line approach was used extensively in every activity in my first college. I never knew deans or administration, unless some problem arose. Here a continuous diffusion of ideas takes place between students and administration.

Let me offer one personal example which at first might not sound too important. Please examine the concept involved. The first class I out at Gloucester County College resulted in the following: Upon my return my professor said—"Ramesh, I missed you in class." What does this symbolize? I think it is typical of the personal relationship found here that was missing in my first college experience.

And finally a personal note—let me address my fellow graduates. Please recognize your own personal achievements. Remain proud of them as the years pass by. Remember—there will only be one charter graduating class at Gloucester County College.

May peace be on earth—thank you.

RAMESH KAPUR.

#### THE 1971 BUDGET SCOREKEEPING REPORT

### HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. MAHON. Mr. Speaker, the latest issue of the periodic "budget scorekeeping report" prepared by the staff of the Joint Committee on Reduction of Federal Expenditures was mailed to all Members of the Congress on July 14. The report is cumulative through July 9, 1970. It shows what has happened to the fiscal 1971 budget since that budget was submitted to the Congress on February 2, 1970.

As I have done with several previous issues of this report I want to bring to the attention of Members certain factual highlights from the introductory section of the report. These highlights on the status of the fiscal 1971 budget are as follows:

#### INTRODUCTION

#### STAFF REPORT ON THE STATUS OF THE 1971 FISCAL YEAR FEDERAL BUDGET

(Highlights and current status of the 1971 budget)

#### Presidential revisions in the budget

A. New budget authority for fiscal 1971 in the February 2 budget submission was estimated to be \$218,030,495,000. By budget amendments, legislative proposals and reestimates (May 19, 1970), the President has increased the estimates for new budget authority for 1971 by \$2,538,618,000 to a new total of \$220,569,113,000.

B. Budget outlays for fiscal 1971 in the February 2 budget submission were estimated to total \$200,771,129,000. By budget amendments, legislative proposals and reestimates (May 19, 1970), the President has increased

the estimated budget outlays for fiscal 1971 by \$4,571,871,000 to a new total of \$205,343,000,000.

C. Budget receipts for fiscal 1971 in the February budget submission were estimated to total \$202,103,000,000, including \$1,522,000,000 for increased taxes proposed to the Congress. By additional revenue proposals for estate and gift taxes (\$1,500,000,000) and leaded gasoline tax (\$1,600,000,000) offset by some adjustments downward in his May 19, 1970 reestimates, the President has increased fiscal 1971 estimated receipts by a net of \$2,006,000,000 to a new total of \$204,109,000,000.

#### Congressional changes in the budget

#### A. Budget authority for fiscal 1971:

1. House actions to July 9, 1970 on all spending bills—appropriations and legislative—have increased the President's requests for fiscal 1971 budget authority by \$7,486,977,000.

2. Senate actions to July 9, 1970 on all spending bills—appropriations and legislative—have increased the President's budget authority requests for fiscal 1971 by \$4,335,950,000.

3. Enactments of spending bills—appropriations and legislative—to July 9, 1970 have added \$457,434,000 to the President's budget authority requests for fiscal 1971.

#### B. Budget outlays for fiscal 1971:

1. House actions to July 9, 1970 on all spending bills—appropriations and legislative—have added a net of \$2,955,063,000 to the President's total estimated outlays for fiscal 1971.

2. Senate actions to July 9, 1970 on all spending bills—appropriations and legislative—have added a net of \$2,555,752,000 to the President's total estimated outlays for fiscal 1971.

3. Enactments of spending bills—appropriations and legislative—to July 9, 1970 have added \$191,934,000 to the President's total estimated outlays for fiscal 1971.

C. Budget receipts requested by the President for fiscal 1971 requiring Congressional actions total \$4,622,000,000;

1. House actions to July 9 on revenue proposals total \$708,000,000 (including a net of \$173,000,000 not requested for fiscal 1971 by the President) leaving a balance of \$4,087,000,000 additional revenue increases required to meet the President's revised fiscal 1971 budget requests.

2. Senate actions to July 9 on revenue proposals total \$757,000,000 (including \$439,000,000 not requested for fiscal 1971 by the President) leaving a balance of \$4,304,000,000 additional revenue increases required to meet the President's revised fiscal 1971 budget requests.

3. Enactments of revenue proposals to July 9 total \$322,000,000, leaving a balance of \$4,300,000,000 additional revenue increases required to meet the President's revised fiscal 1971 budget requests.

#### Facts on the budget deficit

The budget for fiscal 1971 submitted to Congress February 2, 1970 reflected a unified budget surplus of \$1.3 billion, made up of an \$8.6 billion surplus from the trust funds and a \$7.3 billion deficit in the general Federal funds.

The budget for fiscal 1971 as revised by budget amendments, additional legislative proposals, and reestimates, exclusive of any separate direct Congressional actions on the budget, as announced by the President on May 19, 1970, reflected a unified budget deficit of about \$1.2 billion. Including congressional actions, as announced by the President May 19, 1970, the unified budget deficit was estimated to be \$1.3 billion, made up of an \$8.7 billion surplus from the trust funds and a \$10 billion deficit in the general Federal funds.

These surplus and deficit projections are dependent upon various factors of an uncertain nature, such as:

1. Experience shows that actual outlays are likely to increase over earlier projections—thus increasing the deficit.

2. The economic slowdown may decrease actual revenues from the amounts projected—thus increasing the deficit.

3. The budget contains about \$2.1 billion in negative outlay estimates for various legislative proposals (such as postal rate increases, etc.) which if not enacted by Congress will automatically increase budget outlays by the amounts not enacted—thus increasing the deficit.

4. The budget reflects reduced outlay estimates in the amount of \$2.1 billion for various program terminations, restructuring, and reforms, some requiring congressional enactments, which if not accomplished will automatically increase budget outlays by the amounts estimated—thus increasing the deficit.

5. The budget as revised to May 19, 1970 contains receipt estimates from various revenue producing proposals in the amount of \$4.8 billion (including \$503 million for trust funds of which \$194 million was not requested by the President) which if not enacted by Congress will automatically reduce receipts of the Treasury by the amounts estimated—thus increasing the deficit.

Adding these uncertain budget estimates to the deficit projections made by the President May 19, 1970, the unified budget deficit might be \$10.3 billion made up of a \$8.2 billion surplus from the trust funds (excluding \$500 million from new proposals) and a \$18.5 billion deficit in the general Federal funds. Any changes upward in outlays by Presidential or congressional add-ons or reestimates and any changes downward in revenues (and the staff of the Joint Committee on Internal Revenue Taxation has recently estimated that revenues will be about \$3.2 billion less than the administration projects for fiscal 1971) will necessarily add to these deficit projections.

**EFFECT OF CONGRESSIONAL ACTIONS AND INACTIONS ON THE DEFICIT**

Mr. Speaker, various factors make it a bit difficult to readily determine just what the Congress has done to the projected budget deficit for fiscal 1971. While it takes some analysis of the details of the July 9 "budget scorekeeping report" to make this determination, it is, nevertheless, important to know the impact of congressional actions, and inactions, on the President's projected budget deficit at any given time. A determination of this sort is, of course, very tentative and preliminary in nature since the work of the Congress is far from completed. But in briefest summary as of July 9:

First. By its actions to July 9, on both spending and revenue measures, the House has increased the projected deficit for fiscal 1971 by a net of about \$2.9 bil-

lion. This net increase in the projected deficit reflects House actions such as a \$1.5 billion social security increase, a delay in the family assistance proposal, and other mandatory spending authorizations, totaling \$2.8 billion in all, and a net increase of about \$100 million in spending related to the various appropriation bills.

Second. By its actions to July 9, on both spending and revenue measures, the Senate has increased the projected deficit for fiscal 1971 by a net of about \$2.3 billion. This net increase in the projected deficit reflects Senate actions on various mandatory spending authorizations similar to but not corresponding exactly to those reported for the House, totaling \$1.2 billion in all, and increased spending related to appropriation bills totaling \$1.3 billion, offset by nonbudgeted revenue increases voted by the Senate but not yet acted upon by the House. The Senate has not yet acted on the social security increase or the family assistance proposal, and has acted on only six of the fiscal 1971 appropriation bills in contrast to the 12 passed by the House.

Third. In addition to the actions taken to date, still awaiting action are about \$4.4 billion of the President's requests for legislative proposals that are counted in the budget as offsets to spending and new revenue proposals—both of which were counted in arriving at the deficit projected by the President. Involved are such proposals as a new tax on leaded gasoline, accelerated collection of estate and gift taxes, certain user charges, and some spending offset proposals.

**SUPPORTING TABLE NO. 1**

Mr. Speaker, in addition to the foregoing highlight statements, I am sure Members and others will find supporting table No. 1 of special interest. This is perhaps the key table in the report showing, bill by bill, what Congress is doing to change both the budget authority and the outlay—expenditure—sides of the President's budget. It shows actions in terms of increases or decreases from the budget estimates. I am inserting supporting table No. 1 in the RECORD:

By referring to the various subtotal lines on the table, the cumulative change from the budget estimates can be readily determined.

This table is in several parts.

**APPROPRIATION BILLS**

The first part of the table shows the effects of actions taken—to July 9—at this session on appropriation bills.

The report indicates that the net effect of House actions in appropriation bills to July 9 have resulted in decreasing 1971 appropriation requests for budget authority by about \$665 million, and increasing estimated outlays over the President's budget estimates by about \$112 million. Outlays show an increase, because the outlay figure includes the effect in fiscal 1971 of the Labor-HEW-OEO appropriation bill for fiscal 1970 passed at this session—the budget for fiscal 1971 submitted in February did not reflect final congressional action on this appropriation bill, but did reflect final congressional action on all other appropriation bills for fiscal 1970, except, of course, the second general supplemental bill.

**BACKDOOR BUDGET AUTHORITY**

The second part of this table shows changes in the budget made in the form of new budget authority through the so-called backdoor appropriations process. To July 9, the House has voted or reported \$6,892 million in budget authority over the President's budget requests. Since only budget authority is involved, no change is shown for outlays. The figures shown in parentheses are for actions taken during the last session on bills still pending before the Congress.

**LEGISLATIVE BILLS MANDATING SPENDING**

The third part of this table reflects estimates for budget increases or decreases which result from congressional action on legislation containing mandatory spending authorizations such as pay or pension increases for which spending does not wait until an appropriation is made as is the case for most legislation authorizing new or expanded programs.

The net effect of House actions to July 9 for such legislative items is an increase in 1971 budget authority of \$1,260 million and an increase in 1971 budget outlays of about \$2,844 million. This does not reflect enacted or pending Federal or postal pay increases which were proposed by the President as increases to his own February budget and therefore not accounted for as congressional increases in the budget. But it does reflect a 6-month delay in the effective date of a postal rate increase and the cost of the retroactive postal pay increase for 2½ months in fiscal 1970 which will be paid in fiscal 1971.

A similar tabulation, giving the details of congressional actions affecting fiscal 1970 estimates, is included at the bottom of this table:

**SUPPORTING TABLE NO. 1.—EFFECT OF CONGRESSIONAL ACTIONS DURING THE CURRENT SESSION ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF JULY 9, 1970)**

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
	House (1)	Senate (2)	Enacted (3)	House (4)	Senate (5)	Enacted (6)
Fiscal year 1971:						
Appropriation bills (changes from the 1971 budget):						
Labor, Health, Education, and Welfare, and related agencies, 1970 (H.R. 15931, Public Law 91-204)				\$1,248,000	\$1,248,000	\$248,000
Education (H.R. 16916) <sup>2</sup>	+319,590	+966,047	( <sup>3</sup> )	+215,000	+567,000	( <sup>4</sup> )
Legislative branch (H.R. 16915)	-9,394	-7,540		-8,750	-7,000	
Treasury, Post Office, and Executive Offices (H.R. 16900)	-73,053			-65,000		

SUPPORTING TABLE NO. 1.—EFFECT OF CONGRESSIONAL ACTIONS DURING THE CURRENT SESSION ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES)  
(AS OF JULY 9, 1970)—Continued

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
	House	Senate	Enacted	House	Senate	Enacted
	(1)	(2)	(3)	(4)	(5)	(6)
<b>Fiscal year 1971—Continued</b>						
<b>Appropriation bills (changes from the 1971 budget)—Continued</b>						
2d supplemental, 1970 (H.R. 17399 P.L. 91-305)				-19,700	-200,300	-273,000
Independent Offices and Department of Housing and Urban Development (H.R. 17548)	+173,389	+1,186,796	(*)	-114,650	+89,000	(*)
State, Justice, Commerce, the Judiciary and related agencies (H.R. 17575)	-136,949			-50,000		
Interior and related agencies (H.R. 17619)	-731	-4,637	(*)	-3,350	-2,300	(*)
Transportation and related agencies (H.R. 17755)	-36,235			-34,700		
Foreign assistance and related agencies (H.R. 17867)	-655,578			-150,000		
District of Columbia (H.R. 17868)	-150	-150	* -150	-150	-150	* -150
Agriculture and related agencies (H.R. 17923)	-81,587	+727,581	(*)	+105,800	* +635,000	(*)
Military construction (H.R. 17970)	-137,763			-11,000		
Public Works and Atomic Energy (H.R. 18127)	-26,625					
Subtotal, appropriation bills	-665,086	+2,868,097	-150	+111,500	+1,329,250	-25,150
<b>Legislative bills with "backdoor" spending authorizations (changes from the 1971 budget):<sup>1</sup></b>						
Emergency home financing (S. 3685)	+1,500,000		(*)	(*)		(*)
Alaska Omnibus Act extension (S. 778)		+851			(*)	
Navajo Road (S. 404)		+5,000				
Land and water conservation (Public Law 91-308)	+30,000	+30,000	+30,000			
Unemployment trust fund (H.R. 14705)	+194,000	+194,000	+194,000			
Outdoor advertising controls (S. 1442)		+15,000				
Federal-aid highways (H.R. 14741)	(-26,000)					
Urban mass transportation (H.R. 18185)	+2,118,000					
NSLI trust fund for veterans home loans (H.R. 9476)	+3,050,000				* +1,000,000	
TVA bonds (H.R. 18104)						
Subtotal, "backdoor"	+6,892,000	+224,851	+224,000			
<b>Legislative bills with mandatory spending authorizations (changes from the 1971 budget):</b>						
Additional district judges (Public Law 91-272)	-2,370	* -727	-727	-2,370	* -727	-727
Court leave for Federal employees (H.R. 12979)	(*)			(*)		
Uniform relocation assistance (S. 1)		(*)			(*)	
Employee health benefits (H.R. 16968)	+140,000			+140,000		
Wage board pay revision (H.R. 17809)	+230,000			+230,000		
Defense: overseas mailing privileges (H.R. 8434)	+8,900			+8,900		
Military lawyers retention (H.R. 4296)	+7,000			+7,000		
Family separation allowance—residence (H.R. 110)	(+17,000)			(+17,000)		
Family separation allowance—POW (H.R. 9486)	(*)			(*)		
Air evacuation subsistence (H.R. 9654)	(+50)			(+50)		
Dependents' health care (H.R. 8413)	+255			+255		
Reserve retirement—Berlin-Vietnam (H.R. 3813)	(*)			(*)		
Reserve retirement—aviation midshipmen (H.R. 11265)	(*)			(*)		
Public Health Service retirement (Public Law 91-253)	+259	* +259	+259	+259	* +259	+259
Social security (H.R. 17550)				+1,500,000		
Family assistance (H.R. 16311)	-450,000			-350,000		
Federal lands for parks (reduces offsetting receipts) (S. 1708, H.R. 15913)	(*)	(*)		(*)		
Postal reform (H.R. 17070, S. 3842)	* +891,700	* +891,700	(*)	* +891,700	* +891,700	(*)
Foreign Service retirement (Public Law 91-201)	(*)	(*)		(*)		
Veterans' hospital care for 70-year-olds (H.R. 693)	(+7,000)	(+7,000)	(*)	(+7,000)	(+7,000)	(*)
Veterans non-service-connected benefits (H.R. 372)	(+8,538)			(+8,538)		
Veterans education assistance (Public Law 91-219) <sup>10</sup>	* +185,500	* +185,500	+185,500	* +169,000	* +169,000	+169,000
Veterans additional \$5,000 insurance (Public Law 91-291)	+45,000	* +45,000	+45,000	+45,000	* +45,000	+45,000
Veterans compensation increase (S. 3348)	+226,481	+114,370	(*)	+226,481	+114,370	(*)
Redefine "child"—(dependency compensation) (Public Law 91-262)		+6,900	+3,552		+6,900	+3,552
Veterans auto allowance increase (H.R. 370)	+938			+938		
Railroad retirement (H.R. 15733)	-7,700	(*)	(*)	-7,700	(*)	(*)
Subtotal, mandatory	+1,260,063	+1,243,002	+233,584	+2,843,563	+1,226,502	+217,084
Subtotal, legislative bills	+8,152,063	+1,467,853	+457,584	+2,843,563	+1,226,502	+217,084
Total, fiscal year 1971 <sup>11</sup>	+7,486,977	+4,335,950	+457,434	+2,955,063	+2,555,752	+191,934
<b>Fiscal year 1970:</b>						
<b>Appropriation bills (changes from the revised 1970 budget):</b>						
Foreign assistance (Public Law 91-194)	* -150	* -150	-150	* -100	* -100	-100
Labor, Health, Education, and Welfare and related agencies (H.R. 15931, Public Law 91-204)	* +567,000	* +567,000	+567,000	* +335,000	* +335,000	+335,000
2d supplemental, 1970 (H.R. 17399, Public Law 91-305)	-153,957	* +122,203	-558,637	-121,300	-84,800	-99,000
Subtotal, appropriation bills	+412,893	+689,053	+8,213	+213,600	+250,100	+235,900
<b>Legislative bills with spending authorizations (changes from the revised 1970 budget):</b>						
Food for needy children (Public Law 91-207)				* +30,000	* +30,000	+30,000
Veterans education assistance (Public Law 91-219)	* +107,400	* +107,400	+107,400	* +94,000	* +94,000	+94,000
Airports and airways development (Public Law 91-258)			+840,000			(*)
Subtotal, legislative bills	+107,400	+107,400	+947,400	+124,000	+124,000	+124,000
Total, fiscal year 1970	+520,293	+796,453	+955,613	+337,600	+374,100	+359,900

<sup>1</sup> Reflects conference or final action for comparability.<sup>2</sup> \$425,000,000 budget authority (\$212,000,000 outlays) for impacted area school aid, carried in budget as "proposed legislation," is regarded as budget appropriation request for score-keeping purposes although no formal amendment has been transmitted.<sup>3</sup> Subject to or in conference.<sup>4</sup> Committee action.<sup>5</sup> Pending signature.<sup>6</sup> Does not reflect outlay effect of \$20,000 payment limitation.<sup>7</sup> "Backdoor" refers to budget authority and outlays provided in basic legislation not requiring

further appropriation action.

<sup>8</sup> Not available.<sup>9</sup> Reflects retroactive pay and 3/4-year delay in rate increase.<sup>10</sup> Congressional increase of \$185,500,000 subsequently included in budget amendment (H. Doc. 91-312).<sup>11</sup> Excludes actions taken in previous session, shown in parentheses above.<sup>12</sup> Does not reflect provision of \$300,000,000 for food stamp program to be charged against 1971 Agriculture appropriation bill. Reflects points of order on the floor against foreign military credit sales and emergency school assistance.

## RESERVATIONS ABOUT THE PRESIDENT'S TWO REORGANIZATIONAL PLANS

## HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. DINGELL. Mr. Speaker, the President recently submitted to the Congress two reorganizational plans relating to environmental matters. Reorganization Plan No. 3 calls for the establishment of an Environmental Protection Agency and Reorganization Plan No. 4 would create a National Oceanic and Atmospheric Administration in the Department of Commerce.

Frankly, I have the most grave reservations about both of these proposals and I intend to express these reservations in testimony to the Subcommittee on Executive and Legislative Reorganization of the Committee on Government Operations during the subcommittee's forthcoming hearings.

I am in receipt of a copy of a telegram sent to President Nixon on July 8, 1970, by officials of several outstanding organizations dedicated to conservation and environmental protection expressing their strong opposition to Reorganization Plan No. 4.

So that my colleagues may have an opportunity to be familiar with the position taken by these conservation organizations, I insert the telegram in the RECORD:

JULY 8, 1970.

HON. RICHARD M. NIXON,  
The White House,  
Washington, D.C.:

The undersigned national conservation and environmental organizations endorse the administration's executive reorganization creating an Environmental Protection Agency (EPA) as an independent agency dealing with our Nation's serious environmental depredation problems.

But we are strongly opposed to a national oceanic and atmospheric agency that proposes to transfer research, management, and regulatory functions of a most important renewable resource belonging to all of the people to the Department of Commerce which traditionally represents the industrial and economic viewpoint. Moving commercial fisheries management, research and the anadromous fishery program to the Department of Commerce would split executive jurisdiction of the fisheries resource to the detriment of a growing public use of the resource by sport fishermen.

American Forestry Association, William E. Towell, executive vice president.  
American Institute of Biological Sciences, Donald R. Beem, assistant director.  
American Scenic and Historic Preservation Association, Richard H. Pough, conservation chairman.  
National Association of Conservation Districts, Gordon K. Zimmerman, executive secretary.  
National Audubon Society, Charles H. Callison, executive vice president.  
National Wildlife Federation, Thomas L. Kimball, executive director.  
Sport Fishing Institute, Richard H. Stroud, executive vice president.  
Trout Unlimited, Ray A. Kotrla, Washington representative.  
Wildlife Management Institute, Daniel A. Poole, president.

## FREEDOM—THE REVEREND RICHARD D. ELLSWORTH

## HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. DEVINE. Mr. Speaker, on Sunday, May 31, I attended the regular church service at Central College Presbyterian Church, Westerville, Ohio, and witnessed a wonderfully fine sermon by Rev. Richard D. Ellsworth.

Over the years it has been my pleasure to share many services with Reverend Ellsworth, and I find him to be a highly talented minister dedicated to the teachings in the holy scriptures and one not afraid to mention God in his sermons. It is refreshing these days to find truly sincere members of the clergy who are willing to bring a spiritual message to their congregations and not use the pulpit as a form to espouse political and social views.

This is not to suggest that Reverend Ellsworth does not have a deep concern for the problems and issues of our times but to emphasize that he recognizes his prime function in rendering spiritual guidance and direction to the many people who sorely need someone for these purposes during these critical times.

I think it is important that his sermon on May 31 be shared with those of you who would like to read it.

The sermon follows:

## BLESSING TOO PRECIOUS TO LOSE—"FREEDOM"

(Preached by the Reverend Richard D. Ellsworth at the Central College Presbyterian Church, Westerville, Ohio on Memorial Day Sunday, May 31, 1970.)

Scripture—I Samuel 12:1-15

Text—I Samuel 12:7

Our text for this morning is lifted from the context of our scripture lesson and is the statement of Samuel when he spoke to Israel saying: "Now therefore stand still, that I may reason with you before the Lord of all the righteous acts of the Lord, which He did to you and to your fathers." (King James Version)

It was a time of great crisis for the nation of Israel. A little over 200 years had passed since the Israelites had established themselves in Palestine. They had found freedom from slavery in Egypt, they had consolidated themselves as a confederation of tribes; but they were now facing some rather tremendous problems which were threats to the freedom which they cherished.

There was a growing threat of the Philistines who had moved in and occupied the land to the west of the Israelites. The Philistines had a good strong foothold along the shores of the Mediterranean.

There was also the constant threat of the enemies who came from the east, attacking first one place and then another. It was just such an attack on the part of the Ammonites which had caused the various tribes of Israel to gather together under the leadership of Saul. But the people knew that even though the Ammonites had been defeated there were still the enemies that would come and threaten the existence of the nation.

Yes, there was the threat from the west, the threat from the east, and there were also internal problems and conflicts.

Freedom was cherished by everyone, but not everyone was willing to work unselfishly

to preserve that freedom. All these things put together—the internal turmoil and confusion as well as the pressure of the enemy from the west and the pressure of the enemy in the east—put a great threat upon the freedom which had been given earlier to the Israelites by God.

And now because of the threats, the Israelites in order to maintain their freedom which was so precious to them, demanded a king. They wanted to go from a theocracy—where God ruled through the word given to His people by the prophets—to a monarchy—where there was a king. Other nations had kings. The Israelites wanted a king. They wanted a king who would provide a continuity of leadership; they wanted a king that they could see and around whom they could rally.

It was an opportune time, then, when the Ammonites invaded the land of Palestine and the cry went out for leadership—it was an opportune time for Saul to assume that role. He was chosen. The prophet Samuel put his hand upon him and said, "If a king is what you must have, then this is the man whom God has chosen."

And the people looked to Saul to preserve and maintain their freedom. The people believed that with a king their troubles would end. He would provide the leadership; he would do all that was necessary to preserve their freedom which they had won even by paying the supreme sacrifice at times. They had endured hardship, they had fought, and they were free. Now they wanted a king to preserve that freedom.

Samuel knew better, however! Samuel had prophesied even before the people had chosen Saul to be king. He had told them that if they demanded a king rather than to accept that rule of God, they would have to pay the price that a king would demand.

Samuel reminded the people of Israel that a king would take their sons and appoint them for himself and for his chariots, and to be his horsemen; and he would appoint captains over thousands and captains over fifties; that he would use the people to get the work done and he would take the fields and the vineyards and demand the best of crops; he would take a tenth of the seed and of the fruit of the vineyard. In other words, there would be taxation and there would be conscription. And so it was.

There had to be. In order for there to be a strong central government there had to be financial support of this. If that is what the people wanted, then God told Samuel not to stand in the way—let the people have the king.

But here was Samuel once again, the king having been chosen in spite of his warnings, in spite of the prophecy, here was Samuel once again warning the people.

He said to them in the words of our text, "Now therefore stand still for a moment, that I may reason with you, that I may recite for you some facts you need to know."

"What is the background for your freedom?" asked Samuel, and then he went ahead and answered, "The background for true freedom is God."

Remember your history; remember your heritage, said Samuel. Jacob had migrated to Egypt and there the people of Israel had been subjected to slavery—slave labor in the camps of the Egyptians.

But God had heard their voices and had come down to them. He had supplied them a leader in Moses and Moses had led the Israelites out from under the bondage of Egypt, across the Red Sea through the barren wilderness until at last, under the leadership of Joshua, they had occupied and secured the Promised Land, the land of Canaan, the land we know today as Palestine.

When there had been enemy uprising against the people, God had raised up a

ruler to deliver them. As long as the people put their faith and trust in God and obeyed His commandments, all went well. But when they turned from God and did not follow His guidance and His rulership, which was a rulership of the heart and of the mind and of the soul, then the Israelites lost their freedom.

"Time and time again," reminded Samuel, "You have turned from God; you have forgotten God; you have not followed God's way and God's rule, and things have gone poorly, and you have almost lost your freedom down through the years. Now you have chosen a king! Remember this—it is not the king who is the answer to the problems which face you. He can be useful, but remember that it is still the Lord God who is the center and who is the source of all true freedom. And," added Samuel, "if you will obey the voice of the Lord and not rebel against the commandments of the Lord, then that blessing too precious to lose, that blessing of freedom shall be yours."

Ah, how good it would be at this point to question Samuel for there seems to be a contradiction here. He says as long as there is an allegiance to, a loyalty to, an obedience to God, then there can be freedom.

But is that freedom, Samuel? Is there not a contradiction here? Are you not saying that one has to be a captive before he can be free?

And I wonder if we were able to ask Samuel that question if he might not reply, "Yes, that is true."

In the words of the hymn "Make Me a Captive Lord, Then I Shall Be Free"—this is the heart of freedom.

With some careful thought, perhaps we might come to that same conclusion.

What is freedom? What is this freedom about which we say so much in America? What is this freedom for which men down through the years have yearned and fought and suffered and died?

Freedom is more than just a collection of words. It is more than just an idea.

It is a way of life—a way of life so precious that men have suffered and died. We remember this Sunday morning those who have paid the supreme sacrifice. Many have paid the price in many different fields of battle, not always when a gun and cannon are fired, but sometimes in the courtroom, in the classroom, in the science laboratory the war for freedom is waged.

But this Sunday morning we remember in a particular way those who have been called into the service of our country and who have gone forth to serve in the name of our country. We remember those for whom such names as Verdun, Argonne, Belleau Woods, Chateau-Thierry, Pearl Harbor, Corregidor, Normandy, the Battle of the Bulge, Salerno, Iwo Jima, North Korea, South Vietnam, Cambodia—all have very special meaning.

We remember this day the young men down through the years who responded to the call of this nation. We remember these men and as we do I would suggest in the words of Samuel that we need to stand still for a moment and we need to consider once again what was meant by the word freedom for those who have gone and fought for it. We need to remember this nation and the principles upon which it was established.

Certainly many things have gone wrong; certainly many things are wrong! Certainly there have been times and there are conditions where there is not freedom and equal opportunity. But the particular system of government that has been established here is a system by which and through which freedom can be given and maintained and improved. I know of no other system which has worked as well.

I would suggest that in America today

we need to stand still and remember our history. We need to remember that those who have paid the sacrifice paid it for a purpose. We need to remember that to tear down a system which has some faults in it is utterly ridiculous if there is not a better system to replace it.

We need to remember as Samuel reminded the Israelites that there are enemies—from within, yes, that need to be seen clearly—but also enemies from without. We cannot be blind to the Godlessness of communism and to its verbalized intention to destroy America and the freedom that has been purchased and maintained by those who gave themselves so nobly in years gone by.

Stand still and remember the history of this country lest we be guilty of demanding something that will only take away the freedom and put us into slavery.

But I would not leave it on the level of just nationalism, for Samuel did not leave it there; our text will not let us leave it there; a good common sense will not let us leave it there! Samuel reminded the people that true freedom could be achieved only under allegiance to God.

Is this not why the founding fathers established this nation as a nation under God?

I am not suggesting this morning that the role of the church is to evangelize the nation and to make it subservient to the church. I am suggesting to you that the role of the church is to make clear the fact that there has to be allegiance and loyalty before there can be true freedom. Freedom demands discipline; freedom demands a loyalty. And I suggest and submit to you that the only true freedom—the freedom to really be the person that one can become—can only be achieved when ones loyalty is to God.

God has given us a way of life. He has prescribed how man can learn to live with his fellow man. The law is summarized for us in the ten commandments. The first four, tell us of our allegiance to God and when we have that basis of love that God provides, then we are free to live one with another, but within a guided and disciplined way of life.

How often we say that freedom is that condition which enables one to do just as he please. But if I do just as I please, if I am to be subject to every whim and fancy and blowing of the wind, then I shall find myself a slave. It is only when I have the discipline to say "no" that I still have the freedom to say "yes." When there is a discipline then one is free. But when there is no discipline, then a person may not be free any longer to say "no" or "yes."

This is true for the individual. It is also true of the life of our nation. We have a pattern given to us within the form of government, a pattern which has worked, not as effectively perhaps as it should have worked, but a pattern which can work when we choose to remain within that pattern. It is a pattern which recognizes God as the motivating factor and force in life. Perhaps it could be summarized best this morning for us in the words of that great and stirring hymn "The Battle Hymn of the Republic." Remember the lines!

"As Christ died to make men holy

Let us live to make men free."

There is a responsibility that comes to you and to me to so live that those who have died for the cause of freedom will not have died in vain—to live with an allegiance to God and a loyalty to this nation established upon the basic principles of freedom—to work so that the freedom we have inherited may be passed on to those who come after us and may be shared fully with all others in this world which God has created.

"As He died to make men holy, truly let us live to make men free."

IS PROTECTING PERSONAL PRIVACY WORTH \$128.30? IS PREPARING A LETTER TO A CONGRESSMAN WORTH \$8?

## HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. GALLAGHER. Mr. Speaker, I again comment on my two bills, to transplant a human heart and a human brain into computer applications at large credit firms. As I mentioned on June 9 when I inserted parts of some supporting letters I had received, it would be possible to reproduce this documentation of cries of rage at computerized billing at a length only slightly less than that of the collected works of Dickens.

Briefly, my bills would do the following: H.R. 16266 would prohibit creditors from reporting disputed accounts to credit bureaus as delinquent; and H.R. 16267 would provide that the willful and persistent refusal of a creditor to make corrections in the account of a consumer shall relieve the consumer of liability thereon.

Perhaps the most compelling feature of the deluge of correspondence I have seen between computer and consumer has been a disgust elevated into withering sarcasm. Mr. Owen Thomas, however, has taken a slightly different approach to his difficulties with Central Charge Service. As a professional computer consultant and thus subjected to numerous cost/productivity analyses, he has had his time computed to be worth \$8 per hour. His wife, also professionally employed, had had her time computed to be worth \$4.80 per hour. Mr. Thomas simply deducted from the amount owing to Central Charge a total of \$128.30, which represented 7 months of trying to right a wrong.

Among the deductions, Mr. Speaker, is \$8 for the hour Mr. Thomas spent in preparing a letter and in forwarding supporting documentation to me. I am highly flattered.

However, Central Charge Service is considerably less than amused and they have declined to accept Mr. Thomas' check, which was less the amount he and his wife expended trying to penetrate the data processing iron curtain. Central Charge sent him a letter on July 13 which clearly admits their procedures were at fault, but they refuse to honor his deductions on the following grounds:

We have been advised by our counsel that your invoice for \$128.30, which you submitted as being representative of the time consumed by you and your wife, expressed in terms of personally assigned values, is not a proper element for damages.

Without interposing myself in the collision course between Mr. Thomas and Central Charge on the issue of whether a mere consumer and citizen can personally assign his own professional values to what should have been his leisure time, I do greatly admire Mr.

Thomas for courageously saying "no" to an outrage. I also admire his flair.

Mr. Speaker, with Mr. Thomas' full permission, I insert in the RECORD two letters to Central Charge, his time sheet, and Central Charge's recent reply. However, I do not intend to share Mr. Thomas' letter to me with the readers of the RECORD. Frankly, it is worth a lot more than \$8 to me:

McLEAN, VA.,  
March 20, 1970.

CENTRAL CHARGE SERVICE,  
Washington, D.C.

GENTLEMEN: Please refer to my letters of 25 January 1970 and 9 February 1970, enclosed.

After repeated attempts to have Central Charge Service administer the errors identified and forward a correct statement, I continue to receive billings and overdue statements.

I resent having to provide you consulting service when I am paid a considerable hourly sum for similar advice. However, your inaction or inability, as the case might be, obligates me to do so to protect my credit rating. However, you must also assume some obligation and, therefore, deductions in my total account, once properly administered, will be made.

1. Instruct the Computer Operator to provide a "dump" on Account Nos. 91 0515 774 (my true account) and 915 0516 095 (illegally assigned by CCS). This should make you visually aware that two account numbers are assigned.

2. Advise your systems analyst or programmer to prepare a simple instruction which will block further access to these accounts. This will eliminate further billing statements until you resolve this problem. It will also minimize my antagonism.

3. The object of the above actions is to manually audit this problem and when you realize there is no other method you may prohibit further problems.

Lack of response to my actions to date are considered willful and persistent refusal to make corrections in my account. Continued dereliction on your part will cause me to take a position that I am fully relieved of further liability due to failure in your internal procedures.

Recognizing that your lack of responsibility could damage my well established credit rating, I have provided a carbon copy of all correspondence to the Credit Bureau and the Better Business Bureau.

While I should expect an immediate response, your past inaction leaves me in considerable doubt.

I do not intend replying or advising you further until such time as all correspondence has been answered in detail. Moreover, when you finally see the need and take proper action for final reconciliation, I will:

1. Deduct from my statement a reasonable amount for my services and time;

2. Never again use Central Charge Service;

3. Reveal to all my friends the full contents of all correspondence exchanged so that they may make individual judgments regarding the ability of CCS to function as a professional/credit service.

OWEN THOMAS.

McLEAN, VA.,  
July 6, 1970.

Mr. J. P. STEDEHOUDER,  
President, Central Charge Service,  
Washington, D.C.

DEAR MR. STEDEHOUDER: Please refer to the following correspondence and our most recent telephone conversation in which I have attempted to have my account reconciled:

1. Letter to Central Charge Service, January 25, 1970—No reply

2. Letter to Central Charge Service, February 9, 1970—No reply

3. Letter to Central Charge Service, March 20, 1970—No reply

In addition to the above actions I have made repeated telephone calls to 783-6201 and 393-7330 plus one personal visit (refer to enclosures) all to no avail.

Central Charge Service has provided sufficient evidence that they lack either the capability or the inclination to resolve this matter. Therefore, I am enclosing an itemized list of time and rate required to administer this problem which will be deducted from the total reflected in the last statement (6-28-70). I have enclosed a check for the difference which is the final payment. Please close Account No. 91 0515 774.

I have sent copies of all correspondence to the Better Business Bureau, the Credit Bureau, and Representative C. Gallagher. The latter will find this a prime example which will lend credence to supporting his bill, H.R. 16267.

Sincerely,

OWEN THOMAS.

DEDUCTIONS FROM APR. 28, 1970, BILLING

Account No.	Billing date	Amount
1. Finance charges:		
91-0516-095	Dec. 28, 1969	\$2.34
91-0515-774	Jan. 28, 1970	.38
91-0516-095	do	2.26
91-0515-774	Feb. 28, 1970	.93
91-0515-774	Mar. 28, 1970	.94
91-0515-774	Apr. 28, 1970	3.25
91-0515-774	May 28, 1970	3.30
91-0515-774	June 28, 1970	3.35
Total deductions		16.75

2. Unexplained transfer from Jelleffs which appeared on billing dated Nov. 28, 1969 for account No. 91-0516-095..... \$28.78

3. Charges for my time (at \$8 per hour) and my wife's time (at \$4.80 per hour) spent in attempting to resolve the differences in my account:

Date	Time consumed and rate	Item	Amount
January 1970	1 hr. at \$4.80	My wife placed 3 telephone calls to 783-6201 notifying your office of errors in our account and asking for assistance.	\$4.80
Jan. 25, 1970	1 hr. at \$8.	Letter to CCS.	8.00
Feb. 6, 1970	3½ hrs. at \$8.	Interview with Mr. Isenhart. I spent 3½ hrs. away from my office on this matter, including travel time.	28.00
Feb. 9, 1970	1 hr. at \$8.	Round trip taxi fare.	2.70
Mar. 20, 1970	do	Letter to CCS.	8.00
Do	do	do	8.00
Mar. 23, 1970	do	Letter to Better Business Bureau.	8.00
	do	Letter to Credit Bureau.	8.00
May 24, 1970	1 hr. at \$4.80	Computation of amounts owed and deductible to date.	4.80
May 25, 1970	1 hr. at \$8.	Letter to CCS.	8.00
June 6, 22, 27, and 29, 1970	do	1 hr. telephone calls; no answer (393-7330).	8.00
July 6, 1970	do	Letter to CCS.	8.00
July 2, 1970	do	Letter to Hon. C. Gallagher.	8.00
July 6, 1970	do	Letter to Better Business Bureau.	8.00
July 6, 1970	do	Letter to Credit Bureau.	8.00
Total charges for time consumed on the matter			128.30
Total deductions			173.83

CENTRAL CHARGE SERVICE,  
Washington, D.C., July 13, 1970.

Mr. OWEN THOMAS,  
McLean, Va.

DEAR MR. THOMAS: YOUR letter of July 6, 1970 was referred to me by our President, Mr. J. P. Stedehouder, with his personal request that I investigate the matter completely and inform you of my findings.

After reviewing your excellent documentation, I know that a keen analysis has been made. Frankly, if members of our staff had even a modicum of this skill, we would have

been able to quickly identify the salient points of your letter of January 25, 1970.

With respect to the items which you questioned:

a. The issuance of a duplicate number #91-0516-095 was, of course, incorrect. It occurred when Frank R. Jelleff Inc. discontinued the billing of their own accounts and transferred that function to us. This duplication was regrettable, a fact which our employee, Mrs. Isenhart, endeavored to convey to you. It was she who subsequently ar-

ranged to have the improper billing transferred to your regular account #91-0515-774.

b. In regard to the \$28.78 charge, which was transferred to us from Jelleff's, as evidenced by the enclosed photostat, we improperly assumed that a similar copy, having been forwarded to you on March 16, 1970, had sufficiently covered your request for proper documentation. In reviewing this charge with Jelleff's today, I learned, for the first time, that they had improperly transferred a balance to you which belonged to another customer whose name, in their files,

approximated your own. Thus, a correction was made, today, to remove this item from your account.

c. The payments of \$20.74 dated October 30, 1969 and \$25.00 dated November 17, 1969 were received but, because of the duplication of accounts were not properly reflected on the statements transmitted to you.

In the summary below, I have consolidated into one account #91-0515-774, the valid charges and payments only, having made full allowance for the accumulated inappropriate finance charges and arranging to transfer the \$28.78 to the proper account.

91-0515-774

Date	Charges	Payment	Balance
November 1969.....	\$144. 81	\$20. 74	\$124. 07
December 1969.....	53. 04	25. 00	152. 11
January 1970.....	49. 19	10. 00	191. 30
February 1970.....		10. 00	181. 30
March 1970.....			181. 30
April 1970.....			181. 30
May 1970.....			181. 30
June 1970.....			181. 30

Enclosed is your check No. 338, dated July 6, 1970 for \$53.00. This item cannot be accepted as final settlement of your obligation. We have been advised by our counsel that your invoice for \$128.30, which you submitted as being representative of the time consumed by you and your wife, expressed in terms of personally assigned values, is not a proper element for damages.

You may be assured that this delay, which may be attributed to our own shortcomings in coping with a new method of computer billing, in resolving a complex matter, has not prejudiced, in any manner, your excellent credit reputation. Our own credit records, as well as those of the Credit Bureau confirm this statement.

Sincerely,

W. N. TALKES,  
Vice President, Credit Operations.

## TAX REFORM

## HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. PRICE of Texas. Mr. Speaker, next Monday the House is scheduled to consider on the suspension calendar H.R. 1002, a bill to adjust the rate of tax on cigars.

While this bill lacks the glamour of legislation dealing with a proposed moon shot, and while it lacks the significance of legislation dealing with our state of military preparedness it is an important bill, a worthwhile bill, a bill that merits careful consideration by this body.

The bill, H.R. 1002, would change the present bracket system of taxing cigars on the basis of their intended retail price to a single ad valorem tax of 6½ percent of the intended wholesale price. More specifically the bill, first, replaces the present tax on large cigars with a flat ad valorem tax of 6½ percent of the wholesale price—retaining the present law upper limit of \$20 per thousand—and, second, defines wholesale price as the manufacturer's or importer's suggested price at which cigars are to be sold to retailers.

The changes made by this bill would take effect on the first day of the month

which begins more than 90 days after the date of enactment of this bill.

Passage of this legislation would have three major beneficial effects. It would equalize the tax burdens presently unfairly borne by purchasers of the less expensive cigars, it would simplify the payment and administration of the tax by cigar dealers, and it would foster more of a direct relationship between the tax rates and the price of cigars at the retail level.

Mr. Speaker, these are essentially the conclusions drawn by the Ways and Means Committee after considering this bill. They also mirror the uniform sentiments of the cigar dealers in the 18th Congressional District of Texas who have been most diligent in pointing out to me the salutary effects of this legislation. I urge my colleagues to give this bill their unequivocal support.

A MINI BLUEPRINT FOR THE NEW  
JERSEY STATE BAR ASSOCIATION  
—ADDRESS BY DANIEL L. GOLDEN,  
PRESIDENT, NEW JERSEY STATE  
BAR ASSOCIATION

## HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Thursday, July 16, 1970

Mr. CASE. Mr. President, Daniel Golden, in his inaugural address as president of the New Jersey State Bar Association, has comprehensively reviewed many of the most significant problems facing our legal system.

Mr. Golden's "prescription for progress" emphasizes criminal law reform, courtroom decorum, and efforts toward world peace. He points out that the objective of our legal system is service to the public. To render this service effectively, Mr. Golden recommends that one's approach to problem analysis be of a "contemporary" nature, not a passive one.

Mr. President, I ask unanimous consent that Mr. Golden's address be printed in the Extensions of Remarks.

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

"A MINI BLUEPRINT FOR THE NEW JERSEY  
STATE BAR ASSOCIATION"

(Address\* of Daniel L. Golden, President,  
New Jersey State Bar Association.)

It is a great privilege to accept the position to which you have elected me.

It is also a great privilege to be a part of the New Jersey State Bar Association, long an institution of stature in the profession we hold so dearly. It is an institution one never really leaves, because its essential character and aims pervade the professional experience of all who are associated with it. The New Jersey State Bar Association is alive and vital. There is an air about it that says it is unafraid and that it dares, as it should, as evidenced by events of recent years. This Bar Association cares, and this caring is the essence of this great institution.

At the outset, I want to express sincere thanks to the membership at large for its

\* Before being edited for delivery.

confidence in elevating me to the office of president. To have earned the respect of one's fellow professionals is a privilege and a signal honor. To my immediate predecessor, the Hon. Charles L. Bertini, I extend thanks for his devotion to the monumental responsibilities which were his burden and which he shouldered well. To my fellow officers and trustees I am especially mindful of their sacrifices in time, effort and expense, but principally I am grateful for their intellectual courage, their forthrightness, and their professional competence. To our executive director, Francis J. Bolduc, and his highly competent staff, I owe monumental gratitude for spending much of their time making my job easier.

Most of all I am grateful to all of my predecessors, whose individual contributions have served to make this Association one of the great professional groups in the nation. The fact that the New Jersey State Bar Association is considered one of the most active and progressive associations is no accident. For as far back as I can remember, each administration added something of value to the Association. Since assuming the exacting position of secretary in 1964, I have been privileged to work closely with Past Presidents Foley, Hillman, Berry, Gibbons, Wharton and Bertini, with Secretaries Lummis and Clifford, and with Treasurer Vall. Each of these men added something of himself and his philosophy to the welfare of the Association.

While each President, his staff, and his Administration might be recalled for a specific contribution, it is no less important a fact that each builds upon the efforts of those who preceded him. It is also a fact that it is virtually impossible to institute and complete a particular program within the year of one's presidency. No president of this association can take credit to himself for the initiation and completion of a project; it is always the work of past, present and future administrations. The accomplishments of the Association are the results of this continuous process. Preserving that continuity is as great a challenge as the particular objective in mind.

To emphasize this continuity aspect I should like to address myself to some of the accomplishments of the Association in very recent years, as well as to areas which deserve our attention for the present and the future.

Many people are not aware of the positive leadership of the New Jersey State Bar Association as exemplified in the following areas.

1. The establishment of close liaison with the Governor's office in the judicial selection and appointment process.

Within 1 week after his inauguration Governor Cahill, through his counsel and the Attorney General, assured the officers of the Association that he would not appoint a candidate for judicial post or for prosecutor unless the Association found such candidate to be fully qualified for that appointment.

This is real progress and a far cry from the days when politicians "called the shots" while the Bar acted only perfunctorily, if at all.

2. The establishment of close liaison with the Supreme Court. Within the past two years the officers of the Association have met with the entire Supreme Court and the Administrative Director in pre-arranged sessions lasting for hours. On these occasions the Court has told us what it expects of the Bar; we have been given the opportunity to present the Bar's point of view and its problems. There has been a mutually constructive give and take, without publicity, without fan-fare—and with good results.

3. The Association was the prime mover in calling to the attention of the Legislature and the public the need for meaningful conflicts of interest legislation.

4. The Association has always been the prime mover in endorsing salary increases for members of the Judiciary. It was also among the first to endorse legislation related to the removal of judges for cause.

5. The Association pioneered in obtaining a meaningful rule related to the unauthorized practice of law.

6. The Association was the first to advocate the use of full time prosecutors.

7. The Association has been a leader in bringing about, or causing to be brought about, the adoption of rules, rules changes, and legislative action in a host of areas from which the public and the profession have benefited.

8. Your Association has been the first and the most vocal in critically focusing attention on the negative aspects of the senatorial courtesy rule. Most recently we received much favorable comment from the press in having asked for automatic approval of a judicial nomination within a stated period of time if the Senate defers action under the odious courtesy practice. John T. McGovern, in the Newark News of May 3, 1970, said of the practice: "Today the Legislature is still deciding the fate of gubernatorial appointments behind closed doors, just as it did in 1776."

9. In general, your Association, more than any other professional body, has brought to its members a host of professional benefits, and has "gone to bat" for its members whenever the "chips were down".

I should now like to discuss present and future matters which deserve the thoughtful consideration of all citizens, attorneys or laymen, of our State.

#### I. CRIME LAW REFORM

There is no area in which constructive improvement is more urgently required than in the criminal law process itself. There has been no major revision of New Jersey statutory criminal law in years. In many court houses the length of the criminal calendars exceeds and defies reason. With an ever increasing population, with the expansion of the rights of the accused, adult or juvenile, by reason of precedent shattering decisions, with unrest and disobedience all about us, one can only hope that the obsolescent body of criminal law and procedure will be replaced as quickly as possible. The problem has been recognized by the Criminal Law Revision Commission created in the spring of 1969. In an interim report dated April 15, 1970, that Commission advocated the enactment of a modern, rational penal code as essential to law enforcement. The President's Commission of Law Enforcement and the Administration of Justice drew the following conclusion:

"American criminal codes reflect a broad consensus on the appropriateness of employing the criminal law to protect against major injuries to persons, property, and institutions. But the absence of sustained legislative consideration of criminal codes has resulted in the perpetuation of anomalies and inadequacies which have complicated the duties of police, prosecutor, and court and have hindered the attainment of a rational and just penal system.

"Some examples of these substantive inadequacies are the failure in most cases to treat as crimes highly dangerous conduct which does not produce injury, whether the conduct is undertaken negligently or recklessly; the unsatisfactory delineation of the line that separates innocent preparation from criminal attempt; the absence of laws that make criminal the solicitation to commit crimes; the amorphous doctrines of conspiracy that have grown unguided by considered legislative direction; the inconsistent and irrational doctrines of excuse and justification that govern the right to use force, including deadly force, self-defensively or in the prevention of crime, or in the apprehen-

sion of criminals; and the confusion that surrounds the definition of the intent or other culpable mental states required for particular crimes.

"Legislative criteria for distinguishing greater and lesser degrees of criminality are in no less need of reexamination than legislative definitions of criminal conduct. For these criteria determine such matters as eligibility for capital punishment, applicability of mandatory minimum sentences, availability of probation, and length of authorized maximum terms of imprisonment—matters that may be even more significant issues in a particular case than whether the defendant is in fact guilty. Yet here too legislative inattention has been marked.

Our New Jersey Commission has recommended forceful action:

"The problem is particularly acute in New Jersey today. We are in an era of rising crime rates and we must be sure that we are using the law enforcement facilities available as effectively as possible. This includes both confining law to a proper sphere of activity and assuring ourselves that persons appropriately subject to a criminal sanction will not escape because of a poorly defined crime. We are in the midst of a crisis with regard to respect for law. We must be sure our criminal statutes do not add to it, breeding contempt for law and disrespect for the enforcers of it, by being anachronistic or hypocritical. Further, New Jersey has never had a comprehensive penal code. While most states have the problem of an outdated code, we must start virtually from scratch. Our statutes now only define the elements of the offenses. We have almost no statutes relating to the general part of the criminal law, i.e., those relating, for example, to principles of liability, responsibility, justification or excuse. Presently, this is found in our case law. Rationality demands that it be codified."

In short, what we need is our own "Manhattan" project in which crime prevention, apprehension, trial, sentencing, corrections, probation and rehabilitation are merged under what might be termed a "humanist" approach. No easy answer is available. Special grand juries, wire tap evidence, pretrial detention and severity of sentencing will not provide all the answers. Society itself, with the aid of an enlightened bench and bar, must take an overall view, and prepare a program funded generously. The early consideration and adoption of a new penal code in New Jersey will be a giant step forward.

Much valued work has already been done in this direction by the American Bar Association, the American Law Institute, and of course, the President's Commission. It is for us, the practicing active members of the bar, to encourage and assist their efforts. I am, therefore, asking that our Criminal Law Section give top priority to this pressing problem. Only then, in the words of Chief Justice Burger, can we hope to "close the revolving door of crime, prison, and more crime."

I respectfully submit that a new criminal code for New Jersey with more precise standards of enforcement and sentencing—together with courage—must be a top priority for the profession and for the public. The adoption of such a code can be accomplished within every protection afforded by the Bill of Rights to an accused—while at the same time protecting the public.

#### II. LAW AND ORDER

That the meaningful participation of the Bar is essential to the maintenance of law and order is elementary. As judges, prosecutors, defense attorneys, government officials at all levels, and primarily as officers of the Court we have a solemn duty to promote the majesty of the law and the necessity for order. To do less would be derelict.

The "Chicago 7" trial, which has been called a "tawdry judicial parody", presented

relatively new ramifications of the law and order problem, i.e., the department of litigants during the course of a trial; the department of their attorneys; even the department of the judge.

In a thoughtful article in the New York Times Magazine Section 6 weeks ago, Louis Nizer discusses this very problem. He advocates jail for the defendant who violates decorum, the removal of counsel who deliberately obstructs justice by collaborating with a client's misbehavior, the control of the practice of packing the courtroom with voluble adherents of the defendants, the suspension or disbarment of any lawyer "who engages in unseemly conduct involving the honor and dignity of the profession", and finally the enactment of federal and state legislation making disruptive conduct in a courtroom a felony—the felony of obstruction of justice.

Mr. Nizer says, "We owe it to accused persons to preserve a trial procedure which is classic and protective . . . Can it be said that taking stronger measures to preserve the judicial system is repressive?"

"To make our democratic institutions effective, within clearly defined legal limits, is the least we can do. It is a noble task—one not to be decreed as repression."

"There is a joke about our legal system: 'This is the only country in which the defendant goes home at night, and the jury is locked up.'"

The attitude of certain highly placed public officials does not help the cause, either. Just over a month ago, the Governor of Florida defied the Federal Courts over school integration. He removed school officials on patently transparent grounds, took over the local schools, and refused to carry out the orders of the Court. If a Governor does not treat court decisions as legitimate, how can other citizens be asked to do so?

Some of us try to take the phrase "law and order" as a high ideal, meaning decorous debate about any grievances and peaceful acceptance of decisions reached throughout the processes provided by society and the law in order that grievances may be resolved. The realization of that ideal is a pressing necessity today. The Wall Street Journal in a recent editorial called it "an ideal hard enough to uphold under the best of circumstances, let alone when it is encumbered by the kind of albatross Governor Kirk fashioned for its neck."

The time is here when we must reaffirm our dedication to a system whereby grievances are resolved and decisions are rendered in accordance with a system of living law, in an atmosphere of dignity, decorum and respect.

#### III. THE LAWYER IN THE QUEST FOR WORLD PEACE

Wars, external and internal, rage on in Asia and the Middle East. Strife is found in Greece, South America, and Africa. The responsibility for these events is shared by politicians, statesmen and military men. But the real hope "for peace, harmony and the joys of life in our time in a truly civilized community lie in great measure with lawyers of the world."

The New Jersey Law Journal in a thoughtful editorial on January 2, 1969 (92 N.J.L.J. 4) stated that "Law as the embodiment of agreed-upon rules of personal and national behavior is the subject of a lawyer's training. Only by living according to adequate law, domestic and international, can there be peace at home and abroad.

"Lawyers, therefore, by training, by experience and by their aptitudes in formulating, administering, and enforcing law as legislators, executors, statesmen, advocates, consultants, advisors and draftsmen are particularly qualified and have a responsibility to promote the cause of law and peace. True, it is, they alone cannot achieve peace

through law. But certainly they are better qualified than any other single profession or calling to lead the world in the age-old (but we hope, not eternal) search for peace on earth." This quest is not necessarily an impossible dream.

The American Bar Association helped create the World Peace Through Law Center now in Geneva. Our own association has an extremely active Section on International Law. Our own bar has been represented at conferences of the Inter-American Bar Association. There comes a time—and it is here now—when every lawyer must stretch his mind in making a concerted contribution to the cause of world peace through law through membership in the international associations and in national and state bar sections on the subject.

I have had the fortunate opportunity to travel to many countries under the World Peace Through Law program and under governmental auspices. These travels have reinforced my deep feelings about the contributions we all can make. Under the State Department Cultural Exchanges Program, I have been privileged to study legal systems in the U.S.S.R., Eastern Europe, the Middle East, and the Far East. From these experiences, I have found a number of attributes, common to lawyers worldwide. Lawyers speak the same language of the law, have the same problems with clients, and occasionally with judges, are generally good advocates, enjoy adequate fees, and have a high regard for their respective systems of justice. In great measure lawyers dominate the law-making bodies of the world, and thus have the singularly important function of making law, interpreting law, and establishing criteria and mores by which their peoples are governed. If, therefore, there can be meaningful dialogue among the lawyers of the world, it follows that the difficult path to world peace can be made a bit easier to navigate.

#### V. SERVICE TO THE PUBLIC

However else historians may describe the 60's or project the 70's, one major fact which they must acknowledge is the innovative role of the lawyers and the courts. The young men and women who are entering our profession want to turn their talents loose in different and new forums. They want to serve the disadvantaged and the forgotten in new and different ways.

These same young people coming out of the best law schools are not accepting prestigious appointments nor the fat salaries offered by the larger law firms of the nation. They are seeking and accepting appointments in governmental service, in agencies which bring the message of the law to the underprivileged, or in neighborhood law offices where the pay is low but the knowledge that one is making a contribution to his fellow man is high.

It is our responsibility, as established attorneys, to help them do this, and to do some of it ourselves. It should however be noted that, with little flamboyance and without the spotlight of the communications media, established lawyers have been rendering valuable public service for many years. In the area of civil rights, particularly, our profession must be accorded full credit for much of the past decade's progress.

Much more remains to be done for the public, however. It is not sufficient to concentrate on "bread and butter" work alone. It is not sufficient to be content with the daily tasks of closing titles, planning estates, representing plaintiffs or defendants in negligence cases, or in being exclusively this or that particular type of lawyer. We must go beyond these spheres of professional activity which provide for most of us more than an adequate livelihood. We must be contemporary. Our failure in some instances to be contemporary underlies the so-called generation gap. The young are correct in their dissatisfaction with our too passive attitudes con-

cerning the pressing problems of the day. The public is entitled to our help in meeting the new challenges of the day, whether they be legal, political or social in nature.

To this objective I have announced in the New Jersey Law Journal my intention to appoint new special committees, among others, as follows:

Public Health & Environment Law.

Conservation & Ecology Problems.

Drug Abuse & Narcotic Problems.

Causes & Prevention of Civil Disorder.

Housing & Urban Affairs.

Racial Minorities & Contemporary Law.

Consumer Education & Assistance.

20th Anniversary of Declaration of Independence.

Activity in these fields will make us sharply relevant to understanding the tensions that strain the fabric of our society.

#### A. COURT CALENDARS AND THE BAR

As an organization, through its various sections and committees, and as individuals, we must work with the Courts on the ever present problems of calendar congestion. Nothing confuses the lay person more than the unreasonable and unexplained delays in the judicial process. Nothing is more burdensome to lawyers.

As individuals, we can make a great contribution by the application of common sense, good judgment, effective advocacy with clients, and a less selfish approach. The plaintiff's attorney who deludes his client as to the value of a case, who makes unreasonable demands for settlement, and who is neither candid with client, adversary or the court, is to be blamed as much as the defendant's advocate who, in attempting to impress his carrier with his "toughness," fails to engage in meaningful settlement negotiations, or resorts to delaying tactics of one sort or another by unnecessary motions. In point of fact, most cases (92%) are settled prior to actual trial. If this be so, could not a franker dialogue between opposing counsel result in the settlement of cases which seem to occupy the largest part of our calendars? I am pleased to report that our Section on Civil Procedure has met with the Administrative Director of the Courts and with the Assignment Judges during this convention to review procedures intended to deal with the congestion problem.

Innovative proposals to deal with this problem are being applied at present. In Middlesex County, for example, plaintiffs' and defendants' lawyers have initiated an Early Settlement Program. Panels of leading plaintiffs' and defendants' lawyers, to whom other attorneys submit their cases, have brought about settlement of over 50% of the cases, much in advance of trial. The Court has been cooperative in providing facilities, as have adjusters, clients and counsel in their attitudes toward settlement.

It would be helpful, too, if the Court were always mindful of the problems related to trial practice and to the practice of law generally in these times. It is the lawyer's fondest hope that every judge, notwithstanding the passage of time, will remind himself of his own days as a practicing lawyer, and that he will recognize that the practice of law today is fraught with problems which did not exist just a few years ago. Shakespeare's words in "Julius Caesar" may be appropriate:

" 'Tis common proof, that lowliness is young ambition's ladder,  
Whereto the climber-upward turns his face;  
But when he once attains the utmost round,  
He then unto the ladder turns his back,  
Looks in the clouds, scorning the base degrees  
By which he did ascend."

#### B. ESTABLISHMENT OF A FAMILY COURT

This Association, through its Family Law Section and the Committees which preceded it, has for years advocated the creation of a Family Court in New Jersey. Resolutions have been adopted and submitted to the Legisla-

ture on a number of occasions. Regrettably, little action of a positive nature has been taken to date. That our present procedures simply are not adequate for coping with the complexities of family discord has become increasingly apparent, and their inadequacy is reflected in the number of marital actions which clog the courts.

The law should be designed to promote family stability by preventing divorce where it is not warranted, and reducing its harmful effects where it is necessary. Perhaps a fresh look at the legal grounds for divorce in our State is in order.

The Family Court would have broad jurisdiction over the many faceted actions, civil and criminal, which relate to the welfare of the family unit. These would include marriage, separation, nullity, dissolution of marriage, child custody and support, alimony, division of property, paternity and legitimization of children, guardianships and cases generally involving legal relationships within a family.

#### C. THE SELECTION OF JUDGES

The Association in recent years has had a significant effect on the selection of judges. As a result of a series of meetings held with Governor Hughes and President Bernard Segal of the American Bar Association, our Chief Executive stated that he will not submit a judicial nomination to the State Senate without the clearance and approval of our Association. We are pleased to report that within five days of Governor Cahill's inaugural, a joint conference was held with the Honorable Pierre Garvin, Counsel to Governor Cahill, the Honorable George Kugler, Attorney General, and the Executive Committee of the Association. The Governor has made it crystal clear that he will not nominate any person to be a judge or a prosecutor unless the Judicial Appointments Committee affirmatively finds such person to be qualified for the position.

It is apparent that the selection of judges is a primary responsibility of the Governor. It is equally apparent that our system sometimes breaks down because of the isolated instances of abuses of the "senatorial courtesy" rule. What is the public to think when a busy county, overloaded with legal cases, finds it necessary to postpone all civil matters for months simply because its limited number of judges have been, by necessity, assigned to criminal cases? What do the citizens of that same county think of the failure to appoint judges to existing vacancies only because a single senator refuses to give his blessing until or unless his particular choices are made?

Your Association has vigorously fought against the senatorial courtesy rule for a number of years. The Board of Trustees of the Association recently adopted a resolution calling for a specific time period in which the Senate must act upon a nomination of the Governor's; failure to act within that time would signify automatic confirmation. Wide and favorable publicity on this action appeared in editorial columns of the papers of this State.

Hopefully, we have passed the day and age when a judgeship was described as a "political plum." It is to be hoped, too, that those members of our State Senate who happen to be lawyers will also rise above the sometimes destructive end results of the unwritten senatorial courtesy rule, and will in fact seek only to work with the Governor in the selection of the best qualified candidates for the bench, for the office of prosecutor, and indeed for all appointments to highly sensitive positions.

#### D. AN OMBUDSMAN FOR NEW JERSEY

I suggest that the Association study the advisability of having the State create a special office required to handle citizen's complaints—An Ombudsman for New Jersey.

Millions of Americans view government as distant and unresponsive, if not hostile. Though often the targets of the resentment which ensues, government officials are usually not the cause of remoteness, but rather its victims. Improving the means by which individual citizens can voice dissatisfaction with governmental action or inaction will make for a more democratically effective society.

#### VI. SERVICE TO THE PROFESSION

I have previously alluded to some of the accomplishments of this Association.

This Association is big business. It works for you around the clock. It is responsive to your interests and desires. It is not an "establishment" in the opprobrious overtone often associated with that word. It has been said that the Establishment criticizes but never overturns—and that, incidentally, makes it different from an aristocracy which does not even criticize. Having had the privilege of serving as Secretary to the New Jersey State Bar Association for three years and having also served as Vice-President of our organization, I know what dedication lies behind the growth and stature of the Association. Leading lawyers on the Board of Trustees give of their time unselfishly, as do the committee and section chairmen. Our Association, through its officers, trustees and professional staff, has participated in or initiated over 250 meetings during the past year—meetings which dealt with problems of all lawyers. All members of the Bar are encouraged and invited to join Sections and Committees.

Were you to be as fortunate as I in having worked with these men of vision, with men of viewpoints ranging from conservative to liberal but not extremes in either direction, from strict constructionists to exponents of change, from the outgoing trial lawyer to the more reticent, quietly probing estate or corporate lawyer—all of whom have had some part in the destiny of your Association, you too would be proud to be part of the Establishment. Once again, I invite you to join us.

To continue our service to the profession, I intend to create several new committees to deal with the following subjects, among others:

Legal Education and Admission to the Bar.  
Professional Economics and Law Office Management.

Liason with Colleges, Law Schools and Law Students.

State Law Revision.  
Uniform State Laws.

#### A. CONTINUING LEGAL EDUCATION

We have had considerable success in continuing legal education, but our efforts must be stronger than ever. These must be geared, not only to the "how-to-do-it" activities, but also to the areas of broader professional responsibilities. Justice Thomas W. Pomeroy of the Pennsylvania Superior Court suggests "we should even expose ourselves to the occult mysteries of science, automation and cybernetics, so that we can talk the same language as some of our clients." It was John Marshall who said that "no lawyer is entitled to the honorable and conventional epithet of 'learned' if his reading is confined to statutes and law reports."

To dramatize the main concerns of justice we must constantly strive to stretch our minds. We must get involved. To this end, I have announced the formation of new special committees, such as:

Ecology and Conservation.  
Electronic Surveillance.  
Environmental Law.

The Lawyer's Role in the Search for Peace.  
Science and the Law.  
Oceanography Law.  
Space Law.

Your participation is encouraged and invited.

Our Practising Law Institute and Continuing Legal Education programs have been appropriately cited for excellence. My own experience in attending such sessions is the pleasant discovery that one usually sees the busy lawyers present. Perhaps this is what keeps them "on-the-ball." A competent lawyer exudes confidence which is appreciated by the client. The client is then more receptive to advice, and the whole process of litigation profits by the more reasonable and conciliatory viewpoint. Confidence in the judicial process is the end result.

#### B. FUTURE LAWYERS

As a further service to the profession, and indeed to the public, I suggest a system of attracting good law students to practice in New Jersey. The problems of recruitment are known particularly to our larger firms who are in competition with even larger firms in the metropolitan areas. New Jersey practice has become somewhat overlooked as a result of the glamour packaging offered by firms in New York, Philadelphia, and Washington, D.C., on the East Coast. And yet we have in this busy state every conceivable type of practice to offer the young, interested lawyer. He can enjoy membership in a number of large firms; he can settle in a medium sized firm located in the less densely populated cities. He can pioneer with either young or established lawyers in the many rapidly growing communities of an expanding industrialized and residential state. He can enjoy the rewards of private, personal practice in the smaller communities, perhaps by himself, with the priceless thrill of being needed by many of modest or little means. In all instances mentioned above, he will find that the opportunity to make a decent livelihood is much greater here than in most places in the nation.

How do we sell New Jersey practice to good law students? I propose the creation of teams of two or three practicing lawyers who would be available for consultation at appointed times and places at the law schools in New Jersey, in the metropolitan area, or indeed at any law school which expresses an interest. I also propose a plan which was recently introduced in Wisconsin. Here the lawyers of the Wisconsin State Bar Association work directly with the Law School at the State University, where for example active practicing lawyers have set up courses such as "General Practice." The result is a tying together of the theoretical with the practical. There has long been a need for bridging the gap between pure legal knowledge and what one does when actually engaged in practice. If nothing else occurred, the student will have had the benefit of professional instruction and practical application—long a missing link between admission to law school and admission to the bar.

#### C. THE BAR AND THE SCHOOLS

I advocate offering our services as an Association and as individuals to the public and private schools of the State, particularly at grade school levels. President Segal of the American Bar Association noted in his Law Day address that "72% of all offenders under 20 years of age are rearrested for another crime within five years after release from custody." And Chief Justice Burger has noted that the majority of all major crimes are being committed by young offenders. Perhaps a meaningful classroom program commencing at the 6th grade level on the meaning of the law, its rights and obligations, and its penalties, would be more indelibly impressed on the young mind in its formative years. These efforts are effective, as evidenced in the successful programs conducted by the Chicago and Cleveland (Ohio) Bar Associations, which have done wonderful work in those areas of their respective cities where respect for law was most needed. Most recently, the Mercer

County Bar has initiated a program in the schools on education and the law relating to drugs and drug abuses.

#### D. THE BAR AND LOCAL LAW ENFORCEMENT AGENCIES

I propose a plan whereby the Bar would send lawyers as instructors to every community agency that requested them. These instructors would expose our local police forces to the proper legal interpretation, the ramifications, and the implication of some of our Supreme Court decisions such as Miranda, Gault, and Escobeda. The effect of such a program, I feel, must result in a better system of law enforcement.

#### CONCLUSION

At the close of the Judicial Conference held in Newark last May, the Honorable Edward B. McConnell, our distinguished Administrative Director of the Courts, presented a "Blueprint for the Development of the New Jersey Judicial System". His presentation included some of the most significant broad range proposals in our judicial history. It included, among other things, some of the items which I have alluded to in this message. His call was loud and clear "for involvement, for thought, and for action by all Justices, Judges and Lawyers". The New Jersey Law Journal in a fitting editorial on June 5, 1969, said, "All of his blueprint may not be implemented at one time or in a short time, but starts can be made on the transfer from his blueprint to construction. Bar Associations, perhaps led by the State Bar Association, could take Mr. McConnell's Blueprint and commence a program of action immediately on many of his ideas." As to the judges, Mr. McConnell has expressed about all that can be said for their contributions:

"The greatest single incentive that exists is each individual judge's desire to measure up to his own personal standards of excellence."

The same incentive would obviously apply to lawyers.

It was my intention, in a smaller sense, to present in this message a "mini blueprint for the New Jersey State Bar Association", for the same reasons and in the same spirit. Here, too, much time will be required. If we could but start on some of the basic projects, and at the same time continue to build upon the efforts and accomplishments of our predecessors, we shall have acted in the highest traditions of the profession.

I personally believe that a Bar Association should preserve its traditions and rely upon its past experiences in determining its manner of operation for the future. This, however, does not operate against our taking an activist position as an association of professionals when public and professional issues are at stake. We cannot afford to bask in the comfortable sunshine of the status quo. It is my hope that this Association will lead, initiate, innovate, and speak up when circumstances require positive action. It is my belief that an association is derelict if it waits to be asked to take a position in issues of vital importance to the public or to the profession. I would like to see this Association do, for example, what the Association of the Bar of the City of New York did two weeks ago when it suggested that lawyer members of Congress be restrained from practicing law. In these times we may be expected and should be expected, to take positions on the issues of the day—and there are plenty of them. The problems of race, pollution, crime, poverty, hunger, population, corruption, dissent, the right of privacy, strikes, the inadequacy of education, taxes, public indifference, archaic governmental institutions, ethics, and the general difficulties involved with the recurring violations of the dignity of human beings are present manifold today. We cannot afford to be passive. Circuit Court Judge John J. Gibbons, in his acceptance

address as the incoming president of this Association, warned us cryptically and to the shock of those resistant to change, that if lawyers did not do anything about many interrelated legal and social problems of the day, somebody else would be doing it for them.

The legal profession must be concerned because the law seeks fairness, equity, and peaceful redress of grievances—these are the benefits of legal order. For many, our institutions have proved inadequate to secure the benefits of equal justice. It is for us to lead in rebutting this proof and in overcoming the failure of our institutions to respond to the legitimate needs of the public.

In these extended remarks, I am reminded of the young lawyer who said to the trial judge, after a long summation, "Your Honor, I apologize for having trespassed upon your time." To which the learned judge said, "Young man, you have not only trespassed upon my time, you have encroached upon eternity." I do hope that you will forgive me. I know that you will understand the spirit in which my talk was presented. Perhaps I could have stated everything that I believe the law is and our profession should be in a brief story about Rabbi Hillel, sage of the generation before Christ. Rabbi Hillel was challenged by an idolater one day to tell him all about Judaism in the brief minutes the questioner could stand on one foot. Hillel replied, "What is hateful to three, do not do unto thy fellowman. This is the whole law. The rest is mere commentary."

The law is a challenge intellectually; it is a challenge ethically; it is a challenge in terms of human relationships; it is a challenge in a civic sense; and finally, it is a challenge in terms of trying to keep a peaceful world. The late Justice Felix Frankfurter expressed his view of the law in this manner: "The law touches every interest of man. Nothing that is human is alien to it. Its demands are exacting and exhilarating; the satisfactions it affords are rich and enduring. Cast thy bread upon its waters; it shall be returned to you manifold."

With your help this might conceivably be a Golden year.

#### THE 12TH OBSERVANCE OF CAPTIVE NATIONS WEEK

### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. FASCELL. Mr. Speaker, in a joint congressional resolution and by Presidential proclamation, Captive Nations Week was established in 1959. This week marks the 12th observance of Captive Nations Week.

For a quarter of a century the Soviet Union has established and maintained the Iron Curtain, enslaving tens of millions of people in Eastern Europe.

It had been hoped by many that this barrier would be softened with time and diplomacy but it has been intensified by the Soviet Union's reluctance to negotiate and its insistence on the domination and oppression of the captive nations. A clear example of the U.S.S.R.'s determination was the invasion of Czechoslovakia two summers ago. Too, it is obvious that the Soviet Union supports and encourages aggression in Southeast Asia and the Middle East.

It is appropriate that we, as free people who frequently take our individual liberties for granted, take time to express our concern, sympathy, and dedication to the people in those nations where personal liberties are nonexistent. We should strive to open new frontiers in helping those people regain their freedom.

With hope that this cause will be successful I am happy to participate in this observance of the Captive Nations Week.

#### IN DEFENSE OF PATRIOTISM

### HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Thursday, July 16, 1970

Mr. MOSS. Mr. President, Stanley Frankel of Scarsdale, New York, is a personal friend of mine. He has written for the Scarsdale Inquirer a guest editorial entitled, "In Defense of Patriotism." It represents a viewpoint which should be called to the attention of us all. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the editorial was included in the RECORD, as follows:

#### IN DEFENSE OF PATRIOTISM

Samuel Johnson wrote that patriotism is the last refuge of a scoundrel.

Johnson did not mean that all patriots were scoundrels. Rather, he suggests that some scoundrels wrap themselves up in the beautiful American flag and in the name of love of country, commit all kinds of sins which, under any other disguise, would be grounds for impeachment or jail.

These are the scoundrels who appropriate the American flag and wave it while they throw rocks at Negroes, while they hurl epithets at Peace Marchers; while they bust the heads of youthful dissenters. And all in the name of patriotism—or law and order.

These might be the same scoundrels who fly the American flag from the tallest pole in their plants while their smokestacks spew poison into the clean American air; who pledge allegiance to the flag while their sewage wastes our streams; who hoist the flag up while oil leaking from the bow fouls our beaches and kills our wildlife.

Some of these scoundrels are fond of quoting Stephen Decatur's "My Country, right or wrong," but fail to follow up with "When right to keep her right, and when wrong to put her right."

These self-proclaimed patriots would blindly follow their temporary leadership into wrong wars which wrongly kill 40,000 American boys . . . hundreds of thousands of North and South Vietnamese men, women, and children, and which threaten, wrongly the peace of the world. For the time is now upon us when the wrong course could lead to nuclear annihilation. The true patriot's course is away from obscene wars, away from pollution, away from poverty and hunger, and, if our country, through its temporary leaders, is wrong, then the patriot's obligation is to put our country, and her leaders, right. Time has long passed for blind and unquestioning lockstep, for the precipice is near and oblivion is ahead . . . dead ahead.

I much prefer Adlai Stevenson's definition of patriotism.

"What do we mean by patriotism? A patriotism that puts country ahead of self; a patriotism that is not the short, frenzied outburst of emotion but the tranquil and

steady dedication of a lifetime. These are words that are easy to utter, but it is often easier to talk for principles than to live up to them.

"When an American says he loves his country, he means not only that he loves the New England hills, the prairie glistening in the sun, the wide and rising plains, the great mountains, and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect."

I may sound corny, but, because our flag is the symbol for our great nation, I am proud of that flag, proud to march behind it, to salute it, and to wear it. I am not proud that it has been appropriated by those hard of hat, heart, and head who would use its shining presence to defile the Bill of Rights, to shortcut the Constitution, and to substitute brutality for beauty. These are the self-proclaimed patriots who equate dissent over the war with treason. These are the flag wavers and wearers who fail to understand that the safety of our soldiers in Viet Nam depends on our getting them out, not on forcing them in. These are the blind who cannot see that the most patriotic course to save our torn nation and our beloved sons is to march those boys off the ships behind the billowing red-white-and-blue, not to carry them off wrapped in it.

#### PARSONS COLLEGE INAUGURATED POLITICAL ACTION SEMINAR

### HON. FRED SCHWENGL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. SCHWENGL. Mr. Speaker, Parsons College at Fairfield, Iowa, located in Iowa's First Congressional District, has inaugurated a new political action program.

Parsons College students will be given the opportunity to receive credit for working on the campaigns of candidates this fall.

Students will work a minimum of 12 hours a week during the months of August and September for the candidate of their choice.

Mr. Speaker, I applaud Parsons College for inaugurating this innovative program. On many occasions I have expressed my conviction that we must do what we can to open the political system to our young people. A program such as is underway at Parsons College helps achieve this goal.

At this point in the RECORD, I include additional information on the Parsons College program:

#### NEW POLITICAL ACTION SEMINAR FOR STUDENT INVOLVEMENT

Parsons College today announced a new and innovative program for students to participate in political action during the upcoming campaign at the state and local levels and receiving college credits for their efforts. Students enrolling in this program will be assisting candidates of their choice in any part of the nation during the months of August and September. The first two weeks of the fall trimester the students will attend seminar sessions on the Parsons College campus to share their experiences and make recommendations for further opportunity for student participation in political activity.

The course is open to all Parsons students enrolled for the fall trimester at Parsons or students enrolled in the last session of the summer trimester. The program is under supervision of the Department of Political Science at Parsons College but the administration and coordination of the program will be in the hands of a student committee. Subject: Summer course—political action seminar.

1. Parsons College, in order to meet a need for its students to participate in political activity at the "grass roots" level, has approved a new course in the Department of Political Science for the summer of 1970.

2. The course, Political Action Seminar, Political Science 400, will consist of the following:

a. Eight weeks in practical political action assisting a bonafide candidate of the student's choice. (Practical experience August 1-September 30.)

(1) Candidate will sign an agreement to accept the student on his staff. (Minimum of 12 hours per week.)

(2) Student must report each two weeks on his activity.

(3) The candidate must indicate on the form the student's effectiveness and note areas of needed improvement.

b. Two weeks of evening seminars—two three hour evening meetings per week for two weeks (weeks of October 5th and October 12th).

(1) Students will report on summer activity.

(2) Students will share ideas and discuss experiences.

(3) Selected students will conduct panel discussion for the students, faculty, and staff of Parsons College. (Voluntary faculty seminar leaders.)

c. Students completing the course (including seminar) will receive three hours credit.

d. Enrollment may be arranged by mail by completing the enclosed application form and making a deposit of fifty dollars (\$50.00). Upon the student's return to the campus, an additional fifty dollars (\$50.00) will be due for him to participate in the seminar.

To: Department of Political Science, Parsons College, Fairfield, Iowa.

Subject: Political action seminar.

1. I understand that \_\_\_\_\_ (Student's Name) will be working on my staff for college credit in Political Action Seminar, Political Science 400.

2. I understand that the above-named student must work at least twelve hours a week on my staff.

3. I understand that the above-named student must submit reports every two weeks for eight weeks of the practical portion of the course, and that it will be necessary for me, or a member of my staff, to evaluate the student's activity as to effectiveness each reporting period.

MATHEW H. TINKHAM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. WILLIAM D. FORD. Mr. Speaker, I am very proud to call the attention of my colleagues to one of the outstanding senior citizens in my district, the 15th of Michigan.

Mr. Mathew H. Tinkham, of Wayne, who will celebrate his 82d birthday in November, has been awarded an inscribed gold certificate by the American Bar

Association upon completion of 50 years' membership.

Mr. Tinkham, a long-time friend of mine and a lifelong resident of Wayne County, Mich., was admitted to the Michigan bar in 1941, and joined the American Bar Association in 1920. In addition to practicing law, he has served as attorney for several communities and school districts over the past half century.

Mr. Bernard G. Segal, president of the American Bar Association, praised Mr. Tinkham for "long and devoted support to the work of the association and the organized bar." He noted that Mr. Tinkham was one of only 71 attorneys in the Nation who qualified this year for the ABA 50-Year Award.

I am especially proud of Mr. Tinkham's long and distinguished record, and of the wonderful example it sets for America's older community. Mr. Tinkham is living proof that senior citizens can enjoy active and productive lives and do not have to retire to a rocking chair at such arbitrary retirement ages at 60, 65, or 70.

SATCHMO: "MAY HIS HORN SOUND FORTH WITH SPLENDOR, MAY HIS SOUL GO SWINGING ON"

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. NELSEN. Mr. Speaker, over the Fourth of July weekend I happened to read a delightful New York Times service feature about the great Louis Armstrong. Maybe old Satchmo's English is not the best, but his philosophy of life is hard to beat. In the words of the Times—

May his horn sound forth with splendor, may his voice rasp on with joy, may his soul go swinging on.

I include for the RECORD the text of the Times article as reprinted by the Minneapolis Tribune on July 5:

SATCHMO ON 70TH BIRTHDAY: "EVERYTHING MAKES ME HAPPY"

NEW YORK, N.Y.—To the roar of fireworks on this Fourth of July, add one sweet sound of trumpet: It is Louis Armstrong's 70th birthday.

Welcome the echoes of independence, and sing a song for Satchmo: May his horn sound forth with splendor, may his voice rasp on with joy, may his soul go swinging on.

"I don't grieve for nobody or nothing, no malice or nothing—just plain old Satchmo," Armstrong said in an interview at his home in Queens. "I don't bother nobody and they don't bother me. I respect the world and they respect me. That's all that's necessary."

"I think I had a beautiful life. I didn't wish for anything I couldn't get, and I got pretty near everything I wanted because I worked for it. I don't keep nothing that I can't use right now, so everything I have I still enjoying it."

"I don't play stock market so I don't care what they do. I never was interested in stock market. Of course, I played the craps market and the cards, and I stopped that 'cause I figured it out. Every time I went to Las Vegas I'd lose my money. Even if I get lucky I can't never catch the money back no way. I put it down."

"Now I live for Louis Armstrong and Lucille—nobody but my wife and I. We don't

have no big bills to pay and a whole lot of put-on airs like some people. We live a normal, good life. It's enough."

"Everything makes me happy. My wife, for one. After her, then I got to think. She call me 'Darling' if I'm nice. 'Darling'—round in that category. She got other names there I ain't going to tell you—but I mean not every day I don't get them."

"Now I have time to be at home, which I never did have—traveling all day long, buses, and going to airports, waiting all day for a plane, gets you there just in time to do the concert, no supper, no anything. Fifty-four years traveled—I started when I was 14. Well, I ain't going to do that no more."

"I needs the rest, anyway. What's a better vacation than this? I'm indexing my reels, which will take me another year—I've so many. I still done but one shelf, but I've got five or six shelves with nothing but reels, and I'm in all of them. I want to hear me, that's what keeps me up to the time."

His appraisal of his oldest records is forthright. "Great! Ain't nobody played nothing like it since, and can't nobody play nothing like it now. My oldest record, can't nobody touch it. And if they say, 'Which record do you like best?' I like them all, because I didn't hit no bad notes on any of them."

"I believe in myself, and I know what I can do when I pick up the horn."

Using his birthright has won him honors here—and enthusiastic audiences abroad. "I play the trumpet in any language," he said. "If they understand it, that's any language. A note's a note in any language, and if you hit it—beautiful—they dig it."

"Music is music. It's two kinds—good and bad. You got to listen to all music to appreciate yours. The new music, it's got a tempo, a beat, and what they're singing, it makes sense. There's nothing wrong with it, but I wouldn't want to go through all that, and I can't do it. Rock groups today—they make one record and they're millionaires. So why should they worry about playing it right?"

"Every generation is different. My time coming up is much different from these kids. When you sum, it's all the same—some survive and others don't. If it's not in them they don't make it, that's all."

"We kids, even in our teens, we would hang around the honky-tonks all night—afraid we going to miss something."

"I used to sing tenor when I was 12 years old—with my hat around my ears—hit those big high notes like Caruso. We used to go around and pass the hat, because I had to pay my mother's rent. Things were awfully rough—they were called the Boll Weevil Days."

"Fore I left New Orleans couldn't nobody tell my mother about her boy couldn't blow that cornet. We were so close together. The only time I cried was when they put that top on my mother's coffin."

As he said this he hesitated—as though unwilling to find words to recall the occasion. Then he smiled his broad, toothsome smile.

"In New Orleans I played at as many funerals as I could get, and cats died like flies, so I got a lot of nice little gigs out of that," he said. "It's business. They going to enjoy blowing over me, ain't they? Cats will be coming from California and everywhere else just to play."

"If anybody plays a bad note, Lucille'll slap 'em right in the face. She'll take care of that for me. I don't want no part of it. Once I cut out, forget it."

"It'll be good I get to the pearly gate upstairs. St. Peter will have all those good things written down. He ain't got no business with the bad things up there. Why should he tax me? We both in the same boat if we both up there. We all got a memory of some kind that was sort of devilish."

"When I go to the gate, I'll play a duet with Gabriel. Yeah, we'll play 'Sleepy Time Down South' and 'Hello, Dolly!' Then he can blow a couple that he's been playing up there all the time.

"He wants to be remembered for his music, just like I do. They'll take it from there whether I was a good fellow or a bad fellow."

#### PERSPECTIVE ON CAMPUS UNREST AND DISSENT

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. BROWN of California. Mr. Speaker, this week the President's Commission on Campus Unrest opened an important and timely series of hearings here in Washington.

One of the initial panel members testifying before the Scranton Commission was Charles F. Palmer, a current president of the U.S. National Students Association.

Mr. Palmer's statement provides a clear and thorough analysis dealing with the wide range of problems and factors which result in alienation and strife on the Nation's campuses.

I believe Mr. Palmer's testimony to be of wide interest, and I recommend that my colleagues and the public as a whole pay close attention to this important perspective.

The statement follows:

#### STATEMENT BY CHARLES F. PALMER

I have been President of the United States National Student Association since last August. During that time NSA has been asked for assistance by students at hundreds of campuses across the country. We have tried to help students find constructive solutions, working in university channels when possible, seeking justice in the courts when such channels were blocked, and raising their grievances through protest when all else fails.

More than 500 student governments belong to the National Student Association. They are a broad sampling of campuses—state universities and large private institutions as well as several hundred smaller schools—secular, non-sectarian, and state operated. Some of these schools saw little or no disruption this past year but they are still plagued with the problems of more active campuses, and are more than ripe for unrest during the coming year.

The frustration and disappointment on all campuses cannot be ignored this fall as it was last year at this time. The method used last year was to push the "Quiet Year" theory. The Nixon Administration and other officials continually told us that campuses would not erupt and were not erupting. This failure to regard what was happening on campuses as important was an attempt to see if a problem would go away if ignored long enough. The "Quiet Year" gained credibility as press reports carried fewer accounts of student unrest. But it was a bootstrap operation. The scarcity of reports of campus unrest was due primarily to the reluctance of the press to report anything after administration attacks on them for drawing attention to discontent on campus. But the theory could not be maintained as the year wore on, for obvious reasons.

I think that many students suspect that the "Quiet Year" theory may have been re-

placed by the "Commission Plan." I think many students see this commission as a possible vehicle for change, but believe your recommendations will be only superficially followed and that your report will join the Kerner and Eisenhower Commissions' statements on some dusty shelves.

A great deal of responsibility has been placed in your hands, a responsibility not merely for the campuses where student outrage has been violent and sustained, but responsibility for the vast majority of campuses where frustrations and injustices make for unrest.

You can focus your attention on the handful of campuses where death has tragically marked student protest. Or you can look at the broad picture of thousands of campuses and millions of students where mere circumstance has prevented similar tragedy.

I understand that this commission is to report to the President by October 1st. By that time you can sort out some of the complexities of Kent State and Jackson State. But to understand and to report on "student unrest" in that period of time is impossible.

Gentlemen, as you are filing your report next Fall the very frustrations and anxieties that have produced this year's outbreak will be there, on campus, building and smoldering for the next year. And this coming year will not be a quiet year on campus. That almost any student in the country can tell you.

If we could generalize the concerns of students during the coming year, several trends and issues could be identified:

As long as there is substantial American military involvement in Indochina, students will continue to oppose it actively.

There will be demands that the university disassociate itself from war related and other antisocial programs.

There will be increasing repression as administrators and trustees knee-jerk when faced with student dissent. This trend is already evident. In California, one state college trustee apparently believes the student problem can be solved by banning all political activities on campus and forbidding recourse to the courts in disciplinary matters. There and similar repressive efforts will not end anything. Instead, they will only drive more moderate students to the wall and, perhaps, to violent activism.

Next November there may be thousands of disillusioned and bitter students returning to campuses if their excursion into the famed channels of the establishment produces little or no fruit.

There will be continued student protest concerning the non-responsiveness of the schools themselves to demands for change in curricula and governance of the institution. Not all problems at a campus are created externally. Ending the war and reforming the draft are not going to end dissent on campus. We can anticipate continued unrest as long as institutions of learning do not respond constructively and positively to pressures for change.

Finally, none of these trends or issues can be separated from the context in which national figures place them. The harsh, insensitive, and needlessly divisive speeches made by some politicians have created a social acceptability for violence against students. This past year we have heard diatribes by demagogues against the transgressions of students, and have seen these same politicians dismiss police violence as if saying, "those bums had it coming." One only need look at who has suffered fatalities to see where the violence has been committed.

These are the problems—I would like now to discuss my reactions and suggestions to the principle duties of this commission as listed by the President. It is impossible in the limited time available to present an in-depth discussion of each directive of the Presidential order. Instead I shall concentrate on im-

portant concepts in each, and matters that are within the experience of my organization.

One preliminary matter. The language and assumptions of the order to the commission merit criticism because they evidence both an official paranoia caused by student dissent and a misunderstanding of its nature. I take direct issue with the clear implication that the Nixon administration appears to make, that the problems on the campus will be solved by provision for orderly expression of dissent and mechanisms to control violence.

There is a gross misunderstanding: the official belief that the problems of the university are caused by nothing more than the failure to undertake dissent properly. This anal preoccupation with the pursuit of proper channels, to the exclusion of any consideration for the substantive merits of a proposal has caused more problems than you may realize. Dissent has causes. If this commission is to make any useful recommendations, it must address itself to the causes of dissent and disruption and not waste its time with a superficial treatment of the symptoms.

I take specific issue with the President's use of the phrases "orderly expression," "improper interference," "peaceful dissent." Let us be frank. School administrators and government officials define what is orderly. To them, "orderly" means pursuit of clogged and non-responsive channels; channels which are, of course, established by administrators and faculties among whom the object of the game often appears to be lengthy delay to see if the impetus will dissipate before they must act. "Orderly" means something that makes no waves and therefore is something to be ignored. "Orderly" has rightfully become a code-word among students that means dissent that is doomed by definition to failure.

#### CAUSES OF CAMPUS DISSENT

The first task of this commission, as outlined by the President, is to address itself to "the breakdown of orderly expression of dissent on the campus."

I would say the primary cause of violence on the campus is the inability of the institutions themselves or of society to respond to legitimate pressures for change. A second cause concerns the propensity of many schools to treat their students summarily, highhandedly and with no sensitivity to the student's basic desire to be, above all else, a human being.

Throughout our schooling, young people are taught that this is a democratic society and that as members of a democratic society they have a stake in its decision-making process. With respect to the society at large, young people soon discover that their effect on the political system is limited at best. They enter a political arena in which dissent becomes unpatriotic, their movements suspect and carefully scrutinized by internal security agencies, and in which their search for an end to an "unpopular-war-by-mistake" makes them an object of vice-presidential demagoguery.

In short, the establishment has given young people two choices: Dissent outside the system is bad; dissent inside the system is ineffective or unpatriotic. Two choices and neither of them work. Given that choice, it is not really surprising that frustration soon turns to violence.

Students have a similar choice on their campuses, and since it is more within the everyday experience of the National Student Association, I should like to document it with more detail. Violence on most campuses occurs only as the culmination of a long series of developments. At the beginning there are polite student requests for redress of some grievance; these are generally ignored. Then comes a more strongly worded request. Still nothing happens. Then there may be a protest meeting, perhaps a sit-in, and so on. Violence on the campus is documentation

that the institution failed in its responsibilities long before the outbreak.

There is a second aspect of the causes of violence on the campus. It is characterized by what I would call mounting frustration by students over their treatment and status on the campus. Each individual grievance may be small and highly unlikely as a singular cause of disruption. But institutional inaction on each, building over a period of time, causes the explosion. In many cases it is the non-responsiveness of establishment-defined "orderly" processes that are the cause of the confrontation.

During the course of the year, my staff and I have had called to our attention situations on campuses that are at least intolerable and at most go beyond the ridiculous and stupid. Let me cite some examples:

On one campus, typical of the many small schools in financial straits this year, the school administration summarily and permanently shut-down the student newspaper after it published an editorial opposing a \$400 expenditure for academic gowns on Rededication Day.

At another school, the college president was unsure whether the dismissal of charges by a hearing committee also meant that the temporary suspensions of the students should be lifted. In other words, should the punishment of students be continued even though they were found innocent.

At a midwestern university, the president agreed with the students that a disciplinary ruling could not withstand a due process test in court. Still, he told them they would have to get a court order before he would modify his decision.

One school, not far from Washington, considers the ACLU to be a threat to the campus and will not permit the formation of a student chapter.

Administrators at a southern school refused to implement a series of student requests endorsed by a student-administration committee. A peaceful protest following the refusal resulted in the mass arrest of 894 students. With the cooperation and assistance of the U.S. Department of Justice, local police closed off the campus to newsmen, systematically arrested the students and put them on busses bound for the state penitentiary one hundred miles away. After a judge ordered their release, the school discovered that its busses could not be used to transport the students back to campus.

At that same school, the president summarily cancelled the semester in progress and announced his intention to selectively re-admit students.

Even these extreme examples are eclipsed by the daily indignities suffered by students on many campuses. These include:

Depersonalizing and unwarranted intrusions upon student privacy in their dormitory rooms;

Use of grading systems to punish students where due process in disciplinary systems does not result in the desired expulsion;

Censorship of student publications to remove any critical comments about the school administration;

Control of registration of student organizations to permit only "desirable" organizations on campus;

Dormitory regulations that treat students as cattle to be herded in and out of cubicles at hours and on conditions established by people who haven't been students for maybe forty years;

Disciplinary procedures that permit and encourage the operation of base prejudice by administrators who are allowed to expel students on vague and non-existent regulations, or for any reason they personally find adequate.

Classes that students are required to attend, but that are poorly and incompetently taught.

How can experienced adults such as those in charge of our schools believe that people can be taught to be critical thinkers when they cannot write what they think in their publications, cannot say what they think in public meetings and cannot advocate constructive change without being expelled as trouble-makers. How can people learn responsibility when every minute of their lives is regulated by inflexible rules, telling them who they may or may not see, what time they must be in at night? How can we expect that young people will believe in a system that condemns them to perpetual childhood, with no privacy, and in which their activities are criticized as immature when they protest a war, the draft, research into efficient killing, high rents, and merchants with no social responsibility?

The primary cause of violence is a system that treats people as less than human and in which legitimate protest is condemned as un-American.

#### GRIEVANCE RESOLUTION

It may seem that I am taking the easy way out when I suggest that a highly efficient means of grievance resolution is to eliminate the cause of the grievance. This should be done in the many instances where grievances concern campus issues that are not central to the purpose of an institution of higher learning. I refer to censorship, curfews and parietals in the dormitories, and similar regulations meant only to control the personal lives of students but which have marginal or no educational value.

Many disputes on campuses concern the decision-making process and not necessarily the substance of any particular decision. It is still not unusual to find people in charge of our schools who think they rule by divine right. Students become incensed when decisions directly affecting them are made without advance notice or consultation by persons who appear to have inadequate factual foundations for their decisions and who refuse to offer reasons, discuss their decision, or are able only to offer unsatisfactory rationale. This is the way a majority of colleges are governed.

At one school the students consulted us about a request they were going to submit to the administration. After we advised them that their proposal was reasonable and in line with many other schools, they asked how they could best achieve adoption. We advised them to research the decision-making procedure at their school, including the charter and by-laws of that institution. They were told, falsely, by the school administration that the charter was a private document and they had no right to see it. These students cannot be blamed for not following proper channels when no one will tell them what these channels are.

At other schools the decision-making process is highly informal and prone to change without notice. The student body president at one mid-western school retained our general counsel to represent his student government in on-going negotiations with the school. He was frustrated because he had diligently attempted to follow channels. He had been advised by the college president that he should follow a certain procedure. Within the next four weeks, the procedures changed no less than four times.

Finally, it is with some hesitance that I suggest the use of conflict resolution techniques, such as mediation, arbitration and conciliation. These do offer some hope for rational, reasonable dispute settlement on the campus. There are some organizations concerned with developing and refining these techniques on the campus. Our National Student Congress in August will concentrate on familiarizing the delegates with some of those techniques.

But I hesitate for two reasons. First, these

conflict resolution skills are learned primarily through long experience. Most students have not had this experience. Negotiation requires that all parties understand the process. Failure by one may result in a solution that will not stand the test of time or review by the respective constituency. Unless the students are skilled or represented by labor negotiators or lawyers, the process may be destined to failure and the students to further frustration.

Second, my hesitation is based on the fact that the administration, trustees and faculty must also enter a conflict resolution procedure with a genuine desire for a settlement, which may involve some compromise. But compromise is unacceptable to those who do not have the personal sense of security to feel that they can modify their position or undertake frank discussions of their rationale.

#### PROTECTION OF ACADEMIC FREEDOM AND THE RIGHT TO DISSENT

In discussing this section, I find that it is necessary to become somewhat abstract for a moment. The phrasing of the third charge to this commission merits some examination. In order to discover what is meant by "improper interference" with education we must first understand what is involved in a modern education. In order to understand what is peaceful dissent, we must take into account the nature of the First Amendment that grants those rights.

Education necessarily involves discussions, research and teaching. It also encompasses more than that. Many educators now realize that education does include free universities, work in political campaigns, mass rallies, guerrilla theatre and other student initiated learning activities. These methods, outside, beyond the walls of the traditional classroom, challenge the student body to think in new and innovative patterns. This concept of education is necessarily more tumultuous—but it is no less an education. As a consultant to one recent commission on student unrest put it: "If there were not tensions on campus there should be a committee established to create some, because a campus without tensions is intellectually moribund."

I would add that at the same time, there is a realization that new forms of education are appropriate and valid, there is also the breakdown of the traditional line between teacher and the taught. Let me read something:

"The institution must provide an educational program that is adequate by the standards of students, teachers, the community, and the administration."

"The range of objectives selected should be limited only by the availability of teachers, facilities, and funds."

"Every student has the right to select his own learning activities and teachers."

"Each individual or group studying a particular topic should determine, jointly with their teacher, the purpose and content of the learning activity, means of attaining the goals in behavioral terms, and means of evaluating individual progress. In selecting means of evaluation, students and teachers should bear in mind the arbitrary nature of curve grading and the doubtful validity of multiple-point grading and should give serious consideration to the pass-fail system. Students should be individually responsible for attempting to reach stated goals."

This was not written by a bunch of radical students. It is contained in a proposed code of student rights submitted by a National Education Association task force to its convention earlier this month.

What this all means is simply this: The evolution of the educational process from past forms, necessarily means that our educational system will have some of what tradi-

tionists and diehards will call "improper interference."

With respect to the right of dissent on campus, this Commission has a considerable debunking task before it. Too many people erroneously believe that free speech on a campus is a right only when no one—and I emphasize "no one"—will be disturbed by the speech activity. That is patently absurd. When anyone speaks his activity necessarily interferes with the ability of others to communicate at the same time. Some interference is to be expected and permitted on a campus dedicated to the pursuit of knowledge and critical thought.

Freedom of expression also means that publications that criticize be distributed, that controversial speakers be heard, and that people be allowed to assemble in locations and at times appropriate to the object of their dissent.

Free speech means that people may get upset over what they hear and arguments may result. That should be permitted. Many times it is not.

This Commission must educate the country that, in the words of Justice Douglas, "The First Amendment was not designed to protect just the handing out of sedatives."

This Commission must not accelerate the political repression already unleashed on many campuses. A federal judge said in a decision handed down last week:

"The remedy for today's alienation and disorder among the youth is not less but more freedom of expression of ideas."

#### PRACTICAL STEPS TO MINIMIZE THE DANGERS ATTENDANT UPON EXPRESSIONS OF DISSENT

I shall assume that this section of the President's directive refers equally to the dangers of violence, as well as to the dangers that individual rights may be repressed as a punishment for involvement in dissent.

Let me suggest that schools must recognize and adopt due process in their disciplinary procedures. Due process must include: Notice of charges prior to the imposition of discipline, opportunity for a hearing before an impartial tribunal, a decision based on substantial evidence, the rights to hear the prosecution's evidence before being required to submit a defense, to testify and present witnesses, cross-examine witnesses and rebut unfavorable evidence. A student also should have the right to a hearing transcript, to be free from unreasonable coercion and be assisted by an attorney.

Further, the meaning of the First Amendment on campus must be understood and must be interpreted to include the following concepts:

That censorship of publications, speakers and organizations has no place in a learning institution;

That the First Amendment exercise involves some disruption and interference which must be tolerated;

That dissent ought not to be stifled because a college official cannot tolerate criticism, or because speech might cause some dissent or confrontation among students. With respect to the latter, let me say that the dissent activities of many students are forbidden because the college administration suspects that other students might become upset and cause a confrontation. In the case of a controversial speaker, his right to speak, students' right to hear him cannot be denied merely because there is a possibility of some disruption.

I would suggest that the presence of police on campus cause considerable and unnecessary violence. Police are sometimes an "incitement to violence by the students," in the words of a recent federal court decision. The escalation of the campus situation by the deployment of law enforcement officials and state militia—inadequately trained, armed, and inexperienced with campus situations

and personnel—many times creates a dangerous situation where none had existed.

The use of police on the campus must be a last resort. It cannot be a decision made in haste and for the political enhancement of some public official.

With all this said, it is important for you to understand one thing very clearly: student activism and noisy dissent will not stop until its causes stop. As long as the war in Indochina continues with no end in sight; as long as there is repression of black, brown and red people; as long as women are denied equal opportunity; as long as the desires and problems of working men are bypassed; as long as there is poverty in this country; as long as the United States continues on its collision path with its environment; students and young people will continue to make noise. Until these things are changed, we will continue to make life uncomfortable and at times, unlivable for the men in positions of power and influence in this country. That I can promise you.

#### PROBLEMS WITH MOTHERS ON WELFARE

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. LANDGREBE. Mr. Speaker, I want to include at this point in the RECORD a letter I have received from the director of the department of public welfare for White County, Ind. Mr. John B. Troncin describes in his letter some of the problems welfare departments in Indiana are having with current regulations, particularly as they relate to mothers on welfare.

I urge all my colleagues to give their attention to Mr. Troncin's remarks:

WHITE COUNTY,  
DEPARTMENT OF PUBLIC WELFARE,  
Monticello, Ind., July 10, 1970.

Representative EARL LANDGREBE,  
House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE LANDGREBE: In a recent U.S. Supreme Court decision, a welfare mother with children, whose husband may be incarcerated, deceased or just a runaway from home, may have an able bodied man in her home and continue to receive welfare. What kind of an example is this for her children? Frequently, teenage girls are in the home. I have had parolees in the home who were not related to the family. One man is reported to have said that "Sometimes you have to milk the old cow dry in order to get to the heifers."

Welfare departments in Indiana are in contempt of court if they refuse payment to mothers with a man in the home, and at the same time we cannot help a poor honorable married man, who has lost his job, cannot find employment and is able bodied. This is nonsense and should be corrected immediately. Perhaps prostitutes and their children should be cared for but why board their customers?

In the case of Mrs. Esther A. Grubb, et al., vs. William R. Sterrett, State Welfare Director, et al., Judge Eschbach held that stepparents are not liable for their stepchildren. Welfare departments are directed to make retroactive payments to August 8, 1968, to Welfare mothers who married and were removed from the Welfare payroll.

It is almost impossible to get runaway or divorced fathers to pay support as ordered

by the court. I have had known addresses of the runaway father, who were as near as Lafayette and Indianapolis, and could not get the papers served because of negligence of the law enforcement officers. I believe millions of dollars could be saved the taxpayer if F.B.I. were allowed to help return runaway fathers. It is almost impossible to return a runaway father who is out of Indiana.

If some of these corrections could be made, Welfare would not receive so much criticism from the taxpayers. The average taxpayer wants to take care of the old and unfortunate, but are opposed to some foolish regulations.

I believe in good care for the poor and unfortunate, but I also believe that some of the foolish regulations and decisions should be changed.

Very truly yours,

JOHN B. TRONCIN,  
Director.

#### WELL DONE

### HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. NELSEN. Mr. Speaker, as we all know, the reputation of American young people has been taking a beating because of the destructive antics of a very small portion of their total number. So it was good to read Jim Frick's recent editorial in the Fulda Free Press, Fulda, Minn., concerning the splendid showing made abroad on behalf of our country by a group of Illinois high school students. I include the editorial at this point in my remarks, with thanks to Mr. Frick, who is editor and publisher of the Free Press, for running it in his paper:

#### WELL DONE

While rioters were stealing the headlines in the United States a group of high school students from Flossmoor, Illinois, stole the hearts of Russians during a singing tour that included not only the USSR but The Netherlands and Austria. The group is the Viking Choir of the Homewood-Flossmoor High School. Mr. Frank Starr, Chief of the Moscow Bureau of the Chicago Tribune Press Service, said of the 108 members of the Viking Choir, "They came to Russia to sing. And sing they did . . . With gusto, spirit, and sensitivity, the choir sang spirituals, pop songs, gypsy songs, and songs from the musical show, 'Hair.'" According to Mr. Starr, the group even sang Russian songs to the Russians in Russian.

The Vikings made their trip to the USSR during Easter vacation at their own expense and are believed to be the first American high school choir to tour the Soviet Union. The tour was termed a great success, and an official of the Institute for Soviet-American Relations called the young singers "great little ambassadors of your great and proud country." The students themselves came home with a new appreciation of their own country. One young member of the singing group seemed to express the general feeling when he said, "Anybody that says anything's wrong with America in the next six months gets a punch in the nose."

The Vikings were welcomed home with expressions of praise for a job well done. Although they may not be fully aware of it, they won the gratitude of Americans for the manner in which they represented their country in what must have been a difficult undertaking.

NEWSLETTER: WASHINGTON  
REPORT

## HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. KEITH. Mr. Speaker, at this time I would like to provide the readers of the RECORD with the text of my most recent newsletter. Included is commentary on many of the main issues of the day that are important to my constituents and to the Nation:

WASHINGTON REPORT—CONGRESSMAN HASTINGS KEITH, 12TH DISTRICT, MASSACHUSETTS, JUNE 1970

VOLPE'S DEPARTMENT OF TRANSPORTATION  
ON THE MOVE

John Volpe's transportation plans received congressional attention and support since the publication of our last newsletter. The Supersonic Transport (SST) plane ran into stormy weather, but the fog and flack were dissipated in the debate which carried the day for the Department of Transportation.

Opponents of the SST charged, for example, that the noise pollution would shatter the peace and quiet of the surrounding suburbs. The fact is that the angle of ascent is so steep that the noise at take-off, although greater, is confined to a considerably smaller area than that affected by conventional jet departures.

The so-called "luxury liner for the jet set" argument turned out to be false, according to the airlines who already have ordered 122 SSTs with plans to purchase about 600 eventually. The plane will provide even lower cost intercontinental transportation than present jets.

Finally by this action, our aerospace industry will get their share of this billion dollar market which otherwise would have gone to France, Great Britain or the U.S.S.R.—all of whom have already flown supersonic transports.

As the President of PanAm said in testimony, the SST is here to stay.

The Transportation Department is not neglecting either mass transit or high-speed ground transportation. The House Banking and Currency Committee has before it a \$5 billion bill to help cities with their mass transit systems (MBTA in our area). And the House Interstate and Foreign Commerce Committee, on which I serve, is working on the Railpax plan which will permit the federal government to assume some of the costs of intercity passenger trains.

Mrs. Bess Myerson Grant, a former Miss America, paid me a visit recently to discuss the urgent need for consumer protection legislation. Currently consumer affairs advisor to New York Mayor John Lindsay, she particularly sought support for the consumer class action bill discussed in my last newsletter.

LYKES SEABEE BARGE SHIP—THE MOST COMPLEX  
CARGO SHIP TO DATE

I will be serving as the official federal representative at keel-laying ceremonies for a ship similar to that pictured above (not printed in RECORD), Wednesday, July 15, at 9:30 a.m. in General Dynamic Quincy Yards.

## FOUR YEARS AGO

"(We must) stop neglecting our merchant marine and recognize that it has a major role to play as part of our national transportation system and in our national defense. Our neglect becomes more serious in the light

of the Soviet buildup and progress toward their goal of mastering the seas.

"We must give our merchant marine the support it deserves or we may one day find ourselves having to depend on Soviet shipping.

"(We must) give immediate attention to solving the policy dispute within the government so that we can proceed with a program to support our merchant marine.—"The Soviets and the Seas," Report of a Congressional Delegation, August 4, 1966.—House Report No. 1809, Representative Hastings Keith.

## AND TODAY

With the cutback in defense spending, the future of Fore River Shipyard has been bleak. But the Nixon Administration, reversing previous government policy, has sponsored legislation intended to restore our competitive position in world shipping.

Fore River has the in-house capability to capitalize on this program which calls for construction of 300 ships over the next ten years.

If the Senate concurs with the House-passed legislation, it will help pick up the slack in the employment picture.

The Merchant Marine Act, if enacted substantially in its present form, could be the most significant piece of maritime legislation in over 40 years.

## THE STUDENTS

In May I was visited here in Washington by hundreds of college students concerned about the Cambodian invasion and the tragedy at Kent State. And, in turn, I talked with students at SMU and at Cape Cod Community College. These young people displayed considerable knowledge and genuine concern about the state of our Nation. Their energy and idealism should be channeled into our political system. With this in mind, I voted to lower the voting age to 18.

## THE SPEAKER RETIRES

John McCormack, Speaker of the House and senior member of the Massachusetts delegation, retired last month after 42 years as congressman from the Ninth District. His illustrious political career started when he was chosen a delegate to the state constitutional convention in 1917. He served successively as State Representative, Senator and Congressman.

Although he never finished high school, he has received 11 honorary doctor of law degrees and has been decorated by numerous foreign states. His presence in Congress will be greatly missed by all Americans and, of course, by his colleagues on both sides of the aisle.

HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 25, 1970.

DEAR MR. SPEAKER: Just a brief note to supplement my remarks on the floor on the occasion of your retirement.

History and the Congressional Record will reflect your great contribution to our country—its progress and prosperity. But in my mind and memory you will always remain a man for whom I have the deepest of respect, admiration and affection.

It has been an "honor and great personal pleasure" to have known and served with you these many years.

Louise joins me in wishing you and Mrs. McCormack the happiness in retirement that you so richly deserve.

Sincerely,

HASTINGS.

[From the CONGRESSIONAL RECORD, June 8,  
1970]AUTHORIZING SELECT COMMITTEE TO STUDY RECENT  
DEVELOPMENTS IN SOUTHEAST ASIA AND  
TO REPORT ITS FINDINGS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call

up House Resolution 976 and ask for its immediate consideration.

The Clerk read the resolution as follows: "Resolved, That

"(1) The Speaker of the House shall appoint a select committee of eleven Members of the House, two from the Armed Services Committee, two from the Foreign Affairs Committee, and seven from the House at large and shall designate one Member to serve as chairman, which select committee shall immediately proceed to Southeast Asia to investigate all aspects of the United States military involvement in Southeast Asia. The select committee shall, within thirty days of the adoption of this resolution, report to the House the results of its investigation.

"(2) For the purpose of carrying out this resolution the committee is authorized to sit and act during the present Congress at such times and places whether the House is sitting, has recessed, or has adjourned."

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 976 provides for the establishment of a select committee of 12 members, six from each side of the aisle, to go to Southeast Asia as soon as practicable on a high priority fact finding mission and to report back its detailed observations to the full membership of the House within 45 days of the adoption of the resolution. The members of the select committee would be appointed by the Speaker, with two being from the Committee on Armed Services, two from the Committee on Foreign Affairs, and the remainder from the membership generally.

Mr. Speaker, I do not need to elaborate to this body on the acute, urgent responsibilities we all face relative to Southeast Asia—as individual Members and as the legislative body in closest contact with the people. I believe this is an excellent resolution, a very timely resolution, a very important resolution, and one which should be passed by an overwhelming majority this afternoon. To do otherwise, I believe, would be a keen disappointment to most Americans who are so seriously concerned and so very considerably divided over our involvement in the war in Southeast Asia and what the future course of that involvement will be.

I am impressed by the fact that the proposed select committee would not come back with briefcases full of recommendations. Rather, its function would be to report accurate, detailed, objective observations and facts which I believe would be of great value to each individual Member in deciding his own approach to the problems of Southeast Asia. While I am sure the special Presidential task force will do a good job, nothing can replace a firsthand report from one's own colleagues. While each of us may differ very much as to viewpoints, we stand on one great area of common ground in that we each represent and are directly responsible to 470,000 constituent American citizens. Thus, I believe a report from a small committee of the House would be of greater value than a report from any other group.

I am confident that our great Speaker would see that this committee would be composed of Members of varied viewpoints that no one could validly label it a committee of hawks or a committee of doves. He has always been most fair and prudent in these matters.

[From the CONGRESSIONAL RECORD, June 15,  
1970]APPOINTMENT AS MEMBERS OF SELECT COMMITTEE TO STUDY FIRSTHAND THE RECENT  
DEVELOPMENTS IN SOUTHEAST ASIA

The SPEAKER. Pursuant to the provisions of House Resolution 796, 91st Congress, the

Chair appoints as members of the Select Committee To Study Firsthand the Recent Developments in Southeast Asia the following Members of the House.

Mr. MONTGOMERY, from Mississippi, chairman, Mr. SMITH from Iowa; Mr. HAWKINS, from California; Mr. ANDERSON from Tennessee; Mr. HAMILTON from Indiana; Mr. MOLLOHAN, from West Virginia; Mr. ADAIR, from Indiana; Mr. ROBISON, from New York; Mr. KEITH, from Massachusetts; Mr. CLANCY, from Ohio; Mr. WATSON, from South Carolina; and Mr. HANSEN from Idaho.

For too long, Congress has based its evaluation of the Vietnam War and efforts to end the conflict on information provided almost exclusively by executive agencies of government. In an effort to restore the independent role of Congress in foreign policy and the conduct of war, the House, by resolution, recently created a select committee to conduct an in-depth investigation of the Indochina situation. While no commission could in such a short period of time formulate a plan to end the war, our committee's report will hopefully provide valuable new perspectives on the conflict.

#### CAPTIVE NATIONS OBSERVANCE

### HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. HOGAN. Mr. Speaker, this week marks the 12th annual observance of Captive Nations Week in this country and in 17 other nations. These observances renew the hope and faith of thousands of Americans whose relatives and friends still live under Communist domination and oppression. This week should, however, serve as more than just a token reminder to all Americans of the plight of the 100 million Europeans and Asians living in captivity under the tyranny of Communist rule. This week should only be the highlight of an ongoing, year-in and year-out, American determination to work toward the restoration of freedom and self-determination for all peoples.

Because of this country's involvement in Southeast Asia, there has been a growing awareness in the last few years on the part of the American people of the basic strategic importance of the captive nations to U.S. national security and to the security of the free world. I am, however, still appalled at the many misconceptions which prevail among the American people about the captive nations concept. Despite the worldwide publicity given to the U.S. Captive Nations Week resolution 10 years ago and the annual reports on it since, it still remains a mystery why so few in the free world comprehend the concept.

To enumerate the captive nations accurately and historically one must begin in 1920 with the subjugation of Byelorussia, Ukraine, Georgia, Armenia, and several others in the Soviet Union. The second wave of Communist aggression reduced Latvia, Estonia, and Lithuania to captivity in the early 1940's. The third wave in the late 1940's enslaved a whole

new group of nations, including Hungary, Poland, Czechoslovakia, Albania, and many others. And, in the last decade, we have watched the curtain of totalitarianism drop over the peoples of mainland China, North Korea, North Vietnam, and Cuba.

The leading question which comes to mind after a review of this list is, of course, "who is next?" Rather than debate at this point the merits and demerits of the domino theory, however, I would like to call attention to some of the ironies and paradoxes of the captive nations concept and America's response to it.

It strikes me as being very ironical that the free Asian peoples have come to understand the meaning and significance of the captive nations concept far more perceptively than our own people. This awareness on the part of the Asians was most evident to me during my tour last year of several Southeast Asian countries. I was impressed with their grasp on this problem while so many Americans, who should espouse freedom and self-determination more than any other people in the world, openly scoff at the sincere warnings of those Americans who have witnessed tyranny firsthand. The answer to this paradox, of course, lies in the fact that when your very life and existence is directly threatened, as it is in all of free Asia, you cannot but view the total situation of the struggle more acutely, more sharply, and with greater insight.

This, Mr. Speaker, I think should be the focal point of this week's captive nations observance: To revitalize the credibility of the first-hand observer of Communist tyranny in the eyes of the American people and to reaffirm our conviction that America will not acquiesce to the tyranny suffered by the people of the captive nations.

#### TRIBUTE TO THE LATE HONORABLE CLIFFORD DAVIS

### HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. POAGE. Mr. Speaker, it was my privilege to serve with the Honorable Clifford Davis of Memphis during his entire membership in the House of Representatives. He was an honorable and worthy representative of his district. He and his wife, Carrie, contributed much to the fellowship and other good feeling between Members of this body. They were both enthusiastic and friendly people. We are happy that Carrie is still with us and serving to make life better in Washington. For many years Cliff made life better for all of us who served in the House. I was glad that I had the opportunity to call him my friend, and I feel that not only Memphis and Washington but our whole country has suffered a loss in his passing.

#### JUDICIAL CONDUCT

### HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. McCLOSKEY. Mr. Speaker, in recent months many of us have expressed concern over how we might best restore the faith of Americans in their legislative and judicial representatives through higher standards of conduct for public servants.

I have always felt the bar associations of this country have provided exemplary leadership in the Canons of Ethics, both for lawyers and judges, which have traditionally been the basis for self-discipline in the great profession of the law.

Next month, the American Bar Association will meet to consider an interim report of its special committee on standards of judicial conduct. This report contains several conclusions, particularly on permissible nongovernmental activities and compensation, which would appear to be worthy of our own consideration as guidelines to the future conduct we may expect of Federal judges, and they may also be instructive as to similar standards we might impose on ourselves if we are to seek the public trust our high office should have.

The interim report is set out below:

#### INTERIM REPORT OF THE SPECIAL COMMITTEE ON STANDARDS OF JUDICIAL CONDUCT

Subject to re-examination in the light of suggestions received after publication of this report, the Committee has reached specific conclusions on certain central issues concerning full-time judges. These conclusions are expressed as follows:

1. *Judicial duties.*—A judge's primary duty is to perform competently all the duties of office imposed on him by constitution, statute, court rule, and the common law. All his other activities are subordinate to his obligation to carry out his judicial duties.

2. *Quasi-judicial activities.*—Subject to his primary duty, a judge may engage in the following quasi-judicial activities, provided that in doing so he does not take a position that would affect his impartiality on specific issues before his court or on substantive issues likely to come before his court:

(a) He may speak, write, lecture, teach, or participate in seminars on matters pertaining to the law and the legal system;

(b) He may consult with legislative and executive bodies and officials on matters of judicial administration;

(c) He may participate, under the auspices of a bar association, judicial conference or other non-partisan organization, in drafting legislation and in other activities directed to improvement of the law, the legal profession, and the administration of justice. In this connection he may appear before legislative committees to testify for or against proposed legislation.

3. *Civic and charitable activities.*—A judge may participate in civic and charitable activities so long as they do not reflect adversely on his impartiality or interfere with fulfillment of his judicial duties. A judge may serve as an officer, director, trustee, or advisor of a non-profit organization—educational, religious, charitable, fraternal, or civic—subject to the following limitations:

(a) He should not serve if it is likely that

the organization will be substantially engaged in proceedings in his court;

(b) He should not serve if doing so will divert substantial time from his judicial duties;

(c) He should not engage in raising or investing funds, except that he may endorse efforts to obtain funds for an organization devoted to the improvement of the law or the administration of justice.

4. *Fiduciary relationships.*—A judge should not serve as an executor, administrator, trustee, or other fiduciary, except for the estate or person of a member of his family. As a family fiduciary he is subject to the following limitations:

(a) He should not serve if it is likely that as a fiduciary he will be engaged in any proceedings in his court;

(b) He should not serve if doing so will divert substantial time from his judicial duties; and

(c) In administering an estate as a fiduciary, a judge is subject to the same restrictions on financial activities that apply to him in his personal capacity.

5. *Personal relationships.*—A judge should not allow his social relations or friendships to influence, or appear to influence, his judicial conduct. He should not knowingly permit others to trade on the impression that they have special influence with him. He should not testify as a character witness unless he is convinced that his testimony is essential to a just result.

6. *Financial activities.*—A judge should refrain from financial and business dealings that tend to reflect adversely upon his impartiality or integrity, or which interfere with fulfillment of his judicial duties.

(a) He should not engage in business or serve as an officer, director, or advisor of any business organization.

(b) He should not hold any investment or other financial interest in an enterprise that is likely to be involved in proceedings in his court.

(c) He should not accept gifts or loans from lawyers or litigants, or any gift of a value in excess of \$100 unless it is from a member of his family or is reported by him in the same manner as receipt of outside compensation.

(d) He should not use information obtained by him in his judicial capacity for the purpose of financial dealings or any other purpose not related to his judicial duties.

(e) Except in connection with his being disqualified in a particular proceeding, a judge is not required to disclose the identity or extent of his investments or his income therefrom.

7. *Compensation and expenses.*—A judge may receive compensation and reimbursement of expenses for the quasi-judicial and extra-judicial activities permitted by these standards, subject to the following limitations:

(a) Compensation should be no more than reasonable in amount, no more than a non-judge would be paid for the same activity, and from a proper source.

(b) Expense reimbursement is limited to travel, food, and lodging expenses reasonably incurred by the judge and his spouse.

(c) A judge should report the compensation received from a person or organization other than the governmental agency paying his salary, indicating the name of each such person or organization making the payment, the amount or value, the date and place of the activity, and the purpose or event for which it was made.

(d) He should report the name of each such person or organization paying or reimbursing his expenses, and those of his wife if she accompanies him, the date and place of the activity, the purpose or event for which it was made, and, if the payment exceeds actual expenses, the amount of the excess.

(e) The report should be made regularly, within not more than six months after payments are received, and should be filed as public documents with the clerk of his court or in such other place as is designated by rule of court.

8. *Disqualification.*—A judge should disqualify himself in any proceeding in his court in which he knows or should know that he, individually or as a fiduciary, or any member of his family residing in his household, has an interest in the matter in controversy or the affairs of a party to the proceeding.

(a) An "interest" for the purpose of this standard includes any legal or equitable interest, no matter how small, in a party or in the *res* or issue in litigation, or any directorial, advisory, or other active participation in any enterprise involved in the litigation. Ownership of shares in a mutual fund or other entity is also an "interest" if the mutual fund or other entity holds a substantial interest in a party to the litigation.

(b) Disqualification should be by full disclosure of record as to the nature and extent of the judge's interest. When such disclosure indicates that a judge's interest is insubstantial, he may upon written request by all parties to the proceeding withdraw his disqualification and participate in the proceeding.

9. *Legal and political activity.*—A judge should not practice law, and may serve as an arbitrator only under extraordinary circumstances. He should not engage in political activity except to the extent necessarily involved in obtaining or retaining judicial office through an elective political process. A judge may represent his country, state or locality on ceremonial occasions and in connection with educational and cultural exchanges.

10. *Effective date of compliance.*—A person to whom these standards become applicable should, with all reasonable speed, arrange his affairs to comply with them. A person who holds judicial office on the date these standards become effective as to him may nevertheless:

(a) Continue to act as an executor, administrator, trustee, or other fiduciary for the estate or person of one who is not a member of his family if the interests involved and the time demands are not substantial;

(b) Continue to act as an officer, director, or advisor of a family business if he was acting in that capacity at the time he became a judge, and if the interests involved and the time demands are not substantial.

Submitted by the Special Committee on Standards of Judicial Conduct.

Roger J. Traynor, Chairman, E. Dixie Beggs, Edward T. Gignoux, Ivan Lee Holt, Jr., Irving R. Kaufman, Robert A. Leflar, William L. Marbury, George H. Revelle, Whitney North Seymour, Potter Stewart, E. Wayne Thode, Reporter.

#### UNIVERSITIES: UNREAL PLACES

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. DERWINSKI. Mr. Speaker, we are properly concerned with the future of our universities and are especially concerned over the situation which will prevail on campuses this fall when this generation of students return to the ivory towers. A very penetrating and profound column in the "New World," the official publication of the Catholic Archdiocese of Chicago of Friday, July 10, by Father Andrew M. Greeley, is, I believe, of special

significance and merits the attention of the Members. May I add that Father Greeley is a consistent and thoroughly legitimate liberal in his political philosophy which makes his views even more interesting. The column follows:

#### UNIVERSITIES: UNREAL PLACES

(By Fr. Andrew M. Greeley)

One might well ask why many college professors and their students are so totally unaware of the realities of American politics. Why do they engage in behavior which almost certainly is going to be injurious to the causes they support? Perhaps the best answer is to say that universities are very unreal places.

They have been made unreal for certain highly specific and important social purposes, but such unreality can be a disaster if the citizens of the university community decide they are going to engage in political activity. The principal business of the university is words and ideas.

Those who work at the university are essentially men who deal with the manipulation of words and ideas and they are terribly skillful at it. But an apparently inevitable consequence of this skill is a lack of respect for any other kind of human activity and a feeling of vast intellectual and moral superiority over those who engage in other activities.

As my friend, Prof. Arthur Mann, once remarked, "It is the usual practice for intellectuals to write biographies of politicians. They usually find faults with politicians that they as intellectuals have. One wonders what would happen if politicians wrote biographies of intellectuals; presumably, they would criticize intellectuals for lacking the skills of politicians."

With their immense intellectual skills college professors are strongly tempted to assume a pose of superior morality. They know what's wrong with the world and they have solutions to what is wrong. If others do not agree with these solutions, it is either because they are stupid or immoral; in either case they should repent of their sins and follow the advice of their betters.

It may seem like a harsh caricature, and of course many, perhaps even most college men, are not of this sort; but enough are to have considerable influence on the intellectual and moral atmosphere of a college campus. I remember recently one such academic saying on television, "The public must be made to understand that students are angry. The public must be made to understand that the blacks must have justice. The public must be made to understand that the war is immoral."

Who is going to make the public understand he did not say, nor obviously had it occurred to him, that there was even a question of persuasion, of dialogue, of political rhetoric, or fashioning coalitions and alliances. This sort of activity was beneath the academic's dignity. It was the kind of thing that low types like politicians engage in, but for an academic to analyze the issue and to present the obvious moral solution was enough. Others should just fall in line.

Because of his superior intelligence, his great skills at manipulating words, and his presumption to moral superiority, the average academic is apt to have a greatly exaggerated idea of his own importance. He therefore is persuaded that the things he says and the resolutions he votes on are taken seriously by those beyond the university campus.

Thus, many faculty members agonized at great length over the exact wording of their resolution decrying the Cambodian involvement. Many who were opposed to the involvement were also opposed to the resolution on the grounds that it involved the university in a political position which was foreign to

its nature as a place of detached and disinterested research. Others argued that such academic detachment was immoral and that it was time that the university became involved and relevant.

It apparently occurred to a very few that as far as the rest of the country was concerned, any stance that the university faculty took was strictly academic.

The typical faculty member also takes great delight in hearing the sound of his own voice. Faculty meetings are frequently nothing more than a parade of statements, narcissistically delivered by professors convinced of their intellectual and verbal superiorities and moral excellence.

One of the unexpected impacts of letting students attend faculty meetings is that the students, not yet being full-fledged academics, frequently see through the unreality of faculty verbalizations. (One young person said to me, "Good heavens, they're dumb.") Hence, a great deal of time is consumed on the college campus in talk.

An immense amount of time was spent arguing about the exact wording of resolutions which nobody was going to take seriously, not even the voters themselves, the day after the resolution was passed. One colleague of mine informed me that he didn't vote aye or nay on a single resolution because he felt that the vote for or against foolishness was to endorse the principle of foolishness.

Finally, the academic believes that he is a privileged person and is utterly horrified at the thought that anyone would object to his using the university as a center for over-kill society. In other words, the faculty member is astonished when he is told that if he bites the hand that feeds him, the hand might be withdrawn.

Of course he is going to be paid his salary even if there is a strike, and of course the students are going to get grades even if they don't attend class (it might be noted that it is a strange kind of revolution in which the revolutionaries worry about their grade point average).

And of course the state legislators are going to continue to expand higher educational budgets even though a faculty member has announced that the university is now a center for revolution. And of course private contributors are going to continue their contributions even though students burn down buildings and block highways. Why in the world should they behave any differently?

Those whom the gods destroy they first make mad.

**"30" FOR JOURNALIST HARRY  
BENGE CROZIER**

**HON. J. J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. PICKLE. Mr. Speaker, the "Fourth Estate" has lost one of its most renowned members at the passing of Harry Benge Crozier, who died this week in Austin, Tex. Not only has his chosen profession of over 50 years in the journalism field lost one of its most distinguished and beloved colleagues, but also the many people whose lives he has touched in the political and civic fields of our country. He had friends in all walks of life, which was evidenced by an appropriate dinner held for him in Austin in 1965, attended by more than 500 people who knew and loved Harry through the years for his interest in and compassion for them.

His assignments were many and varied, and he had no peer in his coverage of human events.

Since 1957, Harry Crozier had fought cancer, and true to the great man he was, he devoted the last 13 years of his life to bringing to public attention the hope which is offered through the knowledge and skill of the medical profession to those stricken with this disease, feeling that he would be satisfied if he could encourage more people to obtain early treatment.

The story which follows from the Austin American newspaper tells in detail many of the lovable and interesting characteristics of this great man. Added to these, there could be countless others, known only to the people who were privileged to have been included in Harry Crozier's numberless friends.

**DEATH COMES AT 78 TO HARRY CROZIER**

Harry Benge Crozier, widely-known Texas newspaperman, died Tuesday in a local hospital. He finally lost a 13-year fight against cancer. He would have been 79 years old July 27.

Funeral services will be at 5:30 p.m. Wednesday at Cook Funeral Home. Burial will be in State Cemetery.

The family has suggested that friends may wish to make memorial contributions to establish a Harry Benge Crozier scholarship fund at Southwestern University in Georgetown, which he attended.

The service will be conducted by Chaplain Clinton Kersey, chaplain of the Texas House of Representatives.

Though he was a political writer who covered the scene for a large part of the last 50 years, Crozier was more than a reporter. He was also an aide and confidant of political leaders; a publicist; a public servant; a courageous example to others fighting a long battle against cancer; and a friend to many at every level of life.

In August 1965 these friends gave "A Dinner for Harry" in Austin and more than 500 attended. The notables included every kind of figure from a United States senator to a Texas Capitol bootblack, and Harry would have been the last man to name them in descending order.

Harry Crozier was born in Paint Rock, Concho County, and went to Southwestern University at Georgetown for the purpose of studying law. But he wound up as an assistant in English to a professor named John H. McGinnis who later, like Crozier, worked years for the Dallas Morning News.

Crozier did not finish Southwestern, where he was a classmate of Frank Doble, who did. Crozier went to San Antonio and in the fall of 1912 got a job as a cub reporter with the Express, thanks to the help of a local politician who had been a cow-puncher with Crozier's dad in West Texas.

In the winter of 1913 Crozier came to Austin to cover his first session of the Legislature (the 33rd). Thereafter in a political and general reporting career that took him from the Express to the Galveston News, the Fort Worth Record and then the Dallas Record and then the Dallas News, he covered nearly every legislative session to the 42nd in 1931. Then he went to New York as director of public relations for the American Petroleum Institute.

Crozier returned to Texas later to become director of information for the state health department but left that post after a year to work for Coke Stevenson who was then lieutenant governor. In 1941, Stevenson appointed him as employer representative on the Texas Employment Commission, and he stepped up to the chairmanship in 1945. He served the commission until a new adminis-

tration came in in the early 1950s. Then he returned to public relations.

In between stints on the Dallas News he was the paper's city editor for a period and served as its Fort Worth correspondent during the oil booms of Burkburnett and Ranger, he and Tad Moses took over and modernized the Cattleman magazine. In later years he would say that the Cattleman was the greatest compliment ever paid him because it kept for 30 years the format he brought it.

After leaving public service in 1953, Crozier returned to public relations, principally in the political field where he had had much experience.

In 1928 he was with Tom Connally in his successful race for the U.S. Senate, but then was with a loser when Al Smith was defeated for President. He worked in the Willkie campaign in Texas because, while he admired Roosevelt, he was opposed to a third term in principle.

In 1957 the doctors discovered that Crozier had cancer. He underwent nearly 12 hours of surgery on his throat at M.D. Anderson in Houston and for 30 days afterward he couldn't swallow.

Crozier said later that prompt treatment saved his life. "If I can help the cancer society to get more people to seek prompt treatment, I'll be satisfied," he said.

For the past decade Crozier had been a journalist again, as he was for so many years earlier in the century. He went to work for Stuart Long's news service at the Capitol in 1961 to cover the Senate and write a weekly column, much of it reminiscences of his earlier newspapering days.

Always cheerful though not always well (he had been bothered by ulcers since before he saw military service in World War I), Crozier was never happier than when writing. He continued to contribute to the Long News Service until early this summer when he entered a hospital here. The doctors found that his old foe, cancer had returned and now was in his lungs.

Twice he was married, to Grace Younger in a union that ended in divorce, and to Ruth Hey, who died in 1965. A son, Kelly, by his first marriage died after an operation in December 1967.

His only survivor is a sister Mrs. Horace P. Smith of Miami, Fla.

In his last years, Crozier lived at his farm, Hickory Acres, east of Austin, with his dog, Suzie Q and various unnamed cats, ducks and chickens.

**OLD PATTERN: LEGENDARY REPORTER WAS  
HARRY**

(By Homer Olsen)

Harry Benge Crozier was a legendary Texas newspaper reporter in the Richard Harding Davis pattern.

As a matter of fact, they were contemporaries and their paths crossed at least once in the early professional years of the Texan and the later period of the more widely known journalist.

Crozier was working on the Galveston News in 1915 when Gen. Frederick Funston sailed into harbor in the transport Kilpatrick. Carrying troops bound for possible trouble in Veracruz, Mexico.

Also on board the Kilpatrick, it so happened, were two newspapermen who were perhaps the most illustrious Americans in the business—Richard Harding Davis and Jack London.

They were accompanying Funston to Mexico on the chance that another war might break out. There was no war, of course, but the Galveston visit of the troopship made good copy for Crozier and other Texas reporters on the scene.

As for the distinguished journalistic visitors, Crozier couldn't recall afterward that there had been anything special about them except that both were resplendently dressed.

In those days reporters didn't interview other reporters even if they were celebrities (a word hardly applicable to newspapermen of the time), and the Kilpatrick eventually departed without the local reporters writing much if anything about them.

Crozier, while primarily a political writer, was a widely experienced journalist who could cover any kind of story. He began on the San Antonio Express and thereafter worked for the Galveston News, the Fort Worth Record (absorbed by the Star-Telegram in 1925) and the Dallas Morning News. He was associated with the Dallas paper longer than any other and did some of his most notable work for it.

As a young reporter on the Express he wrote the story about how the Texas Senate one night in 1913, without formal action of adjournment or notice to hardly anyone at all, packed up and went home. The reason for the exodus was an outbreak of meningitis among the members.

The story of the school fire on Christmas Eve 1924 in Babb's Switch, Okla., in which more than 30 persons died, was considered by Crozier to have been the most dramatic he ever worked on. He covered the assignment for the Fort Worth Record.

Crozier was still on the Record when he was assigned to go to Denison one Saturday to meet a trainload of Eastern manufacturing tycoons on their way to Mexico City. His purpose was to beat (or "scoop") the papers in Dallas where the nabobs were to spend Sunday before proceeding south.

The star reporter met the Easterners who were so captivated by him on the ride into Dallas that they insisted that he accompany them to Mexico at their expense. Crozier had with him only the clothes on his back but the president of a large Dallas department store was persuaded to open up his establishment and call in tailors and fitters on their day off; and the reporter was completely turned out (including dinner clothes) for the week's visit to Mexico City.

Crozier was of less than medium size but possessed a large and exceedingly warm heart, and was well known for his genuine courtliness and flair for style in clothes.

Though he left newspapering for years to do public relations and serve as aide to political leaders, Crozier returned to it in the last decade. But he was never far away from newspaper people and his friends among them were many.

At the famous "Dinner for Harry" in the middle 1960s, in truth, it seemed that about half of the hundreds of people present were newspapermen, though that was not really the case.

For Harry had more friends than the ordinary man acquaintances; and they are the ones who are saddened now by his passing.

#### PAT'S QUIET DIGNITY

### HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. RHODES. Mr. Speaker, the recent earthquake in Peru which took so many lives and brought extreme hardship to thousands of Peruvian families generated a genuine sympathy on the part of Americans as shown by the vast outpouring of relief assistance.

To convey our country's concern, Mrs. Richard Nixon went to Peru with a plane carrying relief supplies and toured Peru's stricken areas. A number of editorials have noted the First Lady's able repre-

sentation of the United States through her errand of mercy. In particular, I would like to bring to the attention of my colleagues the Knoxville Journal editorial entitled "Pat's Quiet Dignity," which points out the gracious way in which she carried out her mission. I include this editorial in the RECORD:

#### PAT'S QUIET DIGNITY

Mrs. Richard Nixon made one of her rare ventures into the limelight this week by accompanying a load of relief supplies to earthquake-stricken Peru.

So seldom does Mrs. Nixon thrust herself before public view that her role as First Lady has become a marked contrast to the widely publicized performances of wives of other recent presidents.

Mrs. Nixon has been no shrinking violet. She has done all the things that First Ladies used to do—but without the jet set fever that has been associated with the White House in recent years.

One has but to recall the extensive exposure on magazine covers and television screens that was accorded Mrs. Jacqueline Kennedy Onassis when she was First Lady to realize how different Mrs. Nixon's image is.

The latter obviously does not intend to follow the footsteps of the former in any way, as was evidenced by a recent television tour of White House living quarters. It wasn't Mrs. Nixon but her daughter Tricia who conducted the tour. Years earlier "Jackie" gained considerable publicity by leading a similar visit.

Mrs. Nixon is fulfilling her role as First Lady in her natural manner of quiet dignity. It would be out of character for her to go dashing off on an extended vacation aboard a Greek billionaire's yacht. But going on a mercy mission to South America is just her cup of tea.

#### VIETNAM: ONE MEMBER'S VIEW

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. HAMILTON. Mr. Speaker, though the report of the Select Committee on U.S. Involvement in Southeast Asia is now available. I wish to bring my supplemental views to the attention of my colleagues, as follows:

SUPPLEMENTAL VIEWS TO THE REPORT BY THE SELECT COMMITTEE ON UNITED STATES INVOLVEMENT IN SOUTHEAST ASIA, JULY 9, 1970, LEE H. HAMILTON

You find in Vietnam evidence to support the point of view you had when you arrived. The complexity and the variety of the scene is such that the "hawk" and the "dove" will each observe, investigate and leave, assured of the wisdom of the view he had when he arrived.

Thus, I make no claim to an objective report. I add this supplemental view to the report filed by the Select Committee Chairman simply to pass on to my colleagues several of my observations about this unhappy land which has in recent years been too much with us.

#### CAMBODIA

The Cambodian venture has relieved the enemy pressure in the III and IV Corps areas. In each of these areas, the number of enemy-initiated incidents is sharply down. So far as I could determine, there has been little impact from Cambodia felt in I and II Corps.

Almost everyone with whom we talked in Vietnam, including critics of the war, read-

ily admitted that the enemy caches discovered have been significant. The Cambodian venture disrupted the supply and communication lines of the enemy, caused much equipment to be captured, relieved the pressure in the South, increased the confidence of the South Vietnamese, and provided a breathing space of uncertain duration for many provinces.

It did not, however, accomplish all its objectives. The Communist headquarters was not found and negotiations were not advanced.

The final judgment on the crucial question of whether the Cambodian venture will speed U.S. disengagement must await political developments.

Apart from the rapid progress the enemy has made in extending control over large areas of Cambodia since the United States incursion into Cambodia, serious questions remain in my mind about the impact of the U.S. move, among them, these:

Has it hindered a negotiated settlement because Hanoi's suspicion is deepened that the U.S. does not intend to leave, and Saigon, in its new found military confidence, is more resistant to negotiation?

If it has been such an outstanding success, why cannot the schedule of troop withdrawals announced before the venture be accelerated?

If South Vietnamese troops have difficulty making their homeland secure, will they be spread too thin to take on the burden of defending Cambodia? The more area there is to defend, the more advantage to the practitioners of guerrilla warfare.

To what extent is the United States now "committed" to Cambodia? As small weapons are supplied, air strikes continued, and economic assistance planned, the risk is that the United States is being drawn into another unpromising commitment and caught in a whole new set of problems.

What is the danger of an outbreak between the South Vietnamese and the Cambodians, long-standing enemies?

Has the United States, by going into Cambodia, proved itself unpredictable and able to strike at the enemy, or has the U.S. domestic upheaval over Cambodia signaled to Hanoi that the President's options in Southeast Asia do not permit escalation?

Could the undoubted beneficial results of the Cambodian venture be achieved without the high political cost at home, if South Vietnamese troops had been exclusively used to search the sanctuaries?

These questions will be debated endlessly. Suffice it to say they cause me serious enough doubt to discount the euphoric rhetoric of success that has come from high places.

At every turn we were told that the enemy can take all of Cambodia, if he wants it, and nothing short of massive United States intervention could stop him. If he does not want it, and the weight of opinion, at least for the moment, apparently is that he does not, current levels of American and South Vietnamese assistance are sufficient to enable a non-Communist government to survive. The fragility of the Lon Nol government confronts the United States with some very hard options. My own view is that the United States should not introduce troops into Cambodia, and should avoid massive aid or other steps leading to a new and continuing involvement. The vital interests of the United States are not directly threatened in Cambodia.

#### SOUTH VIETNAMESE GOVERNMENT

The Thieu government is in firm control politically. However, I saw little evidence that he is popular and little indication of a serious challenge to him.

Politics in South Vietnam is controlled by a military oligarchy. President Thieu appoints the province chiefs and the district chiefs, and almost all of them are military personnel.

President Thieu controls the military, or vice versa, and it is difficult to determine which is the case.

We should not deceive ourselves about the nature of the South Vietnamese government. It is not a democracy, and we should not pretend that it is. There has been much arbitrary use of power.

Truong Dinh Dzu, who finished second to Thieu in the Presidential race, was sentenced to five years in prison for advocating a coalition government. A military court has sentenced Thich Thien Minh, a leader of a Buddhist faction, to ten years at hard labor for concealing weapons and illegal documents. Thieu has demanded that the parliamentary immunity of two deputies be revoked because of Communist activities, and his handling of these cases has been severely criticized. Newspapers are frequently suspended for publishing offensive material.

My suspicion is that this arbitrariness will probably not abate, and might even get worse as the economic and political pressures become more acute.

Corruption has not been eliminated from the South Vietnamese government and there is very little prospect that it will be. Several American province and district advisers pointed out to me that a district chief, for example, simply cannot live on his salary and it is expected that he will "cheat" here and there.

The political and economic problems of the Thieu government are very severe and the prospect is for no relief. At the moment inflation is severe and the people of Saigon are as much concerned about it as about anything else.

In recent months the opposition to the government from militant Buddhists, students who feel they have no future, veterans who feel they have been shabbily treated, numerous politicians and several newspaper editors has become much more vociferous. However, none of these groups has been able to develop a formidable, united challenge to the present government.

One of the political pressures building up on the South Vietnamese government is the density of population. Saigon, for example, now has an estimated 2.2 million people and the resulting density is approximately twice that of Tokyo. The urban problems that result create enormous political and social unrest.

All these matters create an explosive political situation.

There are some encouraging signs that a representative government can be developed. One official spoke to me about the astonishing interest in the provincial elections. I visited several political meetings occurring in the provinces and they are not dissimilar to those I attend in the United States. Candidates spoke and urged the local populace to vote for them in the election. The high percentage of voter turnout in local elections should be appraised carefully. Pressure is exerted to turn out, and the elections tend only to ratify existing authority. It might even be a sign of maturity in the democratic process if the percentage of voters dropped.

But this democracy, rudimentary although it may be, has in it the seeds of promise.

The political developments, then, are a mixed bag. Democracy is struggling to be born and I would like to believe it will prevail, but no one can make that assurance.

(ARMY OF THE REPUBLIC OF VIETNAM ARVN)

I was continually impressed with the importance of the role, actual and potential, of the ARVN. They must bear the burden of local defense and security, but beyond that they are the primary available instrument of political, economic, and social reconstruction.

There has been improvement in the ARVN

forces. Their confidence after Cambodia almost approaches a state of euphoria.

Although American military officials generally are pleased with their progress and have high praise for the performance of several units, they observe that in certain critical areas—for example, in helicopter capability—the ARVN is far short of proficiency.

#### PACIFICATION

Pacification has had its ups and downs, but in 1969 rapid progress was made.

Although there has been some slowing in the rate of progress in recent months, the general feeling, especially in the III and IV Corps areas, is that pacification will continue to improve. Virtually everyone with whom I talked, American and Vietnamese alike, felt the program is better organized and is generating real progress. My own travels in three of the four Corps areas by jeep and helicopter, often without the presence of security guards, is evidence of this progress.

The Hamlet Evaluation System (HES) has measured progress in pacification since 1967. It was frequently criticized for presenting an overly optimistic view, and in early 1970 was revised to reduce the optimistic bias.

Most officials think it is a useful device. President Thieu, for example, uses it to put pressure on his province chiefs, because he regards it as a definite measure of their performance.

Several key American officials suggested that one of the most heartening signs in Vietnam is the continual improvement in the quality of the province chiefs. The province chief is, of course, an absolutely crucial local figure. I met with several province chiefs and discussed their problems at some length. I was impressed with their grasp of local problems, their sense of urgency for development and nation-building. My impressions tend to confirm the observations of the American officials.

I found among the Vietnamese people both respect and fear for the Viet Cong. They respect their discipline, but they fear their brutality, their heavy taxes and the fact that they draft their sons, who are often never heard from again. More and more, the indication is that the South Vietnamese dislike the Viet Cong and see that they do not tell the truth about the government of South Vietnam or the United States. More and more, South Vietnamese believe that if the Viet Cong would go away they could lead better lives. This is a healthy and an encouraging development.

We must continue to push South Vietnam hard in the area of land reform, local self-government and the protection of basic human rights. We cannot expect too much. Vietnam just is not the kind of a country where democracy is going to operate without problems.

It is critical that the government's land reform program, now announced, be implemented successfully. It would transfer ownership to 2.5 to 3 million acres of land to peasants who now cultivate it, and would affect 800,000 families. It could do more than any single thing to stabilize government control in the countryside. The land reform program constitutes a basic factor in the peasant's attitude toward the war.

#### THE UNITED STATES ROLE IN VIETNAM AND IN ASIA

The United States must consider Vietnam in the context of Asian policy. I believe we should downgrade United States interest in Southeast Asia, and certainly subordinate it to our interest in Japan. We should be interested in the long range development of the nations of Southeast Asia, but our immediate, vital interests are limited.

I came away from Vietnam with a keen appreciation of what we cannot do. In a word, we cannot build a nation for the South

Vietnamese. By the expenditure of enormous resources, we have given South Vietnam a chance to survive, and that's probably the best we can do. Their severe political and economic problems can only be solved by them. We can do our best to assist them through economic and technological aid, but as much as we would like to, we cannot assure their security, their prosperity or their democracy.

A key to our future Asian policy is to recognize our limitations in bringing about development in Asia. I was impressed by the amazing visibility of the American presence in Vietnam, Thailand, Okinawa and Japan. It is bound to be, and is, a point of friction. Our policy should be to adopt a lower profile or posture than has been the case in the past.

The United States should do all it can to encourage and support an Asian collective security system, and supply economic and technical assistance, but we should be most reluctant to commit American troops. We must look to the nations that are threatened to provide the manpower.

An important step in the future of the United States in Asia is to end in an orderly way our involvement in Vietnam. This will be a task calling for the utmost skill. The nervousness of friendly Asian leaders about the U.S. role in Asia is apparent. They genuinely fear that the United States will desert them. They accept the fact of U.S. disengagement reluctantly. One of the things I tried to do in my conversations with South Vietnamese citizens was to persuade them that the United States is withdrawing and moving out. Although they invariably nodded their heads in assent, I wondered whether they actually believed it with the still-massive American presence all around them.

We are in better shape in Vietnam than we have ever been before, and after five years of major combat, we have done about all we can do. We ought to accelerate withdrawal if at all possible, being careful to protect the United States position in world affairs, to insure the safety of United States forces and to encourage the safe return of American prisoners of war.

#### CON SON PRISON

I commend my two colleagues for their investigation of Con Son Island prison, and I share their shock at the inhumane conditions they found. American officials should take immediate steps to advise the Saigon government that we will not support a system which tolerates that kind of treatment of persons.

The gravity of their disclosure extends beyond humanitarian considerations. United States policy in Vietnam depends upon the stability of the South Vietnamese government. The conditions at Con Son raise fundamental questions about the nature of that government and its capacity to deal with dissent and opposition, and to make the kind of political adjustments necessary to keep the country from exploding.

#### MISCELLANEOUS

##### (1) Appreciation for U.S. personnel

My observations would be incomplete without a word of appreciation to United States military and civilian personnel. They are not the policymakers, and should not be held responsible for the errors of policy. I was impressed again and again with their competence and dedication. Many of them serve voluntarily at great personal sacrifice and all of us owe them a debt of gratitude.

##### (2) Negotiations

Vietnamization, despite its success in several respects, has clearly failed thus far to spur serious negotiations in Paris. I didn't speak to any American or South Vietnamese official who brought up the subject of negotiations.

## (3) Prisoners of war

The American prisoners of war create a special problem. Pressure should be kept up by the Congress to push at every conceivable opportunity for the identification of all prisoners, the establishment of regular communication between them and their families, the prompt repatriation of the seriously sick and wounded, the observation and inspection of prisoner of war camps by impartial observers, and their eventual release.

## (4) Physical appearance

I was impressed by the relatively untouched physical appearance of South Vietnam. There were, in places, many craters left from bombings. There also was evidence of Rome plows which had cut through the jungle, clearing it. (One American general commented that the Rome plow was, next to the helicopter, the most important piece of equipment in Vietnam.) In several instances, cattle were grazing where the plows had been through. In some few areas there was defoliation, but it was quickly coming back. Some instances of defoliation have undoubtedly been unwise and I would strongly oppose it in certain areas, for example, near the rubber plantations. But over all, the impression is one of the fertility of the land, which is everywhere apparent, and heightens the tragedy of the country because of the loss of potential productivity.

## (5) Reconciliation

I was often struck with the thought that someone must get on with the task of reconciliation of the North and South. This war will end some day if only because the people wear out. These people have suffered so greatly. Private groups and governments must begin now to work at the immensely difficult task of reconciliation. These efforts must concentrate on the overwhelming human problems. If progress can be made with them, the larger political and social problems may become more manageable.

## (6) People of South Vietnam

I was greatly moved by the incredible hardships the people of South Vietnam have endured. They have had staggering casualties, and many of them lead sub-human lives today.

I admire the very special strengths of the South Vietnamese which have made them remarkably resilient to tragedy.

I could not help but reflect on their future, and I cannot see any real relief. It seems to me they are set for an unrelenting struggle for long years ahead.

## OUTLOOK

I return less optimistic than many of our officials. North Vietnam is a highly organized, patient, disciplined society and South Vietnam is a highly inefficient; fragmented society. The United States can, and indeed has, given the South Vietnamese a chance to survive. As the United States withdraws from South Vietnam, we must be very firm—even tough—with the South Vietnamese in order to give them an opportunity to survive.

## CAPTIVE NATIONS WEEK IS STILL RELEVANT

## HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. MURPHY of New York. Mr. Speaker, Captive Nations Week, a rallying point for all who love freedom and defend fundamental rights, is being observed this year between July 12 and 18. Since its inauguration in 1959, Captive Nations Week has also been a symbolic

manifestation of the solidarity of free people in the United States and elsewhere with their East and Central European brethren living under Communist rule. Under the leave to extend my remarks in the RECORD, I would like to show that Captive Nations Week is, indeed, more relevant today than ever before by presenting a brief history of Communist domination in East and Central Europe and by calling to the attention of all the mockery the Soviet Union and its Red allies have made of the term liberation.

Captive Nations Week came into being with a unanimous resolution by the U.S. Congress, passed in June 1959. Known as Public Law 86-90, it designates the third week in July as Captive Nations Week and authorizes and requests the President to issue a proclamation to that effect. Presidents Eisenhower, Kennedy, Johnson, and Nixon, as well as scores of Governors and mayors, had over the past 11 years brought Captive Nations Week to public attention by calling on the citizenry to initiate, and join in, appropriate observations. The U.S. Congress, too, has helped dramatize the plight of the captive East and Central European peoples in annual Captive Nations Week debates.

The question is: Captive Nations Week may well have been relevant in 1959, but is there a need for such an observance today? Is it not merely a remnant of the cold war? Are the people of East and Central Europe still captive?

Twenty-five years ago this May, the war in Europe came to an end. Yet today its legacy continues to pose a threat to European security and world peace. The once independent countries of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania remain under Communist domination—ruled by regimes representing a dictatorial minority. The sovereign Baltic States of Estonia, Latvia, and Lithuania have been forcibly incorporated into the Soviet Union.

The true sentiments of these peoples have been dramatically brought forth in the 1956 Polish October, the Hungarian Revolution of the same year, and the "Czechoslovak Spring" in 1968. In each and every instance, only strong Soviet pressure—outright military aggression in the cases of Hungary and Czechoslovakia—prevented the Communist domination from being swept away by a people clamoring for self-determination.

It was not the free world or the captive people that had initiated the cold war. This ideological confrontation, which is part of the legacy of World War II, has its roots in the declared objective of communism to impose its system of government on other nations of the world. In the Communist orbit, the regimes continue to wage a war of spiritual and moral attrition on the people over whom they rule. Abroad, Communist subversion and infiltration remain one of the instruments of Communist policy in general, and that of the U.S.S.R. in particular.

Expressing solidarity with the captive peoples during Captive Nations Week is, therefore, no artificial revival of yet another phase in the cold war, since the

cold war was not of the captive peoples' making. Captive Nations Week observance simply offers dramatic proof that the plight of the 100 million East and Central Europeans has been forgotten by their more fortunate brethren in the free world. This kind of uplift, symbolic though it may be, is of vital importance for the progressive and reformist forces inside the Communist orbit that are striving for a greater measure of freedom.

Moreover, world public opinion has long condemned all forms of colonialism. It would be inconsistent to call for self-determination for the former territories of the colonial powers while passing in silence over the neocolonialistic policies practiced by the Soviet Union under the provisions of the so-called Brezhnev Doctrine. Surely the nine East and Central European countries, with their rich heritage and past contributions to world civilization, are fully entitled to chart their own destiny without outside interference or intervention.

The observance of Captive Nations Week is thus a moral obligation for all who profess their belief in freedom, equality and equal opportunity—both on national and individual levels.

And what a mockery the Soviet Union and its Communist allies have made of this term "liberation."

Communists claim that they are in the vanguard of the liberation of peoples. As the evangelists of Marxism-Leninism, they claim to be the sole instrument of the freedom of mankind. This is their message to the emerging peoples of Asia and Africa; this is their plea to the discontented of Latin America; this is their argument to the confused people of Vietnam and Southeast Asia; this is, indeed, the cornerstone of Communist policy in every corner of the globe.

But what is the reality?

What is "freedom" in the world of communism?

What is "national liberation" Communist style?

Here again, one only has to look to the nine east and central European nations, for here we see the classic Communist case study of subversion, terror, conquest to achieve the diabolical purposes of communism.

What is being done in east and central Europe is not according to the wishes of the people; it is rather according to the desires and will of the leadership in Moscow. And what they are trying to do is to transform that area, reshaping it according to the principles of communism; this is prime force that generates this Soviet engine of tyranny.

On this day, it is fitting that we Americans pause in our daily tasks to pay tribute to these captive people.

On this occasion we all honor a truly, gallant, heroic, resourceful people, a people who are most deserving of all the words of praise that can be expressed.

However, on this occasion, I think it is also very important to call the attention of the other peoples in the free world to this anniversary week and to retell the story of submergence as captive nations in the universe of Communist tyranny, a tyranny that has clothed itself in the

lexicon of democracy by claiming to bring freedom and national liberation.

In retelling this story, perhaps we and other peoples in the world can understand more clearly what is at stake in Vietnam, Cambodia, Thailand, Laos—all of Southeast Asia—for in those very troubled countries we are again witnessing the attempts of a Communist conquest under the guise of national liberation. Vietnam is a concern of all of us, and our concerns enlarge with each step that deepens our involvement. This is a problem not easily understood; but in its simplest form we are here again observing in a distant land and within a complex political setting, the tragedy of East and Central Europe.

In all our jousts with the Communist powers, we must never forget our commitment to the cause of freedom; we must never forget our commitment to the principle of self-determination; we cannot, we dare not deny our heritage, our national tradition, our tradition as a democratic nation; and we ought never forget that our own freedom shall never be wholly assured until this principle of self-determination has been universally accepted and respected by all mankind.

#### S. 2108—FAMILY PLANNING LEGISLATION

### HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. BUSH. Mr. Speaker, 2 days ago the Senate passed by unanimous consent S. 2108. This is a bill to expand, improve, and better coordinate the family planning services and population research activities of the Federal Government. I commend the action of the other body in its unanimous support of this legislation and its early enactment this session in order for the House to have time to conduct hearings and pass this legislation for the President's signature this year.

Exactly 1 year ago this week, President Nixon presented his message on population to the American people. In this message he proposed a 5-year goal of providing family planning services to all those American women, an estimated 5.3 million, who wanted these services but cannot afford them through private sources. The enactment of this legislation will insure the success of this legislation.

There are many persons responsible for the success of this legislation. Particular credit should go to Senators TYDINGS, YARBOROUGH, JAVITS, and EAGLETON for their initiative and leadership as well as many persons in the private sector of our society who have lent their moral support and spent many years in creating the proper attitude among legislators to recognize the great need for this legislation. I want to pay special tribute to the Honorable Ernest Gruening and General William Draper for their unrelenting work involving this legislation.

Now the onus is on the Members of this body to act and pass this legislation. The House Republican Task Force on Earth Resources and Population, of which I am chairman, has spent the last year studying the problems of population growth. We released a report in December of last year on Federal Government family planning programs—domestic and international. We released a report last week on Earth Resources and Population—Problems and Directions. We held over 40 hearings that included over 60 witnesses. We learned a great deal. We know and understand the complexities of these interrelated problems. We know that this family planning legislation is desirable and very badly needed as the most essential component in solving the inherent problems of population growth.

This legislation is not by any stretch of the imagination a population control measure. Population control is not a proper function of any government. Family planning is a component of maternal and child health care services and is a great deal more than merely the dispensing of birth control information and devices. Birth control is an accepted norm in American families. No one has to feel timid about discussing birth control any more. The facts are in and undisputable that millions of American women desire to limit their fertility but do not know the first thing about how to accomplish this and if they did they cannot afford the medical advice and assistance they need. This legislation is a big step in providing decent and respectable health care services to the poor. It is a big step in providing the research dollars needed to find more effective and more safe contraceptive devices and techniques that will provide acceptable alternatives to birth control methods that exist today. It will provide education to the public in general about the consequences of population growth.

I ask my colleagues not to shy from this legislation. I urge the Committee on Interstate and Foreign Commerce to hold early hearings on this legislation and bring it to the floor for an early vote. The success of the OEO family planning programs is testimony of the desire and acceptance for these services among the poor women of this country who are mostly white and so this is not a race issue. It is a health care issue that emphasizes fertility regulation putting this aspect of health care in its proper order of concern with the other aspects of health care we practice.

#### A PROUD AMERICAN WAVES HIS FLAG

### HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. QUILLEN. Mr. Speaker, this past Fourth of July a poignant and moving story appeared in the Greeneville Sun, a daily newspaper in Greeneville, Tenn., concerning one of its fine citizens, Mr. John H. Tipton.

It is no ordinary story in any true sense of the word. It reveals a virtue in a man that some persons in this country do not possess, and that virtue is patriotism.

Mr. Tipton enjoys raising his flag on a special pole which is erected in front of his home, although he never sees it wave in the breeze. Mr. Tipton is blind.

He knows it is there and he knows what it symbolizes. In the newspaper story Mr. Tipton explains to reporter Bob Hurley, a very capable reporter, exactly what Old Glory means to him on Independence Day.

It is my opinion that if there were more people of his character in this world, it would certainly be a better place in which to live.

I submit the newspaper article for readers of the RECORD.

#### A PROUD AMERICAN WAVES HIS FLAG THIS JULY FOURTH

(By Bob Hurley)

Today, July 4, 1970, 174 years after the first Independence Day, the flag is taken from its hanging place over his bed and draped around his shoulders while he uses his hands to find his way out of the bedroom, down the hall, through the living room, out the front door, down the steps, across the driveway, and finally, reaching the base of his flag pole, the Stars and Stripes are raised above 104 Rankin Drive and Tusculum Heights in all of their glory.

#### AN OLD PATRIOT

For John H. Tipton, who will be 80 October 5, this is the zenith of patriotism. For most folks, this chore seems simple enough. For others, it seems so simple that it never gains a thought. But John Henry Tipton gladly raises his flag even though he will never see it whipping in the breeze. Neither will he enjoy the greenery or the proud flowers around his home on this July Fourth because his world has been one of darkness since 1936. John Henry Tipton is blind.

#### TWO PREACHERS

The son of a Methodist preacher and "a goodly, God-fearing mother that is responsible for everything that I am or ever will be," John H. Tipton was born October 5, 1890, in Mitchell County, North Carolina.

He attended school through the sixth grade before he had to quit to help support a large family after his father died. "But that don't mean that I quit being a student because I still am. I still learn all the time," he says.

While in Mitchell County, he served, at one time, seven churches as an ordained Methodist preacher, served on the school board, and, for one term, represented his beloved Mitchell County in the state's General Assembly in Raleigh.

#### TO TENNESSEE

John Henry Tipton, his wife, Rose, and their seven children, Jewell, Betty Jo Ann, LeRoy, Jay, Austin, Roger, and Maurice came to Greene County, Tennessee, in 1936.

"Doctors and eye specialists have compared my eyes to a candle. They say that since I was a child, my eyes have been steadily deteriorating, and, like the candle, they eventually quit burning or quit functioning," he recalls of how he lost his sight.

Around the time that the decision was made to come to Tennessee, he recalls that he realized, at that time, that he would have to move to more suitable farm land, "more level", where his sons would be in less danger of farming accidents because he knew the responsibility would lie more and more on them because he was, for all practical purposes, already blind. He says that the Mitchell County terrain is steep and very difficult to cultivate, "especially for my boys."

He points out the fact that Mitchell County

has three of the highest mountain peaks in eastern America in Roan Mountain, the Unaka Range, and Iron Mountain.

#### SETTLED AT MOSHELM

The Tiptons settled on a Lick Creek farm near Mosheim. There they lived until around twelve years ago. It was here that four of his sons grew into manhood and volunteered for the armed forces. Two sons remain in the U.S. Air Force as Master Sergeants. One son, Roger, has been decorated several times recently for his outstanding performance of duty while serving in Vietnam and in Mississippi when killer hurricane, Camille, wrought havoc to the Gulf Coast States in 1968. He is now serving his second extended tour of duty in Vietnam.

#### BACK TO CHILDHOOD

John H. Tipton's love for his flag and the way of life that it represents goes back to childhood. He says that his parents instilled in him a love for God and Country that has lasted through the years.

The flag pole that rises high above his home on Rankin Drive is a product mostly of his own hand. He designed it and did most of the work but had to have help in pouring the concrete for the large base and getting the pipes set. In the base, he imprinted "J.H.T., 1970", with a set of wooden stencils that he carved out himself.

#### DEDICATED TO NEIGHBORS

Of his flag pole, he said, "On this Independence Day, 1970, I would like to dedicate this flag pole to the city of Greeneville and, more especially, to my neighbors of Tusculum Heights since it stands at the gateway to this subdivision. I would be pleased to have people think of it, not as a blind man's flag, or as the old man Tipton's flag, but as OUR flag."

His love for God and Country has been expressed in verse form in hundreds of poems that he has written over the years.

He recalls that one of his poems, "That Little Boy of Mine" was written on a Sunday morning shortly after his son, LeRoy, went to sea with the U.S. Navy. The poem reads:

That little boy of mine,  
That once did set upon my knee,  
And talked of the man that he wanted to be,  
Now a man is he.  
And gone away upon the sea,  
He sailed to where,  
I know not where,  
But surely his good ship is sailing there.  
Amid the breakers and the foam,  
Away from native land and home,  
May God stay the powers of death,  
That lurks beneath and above the waves.  
Out there among the gallant and the brave,  
He sails beneath his country's flag,  
A glorious banner, not just a rag,  
With 48 glowing stars.  
And 13 bright shining bars,  
And floats in honor near and far,  
It bears many a ghastly wound,  
But not a single dishonorable scar.

#### IN GOOD HEALTH

Other than his sight handicap, John H. Tipton remains in excellent health. He gets through his home and to his flag pole with ease. He makes his home with his son, Maurice. His wife, Rose, passed away last week. She was buried Tuesday, June 30, in Mitchell County.

Though blind for 36 years, he has read over 4,000 books and has written many poems.

He has worn out six record reading machines. This machine, which is loaned to him by the National Library of Congress, simply plays the recorded words of books and other writings.

Other times may find him in his basement working at the bench that he made himself recently. He uses power tools as he needs to.

Though in a world of darkness, John Henry

Tipton sees many things very clearly. He knows the price that has been paid to keep "my native land free." He often speaks of those who would bring discredit upon our flag and reproach upon our nation.

"Love for God and native land begins at home," he says. "My mother and father taught us this from the first time I can remember. This is what is needed today."

#### LOCALITIES SHOULD BE REIMBURSED BY THE FEDERAL GOVERNMENT FOR LOSSES BECAUSE OF THE TAX-EXEMPT STATUS OF FOREIGN RESIDENCES AND OFFICES, OR BECAUSE OF THE VOLUNTARY WAIVING OF SUCH TAXATION BY LOCALITIES

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. WOLFF. Mr. Speaker, yesterday I introduced legislation to authorize payment to local governments by the U.S. Government to reimburse them for the property taxes lost because of diplomatic tax exemption or because of the voluntary waiving of taxation on certain real property owned by foreign governments.

Among the privileges granted to diplomatic representatives of foreign nations by the States and by the United States on property owned by foreign governments is freedom from real property taxation by localities on ambassadorial residences and offices. Obviously, such tax losses to localities are a problem peculiar to metropolitan areas like New York and Washington where foreign missions are maintained.

I think that if it is in the national interest of the United States to grant such tax exemptions to foreign governments, then it is equally in the interest of the United States to reimburse the localities involved for such losses. The city of Glen Cove, located within the congressional district I represent, acceded to the request of the United States delegation to the United Nations in 1966 to waive real property taxes on an estate which is a weekend retreat for the Russian representative to the United Nations and, as a consequence, the substantial sums of \$30,000 and \$10,000 have been lost to the city and to Nassau County respectively every year since that time.

These considerable revenue losses are intolerable for such a small town and I have been advised by Mayor DiPaola of Glen Cove that the town feels that it must go forward with legal proceedings in an effort to collect the needed taxes on this particular property.

Mr. Speaker, I believe we would all agree that tax exemptions for essential office and residential facilities make sense. Especially so, when one realizes that the visitor countries reciprocate on such exemptions. However, in this instance, we are faced with a situation in which the property being exempted from local taxes falls within a nonessential category and is used exclusively on weekends for rest and recreation by the Soviet legation to the United Nations.

The fine people of Glen Cove have been good neighbors and they do not wish to be the cause of international friction. However, inasmuch as it was a U.S. Representative to the United Nations who represented our Government in its original plea for a waiver on local taxes, it seems to me in the interest of the town of Glen Cove and the Government of the United States that legislative relief be offered to this town, and others in similar circumstances, that have acted so responsibly and responsibly to requests from our National Government.

It is abundantly clear, Mr. Speaker, that if a tax loss is in the interest of the United States in our relationships with foreign nations, then such tax losses should be borne by all the people of the United States and should not be a penalty to be borne only by the community which the foreign nation selects for an office or residence.

Therefore, such reimbursement should be made, not only to communities within which a clearly tax-exempt facility is located, but also for those communities like Glen Cove who have in the past generously and unselfishly waived their clear rights to such taxation when requested to do so by the U.S. Government in the greater interest of the United States and her position among the other nations of the world.

#### CAPTIVE NATIONS WEEK, 1970

### HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. BUTTON. Mr. Speaker, as a member of the free world of nations, the United States has committed herself to the doctrine of self-determination for all peoples. In recognition of that principle, this week has been set aside for the observance of Captive Nations Week, a memorial to the captive peoples of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Romania.

This observance began 11 years ago when President Eisenhower proclaimed the first Captive Nations Week inaugurated by a joint resolution of Congress. The Presidential proclamation was offered in recognition of these nations and their struggle for freedom, a struggle dramatized by the bloody Russian move into Hungary a scant 3 years earlier.

And for those who would wonder at the significance of this observance in 1970, some 25 years after the last World War and Russia's occupation of the East European and Baltic States, the recent Russian invasion of Czechoslovakia serves as ample reinforcement.

It is hoped that the recognition given to Captive Nations Week will focus world attention on the fate of these nations and on efforts to restore them to the body of the free world states. As residents of a nation that enjoys the greatest political and social freedom in the world, we can do no less than to observe this week on behalf of the captive nations of East Europe and the Baltic states.